

Complaint to Equator Principles Limited

regarding the Papua LNG project

as relates to MUFG

and any participating Equator Principles Financial Institution

Submitted by

Centre for Environmental Law and Community Rights Inc.

Jubilee Australia Research Centre

Asian Peoples' Movement on Debt and Development

Japan Center for a Sustainable Environment and Society

Market Forces

Reclaim Finance

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Submitting Organisations

Centre for Environmental Law and Community Rights Inc. (CELCOR) is a not for profit, non-government environmental organisation that works to protect the environmental and customary rights of the people of Papua New Guinea.

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Jubilee Australia Research Centre (JARC) engages in investigative research and advocacy to promote economic and environmental justice in the Asia-Pacific region.

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Asian Peoples' Movement on Debt and Development (APMDD) is a regional alliance of peoples' movements, community organizations, coalitions, NGOs and networks. APMDD believes in social transformation that is all encompassing and interrelated: it is economic, political, cultural and environmental and has class, ethnicity/race and gender dimensions.

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Japan Center for a Sustainable Environment and Society (JACSES) is an NGO dedicated to achieving sustainable development and social justice in the society. Sustainable Development & Aid Program (SDAP) aims to avoid/minimize social and environmental impacts and to protect human rights and livelihood of affected peoples in development projects funded by Japanese finance institutions.

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Market Forces protects the environment by driving finance away from the causes of global warming. We produce independent research to expose the developers and funders of environmentally destructive projects, working with the community to redirect money to accelerate the transition to clean energy and a safe climate.

Contact: contact@marketforces.org.au

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Reclaim Finance is a non-governmental research and campaigning organization dedicated to issues linking finance and social and climate justice. We conduct in-depth research and analysis on the practices of financial institutions and how they interact with key sectors of the economy.

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Glossary of terms

CCRA	Climate Change Risk Assessment
CELCOR	Centre for Environmental Law and Community Rights Inc
CEPA	Conservation and Environment Protection Authority
CCRA	Climate Change Risk Assessment
CITES	Convention on the International Trade in Endangered Species of Wild Fauna and Flora
EP	Equator Principles
EIS	Environmental Impact Statement
EPL	Equator Principles Limited
EPIV	Equator Principles IV (the fourth revision of the standard)
EPFI	Equator Principles Financial Institution
External science	– In recognition that Indigenous Peoples may have studied species under their own scientific systems, ‘external science’ refers to broader scientific knowledge.
FID	Final Investment Decision
FPIC	Free, Prior and Informed Consent
HRIA	Human Rights Impact Assessment
IEA	International Energy Agency
IFC	International Finance Corporation
IFC PS	International Finance Corporation Performance Standard/s
Indigenous Peoples	– Within PNG, the term ‘customary community’ or ‘clan’ is more commonly used. However, Indigenous Peoples is used in this complaint to align with terminology in international human rights law or international standards.
JACSES	Japan Center for a Sustainable Environment and Society
LNG	Liquefied natural gas
NZE	Net Zero Emissions
OECD	Organisation for Economic Co-operation and Development
PNG	Papua New Guinea
OHCHR	UN Office of the High Commissioner for Human Rights
SEZ	Special Economic Zone
SFOC	Solutions For Our Climate
UNGP	UN Guiding Principles on Business and Human Rights

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Summary overview of Papua LNG and financing

Project name: Papua LNG

Geolocation on google maps: To the best of our knowledge, the project has not published online maps that make it possible to easily identify the specific geolocation sites and pipeline routes of the project.

Sector/type of activity: Oil and Gas Extraction, LNG Terminal

Project website: <https://papualng.com.pg/>

Description of the project:

The Papua LNG project is a joint venture led by TotalEnergies (37.55%), with co-venturers ExxonMobil (37.04%), Santos (22.83%) and ENEOS (2.58%) (via its subsidiary JX Nippon).¹ Kumul Petroleum has a back-in right of up to 20.5% interest in the project as does PNG's Mineral Resource Development Company Ltd of 2%.² (For example, allowing them to buy a stake in the project). The proposed project is to take place in Gulf Province (upstream) and Central Province (downstream) in Papua New Guinea. It will extract gas from gas fields estimated to contain the fossil gas equivalent of 1 billion barrels of oil, it will involve up to 11 production wells, a processing plant and a 320km onshore and underwater pipeline.³ Ninety-five percent of the project's fossil gas is intended for export to Asia.⁴ The project has not announced any gas contracts and is awaiting a Final Investment Decision. The project website lists the project cost at USD\$10 billion – however business and industry media have often reported an estimated cost of between USD\$12-\$18 billion.⁵

Project status: Currently awaiting a Final Investment Decision.

Companies involved: TotalEnergies, ExxonMobil, Santos, ENEOS.

Equator Principles Financial Institutions involved:

Financial advisor: MUFG⁶

Other potential financiers: Unknown.

This grievance is intended to cover any Equator Principles Financial Institution (EPFI) financiers or financial advisors of Papua LNG.

Equator Principles financial institutions that have ruled out financing the project⁷:

1. ANZ; 2. BNP Paribas; 3. Crédit Agricole (the previous financial advisor); 4. Commonwealth Bank of Australia; 5. Export Finance Australia; 6. National Australia Bank; 7. Intesa Sanpaolo; 8. Natixis/BPCE Group; 9. Société Générale; 10. UniCredit and 11. Westpac.

Non-EP banks that have ruled out financing to the project include PNG's largest banks – BSP (12) and Kina Bank (13), and also CIC bank (14) and the Asian Development Bank (15).

Category: Category A.

