

Masalai i tokaut

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Minister interferes to promote industry 'Yes-Man' to top job

Forest Minister Patrick Pruaitch is at it again – unlawfully interfering with due process to serve the interests of the corrupt Malaysian logging industry.

*In previous **Masalai** Reports we have exposed how Forest Minister Patrick Pruaitch routinely exceeds his powers to direct the Forest Authority on operational matters and ignores proper procedures to ensure that Malaysian logging companies do not have to account for their appalling record of environmental destruction, landowner abuse and slave-like working conditions.¹*

Now the Minister has stooped to new lows in an illegal attempt to promote the National Forest Service General Manager, Brown Kiki, to head the Forest Authority.

Kiki is widely regarded as one of the worst public servant's in the country – prepared to manipulate facts and deal loosely with the truth to promote the interests of some of the worst logging companies operating in PNG. So bad is he that he is despised by his colleagues within the National Forest Service and ridiculed in the corridor of power for his blind allegiance to the logging industry.

Of course, this is exactly why Patrick Pruaitch wants Brown Kiki as the Acting Managing Director – so that the pair of them can continue to manipulate the Forest Board, hand logging permits to their Malaysian logging friends and most importantly, make buckets of cash.

The position of Managing Director of the National Forest Service has been surrounded in controversy for three years since Thomas Nen resigned the post to contest the last National Election.

Desperate to issue new logging permits and permit extensions before the election, then Forest Minister, Michael Ogio, managed to make six different appointments between January and June 2002 as he desperately searched for a compliant MD while the Forest Board fought to force him to follow due process.

Eventually the suspected gang-land Mafioso and disgraced former POSF boss, David Nelson, was unlawfully appointed to head the National Forest Service.

After the election, interim Minister Gabriel Kapris and his successor, Patrick Pruaitch, also backed Nelson and unlawfully confirming his appointment in defiance of the Forest Board and the official recruitment process that was being conducted by Price Waterhouse.

But Nelson's outrageous behaviour in handing out logging permits² and milking the finances of the Forest Service³ soon drew the attention of the Courts and the Ombudsman Commission.

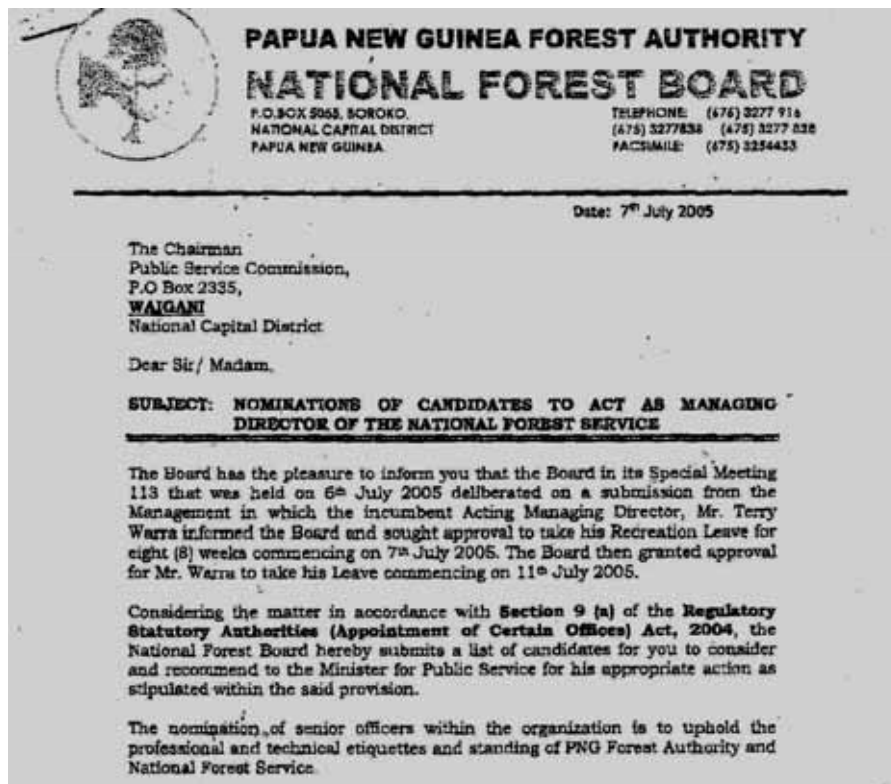
Nelson was forced from office to be replaced by the mild-mannered head of the Forest Research Institute, Terry Warra.

