

Masalai i tokaut

Number Eighteen: 12 March 2003

Forest Minister's private lawyer paid

K 150,000 by the State

Another example of the corrupting influence of the forest industry has come to light in which a senior Government Minister has allowed his integrity to be questioned as a result of the antics of a logging company.

With corruption and poor governance now clearly recognised as the primary cause of PNGs debilitating social and economic condition, it is the failure of Government and other stakeholders to deal effectively with the logging companies that are at the root of the problem that is preventing any positive progress.

The lawyer engaged privately by the Minister for Forests, Patrick Pruaitch, to defend an election petition case was paid K 150,000 by the State as part of the controversial Kiunga-Aiambak Deed of Settlement.

Mr. Pruaitch engaged Joseph Yagi of Yagi Lawyers to represent him in an election petition case that was heard in Vanimo on March 7th 2002. Pruaitch, the Member for Aitape-Lumi, was defending a court case brought by the man he unseated as the sitting MP, Mr. Eddie Soweni.



A victorious Mr Pruaitch (in necktie) emerges from the courthouse in Vanimo with a smile and his lawyer Mr Joe Yagi (left) announcing the court decision to an obviously happy crowd of supporters led by Mrs Pruaitch clapping on the right. Picture courtesy of Forest Ministry.

Joseph Yagi is the lawyer who acted on behalf of the controversial logging company Concord Pacific in relation to the Kiunga Aiambak Deed of Settlement. As part of that Deed, which has been roundly condemned by politicians, public servants and civil society, Yagi Lawyers was paid K 150,000 by the State.

IN THE NATIONAL COURT]
OF JUSTICE AT WAIGANI]
PAPUA NEW GUINEA]

OS. NO: 739 OF 1999

BETWEEN:

**CONCORD PACIFIC
LIMITED**

- First Plaintiff -

AND:

PAISO COMPANY LIMITED

- Second Plaintiff -

AND:

**THOMAS NEN
MANAGING DIRECTOR -
PAPUA NEW GUINEA
FOREST AUTHORITY**

- First Defendant -

AND:

**PAPUA NEW GUINEA
FOREST AUTHORITY**

- Second Defendant -

AND:

**THE INDEPENDENT STATE
OF PAPUA NEW GUINEA**

- Third Defendant -

NOTICE OF MOTION

The Plaintiffs will at 9.30 am on ^{18th} day of December 2002, move the Court for orders that:

1. The time for the service of this Notice of Motion and the Supporting Affidavit under *Order 4 Rules 42* be dispensed with pursuant to *Order 1 Rule 7* of the *National Court Rules* and leave be granted to the Plaintiffs/Applicants to make the application.
2. Leave be granted to the Plaintiffs to discontinue the whole of the proceedings pursuant to *Order 8 Rule 61(2)* of the *National Court Rules*.
3. The terms of settlement be filed in Court.
4. The time for the entry of the order be abridged to the time of settlement by the Registrar, which shall take place forthwith.

Dated the 18th day of December 2002.



YAGI LAWYERS

Lawyers for the First & Second Plaintiffs

Although the Forest Minister has stated his Government does not recognise the Deed and will not execute it, Forest Service insiders say that Yagi Lawyers were paid their K 150,000 back in December last year and that the Minister has not given any instructions for the money to be reclaimed.

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