Summary of key points

Papua LNG is Papua New Guinea's second major fossil gas project and it is proposed to take place in the half island nation of Papua New Guinea (PNG). Over the past 2 years, PNG and international organisations have raised serious concerns about its climate, human rights or biodiversity impacts. At least 13 separate case studies or reports have highlighted concerns. At least 15 financial institutions have ruled out financing to the project – including almost 1 in 10 Equator Principles Financial Institutions. The project will potentially affect 12,700 people, mostly Indigenous Peoples (in PNG often referred to as customary communities).⁸

The proposed project is to take place in Gulf Province (upstream) and Central Province (downstream). It will extract fossil gas from gas fields estimated to contain the fossil gas equivalent of 1 billion barrels of oil, it will involve up to 11 production wells, a processing plant and a 320km onshore and underwater pipeline.⁹ Ninety-five percent of the project's gas is intended for export to Asia.¹⁰ The project website lists the project cost at USD\$10 billion – however business and industry media have often reported an estimated cost of between USD\$12-\$18 billion.¹¹ The project has not announced any gas contracts and is awaiting a Final Investment Decision. Papua LNG is a joint venture led by TotalEnergies (37.55%), with co-venturers ExxonMobil (37.04%), Santos (22.83%) and ENEOS (2.58%) (via its subsidiary JX Nippon).¹² State-owned enterprise Kumul Petroleum has a right to buy up to a 20.5% interest in the project after a final investment decision, as does PNG's Mineral Resource Development Company Ltd of 2%.¹³

Six organisations are filing this complaint against the project's reported financial advisor – MUFG bank – and any other participating Equator Principles Financial Institution.¹⁴ The project is seeking a Final Investment Decision in early 2026.¹⁵ If MUFG or other Equator Principles Financial Institutions choose to finance Papua LNG – without the project adhering to international law and standards – this could contribute to serious human rights, biodiversity and climate risks, including potentially irreversible harms. Urgent action is needed. The complaint calls on Equator Principles Limited to issue an investigation and for Equator Principles Financial Institutions to withhold any financing decisions or similar related to Papua LNG, at minimum, until an investigation is concluded.

The complaint is addressed to Equator Principles Limited as the legal entity of the Equator Principles. Relevantly, there is no clear centralised mechanism to raise Equator Principles compliance issues, such a mechanism is necessary given credible allegations that certain EPFIs are not meeting the requisite standards. This may undermine trust in the Equator Principles and its attendant value in risk management. This may also diminish the credibility of Equator Principles training and associated partnerships, for example with the International Finance Corporation.¹⁶ We also ask that MUFG Bank and any other EPFIs on the Steering Committee that may be engaged in discussions of possible financing to Papua LNG are excluded from discussions relevant to this complaint to manage any conflicts of interests.¹⁷ Further, MUFG is listed as the Equator Principles lead on capacity building and training and we ask that it not be involved in this, or any other, capacity.¹⁸

The complaint focuses on the project's upstream activities in Gulf province – this is where fossil gas will be extracted, a central processing facility built and most of a 320km pipeline laid – carrying gas and condensate (a type of light oil) over land and underwater.¹⁹

Part 1 of the complaint outlines the reasons for filing the complaint, as well as providing core context about company and country risks. Part 2 then outlines concerns that the project does not adhere to Equator Principles 2, 3, 4, 5, 6 and 10. Below is a plain language summary of key points.

Key points raised are:

Lack of evidence of community information materials that clearly explain the project risks, impacts and provisions to protect community members under international law and standards: There appear to be no plain language fact-sheets or other similar materials that clearly explain the processes, risks and impacts of various aspects of the project.²⁰ For example, materials that may explain what gas condensate is; the risks and impacts of pipelines; what hazardous materials may be used on the project site; or the ecological impacts of river dredging etc. There is no reference to any such materials existing. The project's Tok Save newsletters may describe processes – such as timelines, milestones or if studies are being done, or its support for charities – but they do not discuss project risks, impacts and provisions to respect people's rights under international law and standards.²¹

The lack of community information materials raises a concern that many of the people likely impacted by the project do not have a record of information that they have received in a format understandable to them. If information is primarily delivered orally, without providing a record of what was said, this is particularly concerning. The project's own advisory panel has raised concerns about how the project is communicated and a previous partial Human Rights Impact Assessment pointed out low community understanding of the project.²²

It does not appear that the thousands of people likely to be affected by the project have been informed of provisions related to their rights under various applicable international laws and standards, including the UN Guiding Principles on Business and Human Rights, the OECD Guidelines on Multinational Enterprises, the French Duty of Vigilance law or the EU Corporate Sustainability Due Diligence Directive.²³ These international law and standards also do not appear to be substantially addressed in the Environmental Impact Statement documents. It does not appear that communities have been informed of provisions related to their rights or the requirements under the Equator Principles or the related International Finance Corporation Performance Standards (IFC PS).

This relates to EP 2, 3 and 5, which also impacts EP 4 and 6.

Lack of Free, Prior and Informed Consent:

The lack of easy-to-understand plain language materials that clearly explain different aspects of the project, its risks and potential impacts, is a red flag for how the project approaches Indigenous Peoples rights. The thousands of Indigenous Peoples who may be affected by the project do not appear to have been substantially informed of provisions and requirements under IFC PS 7 or, more substantially, their human rights to Free, Prior and Informed Consent – including their rights to withhold their consent under international human rights law.²⁴ Affected peoples may not be aware that in many circumstances they may have, for example, the right to withhold a decision to consent or not to the project until they have had access to independent scientific advice and to request resources for this. The criteria of “Informed” in Free, Prior and Informed Consent is not met.²⁵

There is no evidence that the rural, Indigenous populations of Gulf province, with low levels of literacy, have been provided with resources to seek their own independent scientific assessments or expertise on provisions related to their rights under international law or standards.²⁶ It is not clear if Indigenous Peoples are also aware of multiple current or recent overseas legal cases against co-venturer companies.²⁷ Knowing if a company is facing allegations of greenwashing or legal cases from affected communities, for example, may inform how people assess information provided by the project. Additionally, there is no economic modelling of the costs or benefits of Papua LNG to Gulf Province or the PNG economy as a whole. This means that there is no substantive base to assess the origins of any claims related to the project's economic benefits for local people or to interrogate the assumptions behind this.

Similarly, the standard of ‘Prior’ cannot be met if meaningful involvement in decision-making and Free, Prior and Informed Consent is not achieved before a Final Investment Decision. The aspect of “prior” consent also interacts with the requirement to be “informed”.²⁸ Additionally, there is no evidence that the project has engaged with other affected Indigenous Peoples beyond Gulf province, such as people on Daru island in Western Province or Zenadh Kes (Torres Strait) communities in Australia who practice traditional fishing and caring for sea country, and may also be part of the multi-million dollar rock lobster industry.