Mr Warra is now due his long service leave, and the Forest Minister and Forest Board have been battling over who should replace him as Acting MD during his absence.

Board follows due process

Aware that Mr Warra was due to be absent from his post for two months, the National Forest Board embarked on an entirely proper and legal process to appoint an Acting MD.

The Board, in its meeting on 6th July, identified four possible candidates for the interim position and they wrote to the Public Services Commission asking them to consider the four nominees and advise which were suitable to be short listed for the post.

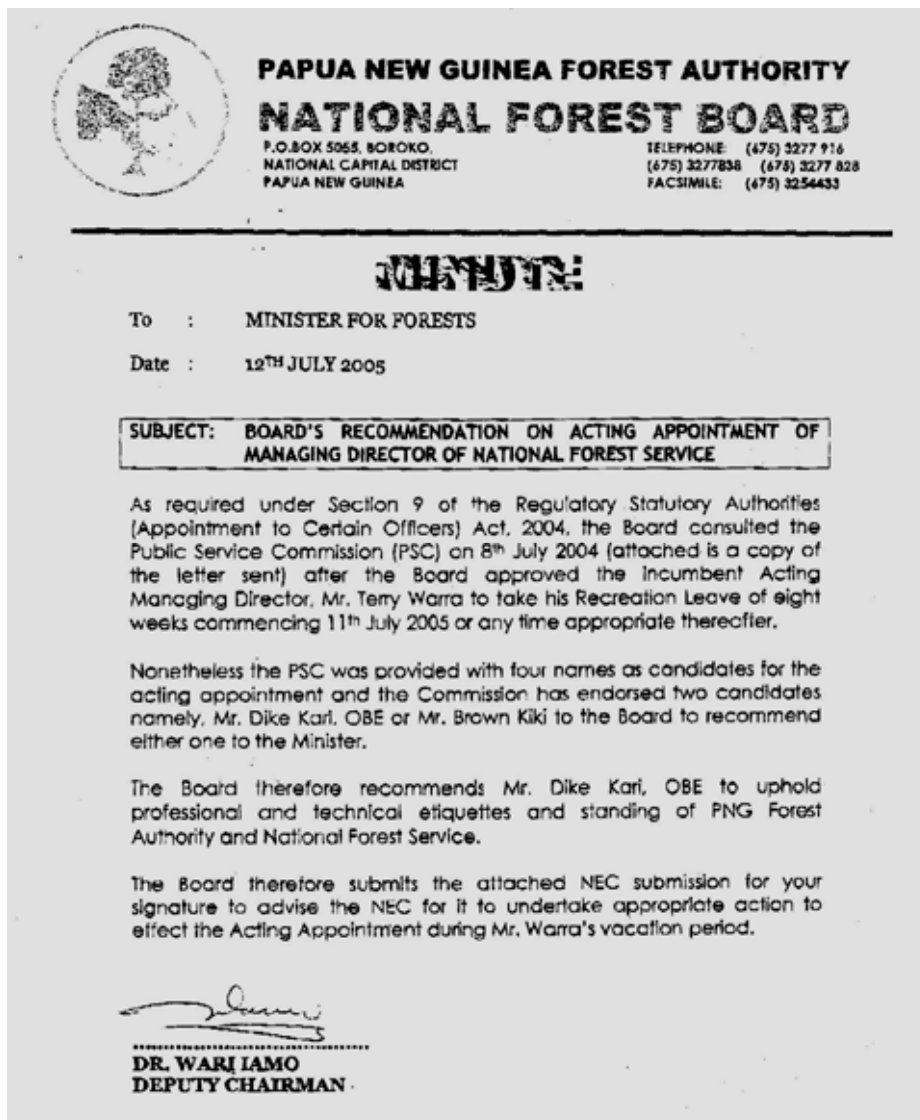


The Public Service Commission wrote back to the National Forest Board just four days later with a letter signed by the Chairman and two Commissioners.

The Commission advised that of the four candidates nominated, two were suitably qualified and experienced to fill the role of acting Managing Director – Mr Dike Kare, and the logger's Yes-Man, Brown Kike.