This relates to EP 2, 3, 4, 5 and 10.

Climate impacts: PNG is one of the most climate-impacted countries on the planet.²⁹ Already some households in the coastal areas of Gulf province have had to relocate due to sea level rise and more violent storms.³⁰ By one estimate, the climate crisis will drive down PNG's GDP by 15% by 2100.³¹ In 2021, the International Energy Agency 2021 Net Zero Emissions scenario indicated that no new oil and gas fields were necessary to meet energy needs while limiting the global temperature rise to 1.5 °C, which would include Papua LNG.³² In 2023, the IEA added that no new LNG export terminals were needed under that scenario.³³ Carbon Tracker describes Papua LNG as meeting neither a ‘moderate’ transition (1.7 C temperature rise) or even a ‘slow transition’ scenario (2.4 C).³⁴ 95% of Papua LNG gas is intended for export to Asia.³⁵ However, renewable energy is already cheaper than gas – before

the project begins – in most Asian countries, and becoming more attractive as fiscal and energy sovereignty concerns rise.³⁶ This is exacerbated by the high likelihood of a global gas glut.³⁷

Previous efforts to present new fossil fuel expansion as beneficial to the climate (such as a ‘transition fuel’) have been increasingly challenged, with data showing that methane from fossil gas is a climate change accelerant, with more dire short-term impacts than carbon dioxide. While the project claims it will do Carbon Capture and Storage – this does not apply to the vast majority of the project’s estimated GHG emissions.³⁸ Emissions from the burning of fossil gas extracted and sold by Papua LNG, by one estimate, will account for over 90% of the project’s emissions (scope 3).³⁹ While climate science is known and reliable, technologies related to carbon capture have – as described by Oil Change International – “50 years of failure”.⁴⁰

Since 2023, a sizeable social movement has expanded across Asia opposing fossil gas expansion – for example, through Don’t Gas Asia and Fossil Free Japan.⁴¹ Several banks have ruled out financing to Papua LNG on the basis of new climate policies.⁴² Many Indigenous Peoples globally have also been particularly avid in resisting fossil fuel expansion.⁴³ The further impacts of the climate crisis on PNG itself also raises questions about if this will lead to escalating political risk. Multiple co-venturer companies are facing legal or regulatory cases regarding allegations related to misleading disclosures on climate issues, making the public scrutiny of climate claims particularly important.⁴⁴ However, the project does not yet appear to have published a Climate Change Risk Assessment.⁴⁵

This relates to EP 2, 3 and 10, which also impacts EP 4 and 5.

Human rights impact assessment: PNG has a long history with predatory practices from foreign companies that render it particularly vulnerable to adverse human rights impacts.⁴⁶ PNG’s high levels of corruption exacerbate human rights challenges, and while Gulf province peoples have profound ecological expertise, they face low levels of literacy and formal education that can exacerbate these risks. There is a long history of extractive projects failing to deliver meaningful contributions to development in PNG.⁴⁷ The project website does not even refer to the term ‘human rights’, but only to ‘human development’.⁴⁸ The project appears to have no current, public full Human Rights Impact Assessment.⁴⁹ PNG’s first major fossil gas project, PNG LNG, included a host of serious human rights concerns, with particularly hard impacts on women.⁵⁰ Additionally, MUFG itself faces at least three formal human rights complaints – all related to its fossil fuel financing, including one that relates to activities of co-venturer company Santos.⁵¹ It appears that MUFG has failed to substantively respond to these complaints. This establishes that MUFG cannot be relied on in its own assessment of what constitutes appropriate human rights due diligence and attached international human rights law obligations for financial institutions. A growing body of international human rights law and interpretive documents suggest that new fossil fuels projects – such as Papua LNG - are unlikely to adhere to human rights standards such as the UN Guiding Principles on Business and Human Rights.⁵²

This relates to EP 2, 3 and 10, which also impacts EP 4 and 5.

Biodiversity: The project area of influence is known, likely or possible to include various threatened species – including vulnerable species at ‘high risk’ of extinction in the wild. It also includes endangered and critically endangered species at ‘extreme risk’ of extinction in the wild. An initial Upstream EIS baseline study saw experts deeply concerned about the presence of the Bulmer’s Fruit Bat in the project area of influence – one of the world’s 100 most endangered species, with, at last assessment, only 160 known adults.⁵³ It is both critically endangered and nationally protected. However, in the Upstream EIS Addendum there was a single sentence stating that it was removed from the sensitive species list as it was ‘unlikely’ to be in the area – it provided no further studies or evidence, and did not even state who had concluded this.⁵⁴ This raises questions as to whether the project’s financial advisor would view this as acceptable.

The area includes a staggering 100 new-to-external science or undescribed-by-external science species.⁵⁵ If external scientists have never studied a species – then potential risks cannot be accurately understood, let alone mitigated. These species have never been assessed to determine if they are threatened, requiring more protections. Several species are range restricted, endemic or migratory. The sheer volume of undescribed species or new-to-external science species raises questions about how the project can meet the need to protect the ecological value that support critical habitat for threatened species. The project’s own advisory panel has raised concern that efforts are insufficient to meet IFC PS 6, including the lack of independent species assessments.⁵⁶

This relates to EP 2 and 3, which also impacts EP 4, 5 and 10.

Cumulative impacts: The project has not included key fossil fuel projects in its assessment of cumulative impacts in Gulf province. This includes the Pasca A offshore project, and a proposed floating LNG facility intended to support the future exploitation of the Pandora and Uramu gas fields.⁵⁷ The project hasn't considered the burden on affected communities of having to engage with multiple fossil fuel and non-fossil fuel related projects that are unprecedented in the local area – for example, the Mayur sands project and the Ihu SEZ.

This relates to EP 3, which also impacts EP 4, 5 and 10.

Resettlement: The project's 2024 Upstream EIS Addendum identified that there is a small community, Pokore Hamlet, of then 42 people, living 700 metres from the proposed location of the Central Processing Facility.⁵⁸ Despite this, the project did not have a resettlement plan and suggested that resettlement may not even be necessary. The publicly stated timeline of the project on its website at the time this complaint was prepared – indicating three years or less from a proposed FID to first gas – does not appear to allow sufficient time necessary for a human rights-based approach to potential resettlement.⁵⁹ The UN has previously raised concerns related to forced evictions in PNG. However, despite this the project has not explicitly stated its position on forced evictions. Pokore Hamlet includes women and children. This raises concerns about the project's approach to managing risks associated with in-migration, FPIC and other social issues more broadly.

This relates to EP 2 and 3, which also impacts EP 4, 5 and 10.

Gender: PNG has previously been termed one of the most dangerous places in the world to be a woman.⁶⁰ The experience of PNG LNG was that it further skewed gender relationships, including the arising of a sexual economy.⁶¹ While the project has acknowledged a risk of Sorcery Accusation Related Violence – an extremely serious threat – it is unclear how it is managing these risks. While the project has acknowledged some gender risks – it does not appear to have substantively mitigated these risks – for example, ensuring gender equality in hiring, economic benefits or negotiations – without this, impacts will be highly gendered.⁶²

This relates to EP 2 and 3, which also impacts EP 4, 5 and 10.

Lack of transparency: The fact that at this late stage, the project has failed to meet even the very simple requirement of posting its Environmental Impact Statements on its project website is extremely concerning.⁶³ Many other documents related to project plans, commitments and assessments, are not available. Neither MUFG, nor any other EPFI, has committed to publishing a lender Environmental and Social Impact Assessment with a structured process for review by affected peoples or other stakeholders before a Final Investment Decision.

This relates to EP 2, 5 and 10, which also impacts EP 3 and 4.

Corruption and related risks: PNG consistently scores very poorly on the Transparency Corruptions Perceptions Index. The international Financial Action Task Force has put Papua New Guinea on notice for potential grey-listing.⁶⁴ This relates to its failure to address issues that relate to corruption, environmental crime and politically exposed persons. Throughout 2024 landowner groups were very outspoken about a Treasury misallocation of K20 million (almost USD\$5 million) in business development grants that should have gone to Gulf Province. Landowner groups called for an investigation by the Independent Commission Against Corruption.⁶⁵ The Gulf provincial government brought a legal case, with a judicial review finding in their favour and it appears the money has now been appropriately allocated.⁶⁶ Additionally, at least two individuals that play a strategic role in PNG government decisions that relate to fossil gas projects face public allegations of misappropriation of funds or the misuse of their position. One has a previous conviction that was subsequently overturned by the Supreme court. While these allegations are unrelated to Papua LNG, vehemently denied by the individuals and no guilt has been ultimately proven, this – accompanied with the project's lack of transparency and Free, Prior and Informed Consent – raises serious questions as to how EPFIs are able to meet appropriate levels of proactive due diligence.

This relates to EP 3, which also impacts EP 4.

Table: (Lack of) evidence of meeting the Equator Principles requirements for Papua LNG <i>This is a summary of points elaborated in the complaint.</i>	
Principle 2: Environmental and Social Assessment	No.
Principle 3: Applicable Environmental and Social Standards	No.
Principle 4: Environmental and Social Management System and Equator Principles Action Plan	Not met. The meeting of other EPs is a necessary pre-cursor for EP4.
Principle 5: Stakeholder Engagement	No.
Principle 6: Grievance Mechanism	No. The project has a grievance mechanism, but there is no verifiable evidence that it meets the EP standard of being ‘effective’, especially on the UNGP effectiveness criteria of being ‘equitable’.
Principle 8: Covenants	Not assessable. However, if a covenant is included – but a contract is agreed with a full understanding that the project has not met extremely basic provisions of the EPs prior – a covenant may not support the EP objective of risk management.
Principle 10: Reporting and transparency	No.

Part 1: Context

1.1 Decision to file a grievance with Equator Principles Limited

In November 2024, IJGlobal reported that MUFG has chosen to act as the new financial advisor to the Papua LNG project.⁶⁷ This followed the previous financial advisor – Crédit Agricole – decision not to finance the project.⁶⁸ Accordingly, it is our understanding that MUFG is currently seeking to support the project to secure a syndicated project finance loan for the Papua LNG project. This complaint is directed to Equator Principles Limited regarding EP member bank MUFG – given its reported role as financial advisor – but is extended to any Equator Principles financial institution involved. An impediment in this case is the lack of financial institution disclosure of their potential participation in this deal.

The complaint is filed due to an urgent imperative to avoid irreversible harm. Papua LNG is seeking a Final Investment Decision in early 2026.⁶⁹ It intends to export first gas within about three years of FID.⁷⁰ The project will potentially affect close to 13,000 people, mostly Indigenous Peoples.⁷¹ Under international human rights law, the standard of “Prior” in Free, Prior and Informed Consent denotes that a meaningful role in decision-making relevant to FPIC must be achieved *before* major project decisions and authorisation.⁷² If the Papua LNG project is unable or unwilling to achieve initial FPIC before finalising project plans, lender agreements and other measures necessary for a Final Investment Decision for a project costing in the vicinity of USD\$12-18 billion – it will not meet the standard of “prior” consent. It appears possible that potential bankers or financiers are better informed about the project than actual Indigenous rights-holders.

Human rights harms are irreversible. Additionally, the financial stakes involved, and the power imbalances involving disparate, rural and remote Indigenous Peoples – make it impossible to ascertain that any consent given after FID hasn’t involved coercion, threats, intimidation or misinformation, so would not meet the standard of ‘Free’.

As financial advisor, we expect that MUFG is actively seeking to encourage other Equator Principles financial institutions to participate in the financing of Papua LNG. This raises a question of if it may be misleading other Equator Principles financial institutions by stating that the project adheres to the Equator Principles, without

reference to credible evidence that it does not. In this, MUFG may be seeking to help secure a loan that potentially should – on an assessment of Equator Principles adherence – be denied. For example, an EPFI is required to ensure that an “appropriate” assessment process is undertaken, “to the EPFI’s satisfaction” and that the assessment documentation should be an “adequate, accurate and objective evaluation and presentation of the environmental and social risks and impacts”.⁷³ (The question of if MUFG may be misleading other Equator Principles financial institutions by not disclosing credible evidence that the project may not adhere to the Equator Principles does not absolve individual EPFI’s of undertaking their own due diligence, and this complaint extends to any participating financial institution).