This Commission advises that it has examined the backgrounds of the above candidates, and found that two of the candidates, namely, Mr. Dike Kari and Mr. Brown Kiki are suitably qualified and experienced to assume the role of Acting Managing Director of the National Forest Service in the absence on leave of the incumbent Acting Managing Director. Both the above officers hold senior and key management positions in the Service.

Again, acting perfectly properly and in accordance with the law, the Board then made its recommendation to the Minister that Mr Dike Kare, the Policy Director in the NFS, be appointed Acting Managing Director in Mr Warra'a absence.



The Board is, of course, well aware of Brown Kiki's reputation and his history of misconduct. It was therefore no surprise that they backed Dike Kare - as their letter emphasised they were of course looking for the best candidate 'to uphold the professional and technical etiquettes and standing of the PNG Forest Authority and National Forest Service'.

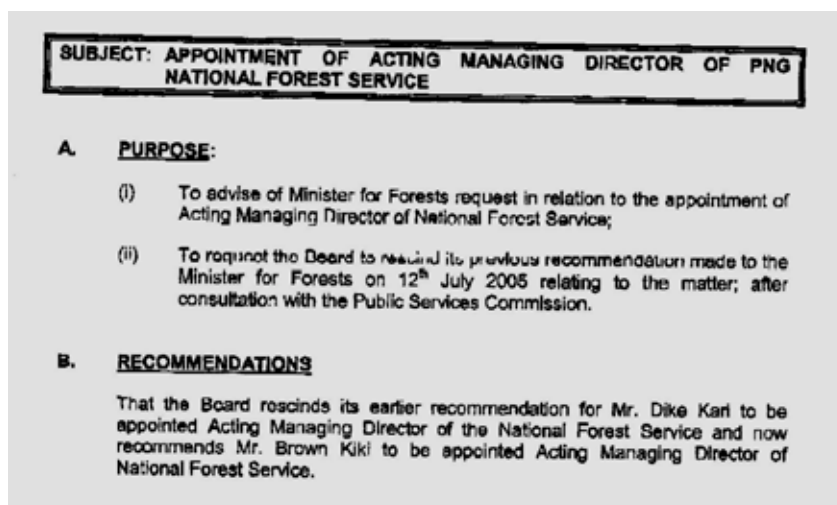
Minister unlawfully interferes

But the Minister, Patrick Pruaitch, has no scruples and, as we reported in *Masalai* No.38 in May, Rimbunan Hijau is increasingly putting the squeeze on Pruaitch to deliver a raft of new logging permits. RH is furious that its destructive logging practices have been internationally exposed and they are facing the loss of important timber markets in Australia and New Zealand.

Thus, on 13th July, the Minister wrote to the Board rejecting its recommendation of Mr Dike Kare and requesting that they recommend Brown Kiki for the post.

The Minister has no Constitutional or statutory power to reject a recommendation from the Forest Board and, as the Ombudsman Commission made clear in its earlier report on Kamula Doso, the Minister should not interfere in operational matters.

But as the document below reveals, this is exactly what the Minister did.



And a hastily reconvened Forest Board simply rolled over and allowed the Minister to have his way. The Board rescinded its previous decision and elected instead to back the logger's 'Yes-Man', Brown Kiki. This decision is itself unlawful as the Board had no substantive grounds for changing its previous decision and the only influence on their thinking was the pressure brought by the Minister.

Crucial in swinging the thinking of the Board away from their original decision to back the Minister favourite were the senior Public Servants who sit on the Board and who are most susceptible to misguided and unlawful political interference.

Clearly as the pressure mounts on the Minister, whose reputation is already severely tarnished, he is engaging in increasingly desperate moves to satisfy his logging masters and he saw it as vital to get a compliant Acting Managing Director in place.

The question that *Masalai* wants to ask is how much longer we must wait for the Ombudsman Commission to step in and stop the unlawful and illegal acts of the Forest Minister; or is he, like his predecessor Michael Ogio, to be allowed to continue to act with impunity until he falls from grace in the next election?

¹ See, for example, Masalai No.39 'Forest Minister protects RH again', May 2005

² On one day alone, Nelson managed to push through five illegal permits, extensions and variations

³ Highlights include a K10,000 car hire bill for his relatives in Rabaul, K70,000 for a day trip to Western Province and unauthorised adverts by third parties backing his appointment