Complainant organisations are filing the grievance directly with Equator Principles Limited as they do not have the capacity to directly file and support grievances with all Equator Principles financial institutions that could potentially be involved in an anticipated syndicated project finance loan. It is common practice for financial institutions to neither confirm, nor deny, any potential involvement in a deal.

The complaint is filed after complainants, and other organisations, have displayed good faith attempts to alert financial institutions to issues that can be extrapolated to show a lack of adherence with the Equator Principles, or even directly show a lack of adherence - since at least August 2023. This includes various efforts to alert MUFG to risks. These are catalogued in Section 1.2.

Papua LNG operates in an extremely high-risk context, high-risk sector and involving high-risk companies for environmental and social due diligence. Papua New Guinea’s population is primarily Indigenous Peoples, it holds serious corruption, environmental and human rights risks and Papua LNG is only the country’s second major gas project. Three of the four co-venturer companies are involved with PNG LNG – the country’s first fossil gas project, which proceeded without Free, Prior and Informed Consent, with some landowners not properly identified until years after a Final Investment Decision.⁷⁴ Section 1.3 provides critical background on the company and country context, that also inform discussion in Section 2. Section 1.4 provides additional context on the legal framework of Papua New Guinea. In these extreme circumstances, and given a financial institution has the most leverage before a loan is given, if Papua LNG has not met the Equator Principles before a syndicated project finance loan is issued, this should be seen as indicative that they will not meet these conditions afterwards either.

Further to these concerns, co-venturer companies collectively face 205 investor exclusions over concerns regarding their environmental, climate, human rights or business practices.⁷⁵ Already, almost 1 in 10 Equator Principles have ruled out financing to Papua LNG – including the project’s own former financial advisor.⁷⁶

An EPFI should never knowingly finance a project that does not meet the Equator Principles. As a general principle, if a project is non-compliant, a proponent – and its financiers – could be exposed to financial and other risks that the Equator Principles framework was intended to manage. For a financial institution, the existence of Equator Principles covenants in a loan agreement may not necessarily protect them from such risks, for example, if the proponent contests measures needed to bring the project into compliance or interpretations of compliance, and seeks to invoke lender liability.

Additionally, an Equator Principles Financial Institution that finances a project that is not Equator Principles compliant could be found to be misleading investors. In some jurisdictions, shareholders and regulators may take legal action to remedy the conduct.

MUFG faces multiple human rights complaints for other projects. This includes at least three separate formal human rights complaints, from different countries and which all relate to fossil fuels projects.⁷⁷ It appears that MUFG has taken no substantial action in response to these complaints, including a case regarding its financing to another project by co-venturer company, Santos.⁷⁸ This raises a question of whether MUFG may be involved in misleading other EPFIs on the project’s human rights compliance and/or the bank’s own capacity to assess compliance. Noting, this does not absolve individual EPFIs from undertaking their own due diligence to determine compliance or non-compliance.

Should MUFG or other Equator Principles Financial Institutions choose not to act on the extensive public information documenting concerns about Papua LNG – this may inform outcomes regarding financial or legal redress, in the event that affected peoples or others pursue formal complaints or legal cases. Noting the precedent already set in *Equitable Cambodia and Inclusive Development International vs. ANZ bank* on bank due diligence, that led to a 2021 financial payment to affected communities.⁷⁹ At least three EPFIs involved in the Dakota Access Pipeline deal – BNP Paribas, DNB and ING – sold their portion of the loans regarding Indigenous rights concerns, and while the details are not known, it is estimated by one expert that this involved a loss.⁸⁰ The Equator Principles framework is intended as a risk management framework, to reduce a bank’s legal or financial liabilities. Dependent on jurisdiction, a financial institution may be subject to legal or financial liabilities under grievance procedures under the OECD Guidelines on Multinational Enterprises, national laws in company or bank home jurisdictions – such as those related to a duty to prevent harm, unjust enrichment, green finance guidelines on grievance mechanisms or the integration of human rights law. All banks are advised to adhere to the UN Guiding Principles on Business and Human Rights.⁸¹

Section 2 outlines in further detail, concerns regarding Papua LNG and the Equator Principles. This relates to Equator Principles 2, 3, 4, 5, 6 and 10. This includes issues related to IFC Performance Standard 1, 5, 6 and 7; requirements on the Climate Change Risk Assessment, human rights summaries and World Bank Group Environmental, Health and Safety Guideline as relates to decommissioning. There is also a brief comment on Equator Principle 8.

Action sought

We urge Equator Principles Limited to:

1. Advise all Equator Principles Financial Institutions that the grievance has been filed;
2. Investigate this complaint, and in a manner that is consistent with the internationally recognised criteria of effective grievance mechanisms.⁸² This should include efforts to agree a Terms of Reference for complaint investigation with complainants;
3. Recommend to Equator Principles Financial Institutions that they withhold any commitment of financing to the project at minimum until the investigation is completed;
4. Encourage Equator Principles banks that support this action by Equator Principles Limited to publicly express their support.

1.2 Known risks: Nearly 1 in 10 Equator Principles banks have ruled out financing to Papua LNG

This section covers the breadth of information available to Equator Principles Financial Institutions about Papua LNG. This includes information available to MUFG dating back to before it was reported that MUFG had chosen to become the project’s new financial advisor.

Throughout 2023 and 2024, a host of case studies and publications by NGOs and research institutes highlighted the climate, biodiversity, human rights, gender and economic/financial risks of the Papua LNG project. By mid-2025, there were at least 13 case studies or full reports. This includes publications or case studies by the Institute for Energy Economics and Financial Analysis, BankTrack, the Centre for Environmental Law and Community Rights, Jubilee Australia Research Centre, ActionAid Australia, Earth Insight, Skytruth, the Australasian Centre for Corporate Responsibility, Reclaim Finance, Market Forces, Rainforest Action Network, Fair Finance Japan, the Centre for Energy and Ecological Development, Friends of the Earth US and Urgewald. This spans organisations on four continents. These resources include: 1) [Papua LNG: Financiers taking the risk](#) (May 2023)⁸³, 2) [Dodgy Deal: Papua LNG](#) (September 2023)⁸⁴, 3) [LNG expansion in Papua New Guinea](#) (December 2023)⁸⁵, 4) [Papua LNG project](#) (March 2024)⁸⁶, 5) [Papua LNG Banking on Climate Chaos Frontline story](#) (April 2024)⁸⁷, 6) [Papua LNG](#) (May 2024)⁸⁸, 7) [Devastating impacts of climate change in Papua New Guinea](#) (July 2024)⁸⁹, 8) [Papua LNG project in violation of ESG standards](#) (July 2024)⁹⁰, 9) [Santos’s interests in Papua New Guinea](#) (December 2024)⁹¹, 10) [Papua New Guinea and onshore gas](#) (June 2025)⁹², 11) [Papua LNG Export Terminal in Papua New Guinea](#) (June 2025)⁹³, 12) [Banking on](#)

[Climate Chaos - Papua LNG](#) (June 2025)⁹⁴ and 13) [Global Oil and Gas Exit List – Papua LNG and the gas gamble in Papua New Guinea](#) (July 2025).⁹⁵

In addition, serious questions about local processes have been raised at various points. In September 2023, the Elena Mai Lavi Council of Chiefs in Gulf province representing 600 clans reported to media that landowners had closed waterways for 2 weeks over various concerns related to Papua LNG.⁹⁶ In a public forum in Port Moresby in early 2023, TotalEnergies stated, in response to a question from CELCOR, that it could not provide detailed maps of the project.⁹⁷ In 2024, there was a legal action related to government allocation of a business development grant linked to the project.⁹⁸ The legal action, brought on behalf of the Gulf provisional government in 2024, claimed that K20 million of a larger business development grant from the PNG government that should have gone to support local business development ahead of Papua LNG – was instead instructed to be sent to Enga province.⁹⁹ As reported by the Post Courier, in December 2024 a judicial review found in favour of the Gulf provincial government and that the Treasurer broke the law when he authorised the transfer to go to Enga province.¹⁰⁰ Throughout 2024 landowner groups were very vocal on the case, including calling for an investigation by the Independent Commission Against Corruption into the misappropriation of funds.¹⁰¹ According to a Treasury budget outcome document, by the end of 2024 more than 40% of the grant allocated still had not yet been provided.¹⁰²

In July 2024, a Fair Finance Japan report explicitly discussed how Papua LNG does not meet ESG standards, including the Equator Principles and IFC Performance Standards.¹⁰³ A series of open letters directed to financial institutions have further outlined concerns and called on banks not to finance Papua LNG - in [August 2023](#) (a), [August 2023](#) (b) [September 2023](#), [December 2023](#), [December 2024](#) and [January 2025](#).¹⁰⁴ Collectively, these have been signed by six Papua New Guinean organisations and 79 other civil society groups. They raise many concerns that could be extrapolated to identify non-compliance with the Equator Principles.

Information was directly provided to MUFG in: 1) [September 2023](#) – Market Forces, CELCOR and Jubilee Australia wrote to MUFG; 2) July 2024 - Fair Finance Japan sent MUFG their report on Papua LNG violations of ESG standards¹⁰⁵; 3) December 2024 – 50 civil society organisations send an open letter to banks, including MUFG¹⁰⁶; 4) December 2024 – over 1,000 [letters were sent from the public to MUFG](#) (via Market Forces)¹⁰⁷; 5) June 2025 - a shareholder question was raised at the MUFG AGM¹⁰⁸; and 6) 2024 and 2025 - Concerns about potential, and then reported actual, MUFG support to Papua LNG have been raised publicly in protests about MUFG in Japan, The Philippines, Australia, Germany, France and Indonesia.¹⁰⁹

As of September 2025, it is reported that at least 15 commercial financial and development institutions had ruled out financing to Papua LNG.¹¹⁰ This is via their policies or direct statements. This includes all major Papua New Guinean, Australian, French and Italian banks – including 11 Equator Principles banks, the largest bankers to TotalEnergies and banks with the best knowledge of Papua New Guinea. Thirteen of these financial institutions are reported to have supported the PNG LNG project.¹¹¹ In February 2024, the project's then financial advisor – Crédit Agricole – publicly confirmed that it would not finance the project.¹¹² Complainants believe that these actions reflect the seriousness of project risks.

1.3 Presumption of extreme risk: company and country context

According to the Financial Exclusions Tracker, co-venturer companies in Papua LNG collectively face 205 investor exclusions over their climate, human rights, environmental or business practices.¹¹³ Collectively they have over 110 allegations listed in the Business & Human Rights Resource Centre database. ExxonMobil has also sued two of its own shareholders for bringing climate resolutions.¹¹⁴ TotalEnergies, ExxonMobil and Santos collectively face numerous current or recent legal cases that relate to allegations of misleading climate claims or hiding known climate impacts (see Table 1). The two largest co-venturer companies have previously been convicted of some of the largest environmental disasters in living history, and it has been reported that Santos' spill rate is more than double its Australian peers.¹¹⁵ EPFI due diligence should be considered with this context (see Table 1). Three of the co-venturer companies – ExxonMobil, Santos and ENEOS – are also involved in PNG's first fossil gas project, a similarly named PNG LNG. Amongst a host of other issues, the project came into operation without having readily identified landowners and failed to pay royalties for years after first gas.¹¹⁶ In November 2025, the European Center for Constitutional and Human Rights filed a criminal complaint in France against TotalEnergies for alleged

“complicity in war crimes, torture and enforced disappearance” with the Center stating that the company is “accused of having directly financed and materially supported the Joint Task Force, composed of Mozambican armed forces, which between July and September 2021, allegedly detained, tortured and killed dozens of civilians on TotalEnergies’ gas site in Mozambique.”¹¹⁷

Table 1: A non-exhaustive summary of environmental and human rights concerns related to co-venturer companies					
	Business & Human Rights Resource Centre¹¹⁸ Number of allegations	Sabin Centre for Climate litigation	Financial exclusion tracker¹¹⁹ Number of exclusions	Grievance filed about financier	Legal action by/against shareholders
TotalEnergies	107 Human Rights Defender (HRD) attacks, 6 lawsuit profiles & 14 allegations. ¹²⁰ Additionally, a criminal complaint has been filed in 2025 in France against TotalEnergies over alleged complicity in war crimes, torture and enforced disappearance in Mozambique. ¹²¹	Findings against the company regarding misleading climate claims: 2023 Germany ¹²² , 2025 France. ¹²³ As well as an ongoing case in France. ¹²⁴	59 on human rights, environmental or climate. ¹²⁵	i) Legal case to US Exim bank. ¹²⁶ TotalEnergies named within broader case: ii) litigation on climate to BNP Paribas ¹²⁷ & iii) complaint to French Financial Markets Authority regarding BlackRock. ¹²⁸	Yes. Case relates to allegations that the company may have made unlawful dividends based on the erroneously valuated future price of carbon that has not accounted by GHG emissions. ¹²⁹
ExxonMobil	3 HRD attacks, 4 lawsuit profiles & 4 allegations. ¹³⁰	Multiple cases related to greenwashing & climate impacts, including by US states & local governments. ¹³¹	101 on climate, environmental, human rights or business practices. ¹³²	-	In 2024, sued its own shareholders to try to prevent the filing of future climate resolutions. Case dismissed by the court without prejudice. ¹³³
Santos	3 HRD attacks. ¹³⁴	Current case: Australia. ¹³⁵	33 on climate, business practices. ¹³⁶	i) Legal case to Kexim & K-Sure, dismissed by the court. ¹³⁷ ii) Human rights complaint to banks (including MUFG). ¹³⁸	Yes, Sabin Center reported case is from the Australasian Centre for Corporate Responsibility (ACCR). ¹³⁹

ENEOS	-	-	12 on climate. ¹⁴⁰	-	-
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The country of Papua New Guinea boasts an extraordinary cultural, linguistic and biodiversity diversity. Its mostly Indigenous population is home to at least 10% of the world's living languages.¹⁴¹ PNG is part of the Coral Triangle and custodian to part of the world's third largest contiguous rainforest. Customary land also provides a vital social safety net – allowing up to 80% of the population to meet many of their daily needs from land-based livelihoods.¹⁴²

However, there is a long history of predatory business practices from foreign companies in PNG. In Bougainville, the environmental violations of the Panguna mine and failure to respect local people's rights was a catalyst in a decade long war from 1988 – 1998, which saw up to 20,000 people killed.¹⁴³ As of 2025, two separate cases against mining companies have been before the Australian OECD National Contact Point regarding alleged environmental and human rights risks.¹⁴⁴ An urgent action request has been filed to the UN Committee on the Elimination of Racial Discrimination on allegations of PNG's institutionalised alienation of Indigenous People's land and forest rights.¹⁴⁵ More broadly, the Financial Action Task Force has currently put PNG on notice of being grey-listed over money laundering risks – including environmental crime, corruption and politically exposed persons.¹⁴⁶ PNG scores poorly on the Corruption Perceptions Index and many economists observe that PNG extractive industries have failed to translate into real development.¹⁴⁷ In some regions, small arms conflict is rampant, and women and girls in PNG face one of the highest rates of gender-based violence in the world.¹⁴⁸ Collectively, this paints a picture of a particularly vulnerable population, with few independent checks and balances against misinformation, rights violations, coercion, threats or predatory practices. Many of these challenges are exacerbated by the climate crisis. This context shows a need for enhanced due diligence by EPFIs.

1.4 Legal framework in Papua New Guinea

While this complaint focuses on what appears to be the project's non-adherence to the Equator Principles – this section provides additional context, referencing existing laws in PNG that also regulate broadly the issues raised. All laws find their basis in the Constitution of the Independent state of Papua New Guinea. The five (5) National Goals and Directive Principles are prescribed in the preamble of the Constitution. All the National Goals provide the basis upon which the Oil and Gas legislative framework is enacted.

Constitution of the Independent State of PNG

The Constitution came into effect on September 16, 1975 when the country gained independence. It is the supreme law of the land and establishes the framework for the government, the rights of the citizens and the functioning of various state institutions.

The courts of Papua New Guinea have affirmed that meaningful consultation must be conducted in accordance with Papua New Guinean customs, as prescribed under Section 5 of the Constitution.¹⁴⁹ This requirement is particularly pertinent in matters involving acquisition of customary land, which is protected against unjust deprivation under the constitutional right to property (section 53). In this context however, where it would be the usage of the customary proprietary rights, the same principle would apply that any consultation regarding the location of development projects on customary land must be substantive and culturally appropriate. Furthermore, Section 255 of the Constitution reinforces this principle by stipulating that, where legislation mandates consultation between individuals or entities, such consultation must be meaningful and facilitate a genuine exchange and consideration of perspectives. The Environmental Impact Statements were not made accessible to the public to inform and bring genuine awareness to landowners and people of the Gulf province on the development project.

Legislative Framework on the Oil and Gas sector

The enabling legislative framework governing the oil and gas sector are the Oil and Gas Act 1998, Oil and Gas Regulation 2002 and the Environment Act 2000 and its related Regulations.

The *Oil and Gas Act 1998* is a comprehensive legislation governing the exploration and development of petroleum (including oil and gas) in Papua New Guinea, including the offshore area. It is a pre-requisite to identify the genuine

traditional landowners by the prospective developer (applicant) prior to approval of licence(s).¹⁵⁰ The project consultation between the applicant and the traditional landowners of the proposed sites and Provincial and Local-level Governments happens during the Development forum where determination and distribution of benefits are established between all interested parties.¹⁵¹ As of the preparation of this complaint, the Development forum process has not yet occurred but it is reported that it will take place in the coming months.¹⁵²

The *Oil and Gas Regulations 2000* stipulates the manner in which processing and transportation must be implemented and regulated ensuring environmental compliance.

Environment Act 2000

The environment laws of Papua New Guinea – namely the *Environment Act 2000* and its Regulations, together with the *Conservation and Environment Protection Authority Act 2014* constitute the key legislative framework in the resource sector. These laws safeguard the environment while promoting sustainable development.¹⁵³ The enabling legislative framework regulates the initial stages prior to the licencing of any development projects (including during and after its closure). The Inception Report (IR) by the applicant provides for issues that are identified in the feasibility studies including environment impacts, socio-economic issues, etc. that may affect the traditional resource owners and downstream communities, a revision of which results in the Environment Impact Statement (EIS).¹⁵⁴ The EIS is then made available for review by the public and independent groups, and should be considered in the assessment of the Environment Impact Statement. This is when any areas of concerns which have been overlooked by the applicant and the Conservation and Environment Protection Authority (CEPA), can be identified, subsequently resulting in the approval or refusal of the EIS. Where the EIS is approved, issuance of Environmental Permits follows, and are required for large scale development which will cause significant changes to the (natural) environment. These are issued by this legislation. In 2024, the upstream and downstream environmental permits have been issued for Papua LNG. However, as highlighted in this complaint, there remain many questions and concerns that relate to the project's risks and impacts.

Part 2: Lack of adherence to the Equator Principles

2.1 Brief note

Papua LNG constitutes a Category A project. EP 4 notes that Category A projects are “projects with potential significant adverse environmental and social risks and/or impacts that are diverse, irreversible or unprecedented” and that Equator Principles’ environmental and social due diligence should be “commensurate with the nature, scale and stage of the Project, and with the categorised level of environmental and social risks and impacts.”¹⁵⁵ Papua New Guinea is categorised as a ‘non-designated’ country under the Equator Principles.

2.2 Principle 2: Environmental and Social Assessment

There are several overlapping properties under Principle 2 and Principle 3 of the Equator Principles. For ease of reading, issues have been categorised under one principle, the most salient, but may overlap both Principle 2 and 3. Neither MUFG, nor any other EPFI, has committed to publishing a lender Environmental and Social Impact Assessment with a structured process for review by affected peoples or other stakeholders before a Final Investment Decision. This would provide a concrete opportunity for affected peoples or other stakeholders to publicly alert EPFIs to potential non-compliance with the Equator Principles or other applicable international law and standards.

2.2.1 Climate Change Risk Assessment

On the Climate Change Risk Assessment (CCRA), EPIV notes that the project should have a CCRA that is aligned with the “Climate Physical Risk and Climate Transition Risk categories of the TCFD [Taskforce on Climate-related Financial Disclosures]”. The TCFD identifies that transition risks can comprise four key types of risk: 1. Policy and legal risks; 2. Technology risk; 3. Market risk; and 4. Reputation risk.¹⁵⁶

The project 2024 Upstream EIS Addendum noted that it was “currently undertaking” a CCRA.¹⁵⁷ As of early October 2025 there is no CCRA on the Papua LNG project website. This would suggest either that the project does not yet have a CCRA, or if it has, this has not been publicly disclosed – avoiding oversight from the PNG public, climate-

affected peoples in PNG, stakeholders scrutinizing the project or regulators. Note, this section is restricted to the discussion of a CCRA – but many broader concerns regarding climate (in)justice have been expressed in the resources cited in Part 1.

The co-venturers have a concerning reputation on climate issues. TotalEnergies has recently lost a case regarding misleading information from the UK advertising regulator and in 2024 the South African advertising regulator ruled that TotalEnergies' advertising with a claim of being "committed to sustainable development" was misleading. In 2023 a German court found against TotalEnergies and determined that it had made misleading claims related to carbon neutrality. In 2025 a French court also ruled that TotalEnergies misled consumers in its advertising and, as described by Client Earth, "giving the impression that it is part of the solution to climate change despite continuing to promote and sell more fossil fuels".¹⁵⁸ Two other co-venturers – ExxonMobil and Santos – are also facing legal actions related to their climate claims (see Table 1).

TotalEnergies has stated that 95% of Papua LNG's gas will target Asia.¹⁵⁹ This comes at a time of rapidly shifting situational analysis, including on market and policy risks. Papua LNG's fossil gas will hit the market during a predicted global gas glut.¹⁶⁰ It is reported that global research and consultancy group Woodmac has stated that solar is already the cheapest power source in 11 of 15 Asian Pacific countries in 2024, and prices will fall further by 2030.¹⁶¹ In terms of projected Asian fossil gas demand, E3G has described that "Japan is artificially stimulating LNG demand in Southeast Asia for its own political purposes", an analysis shared by others.¹⁶² If true, this presents a market risk if demand is artificially inflated. Price volatility in recent years is also influencing views towards fossil gas. The IEA 2024 Energy Outlook has noted that "gas-import emerging and developing economies would generally need prices at around USD3-5 MBtu to make gas attractive as a large-scale alternative to renewables and coal".¹⁶³ Previously, Rystad has estimated Papua LNG's breakeven to be around USD\$8 per mbtu.¹⁶⁴ Following volatility in LNG access, and rising prices, Pakistan imported more than 22 gigawatts worth of solar panels in a single year - 2024 – more solar than Canada has installed in total.¹⁶⁵ In 2023, ASEAN set ambitious near-term renewables targets for 2025.¹⁶⁶

PNG itself does not need fossil gas – it has sophisticated renewable energy proposals. PNG has identified a series of planned and proposed renewable energy projects that if all proved viable, could expand on-grid energy access from 13 to 70% of households and still see renewable energy supply up to 78% of the country's on-grid power by 2030.¹⁶⁷ The figure could be even higher, but PNG is locked into service contracts for fossil fuel generated energy beyond 2030.¹⁶⁸ The main barrier, as reported in 2021, was a financing shortfall of K400 million (approximately USD\$110 million).¹⁶⁹ This is a fraction of the cost of Papua LNG. Renewable energy gains for off-grid power could be even higher and is better suited for PNG's largely rural population (an estimated 80%).¹⁷⁰ While PNG has systemic power issues, these do not appear to be energy source related.¹⁷¹

Transition risks for Asian markets are also growing with the rise of vocal social movements. In 2023, a multi-country campaign of over 100+ civil society organisations – Don't Gas Asia – launched.¹⁷² This campaigns against new fossil fuels, and for energy sovereignty. Already, civil society groups in Japan, the Philippines, Indonesia and South Korea have spoken out against, or directly protested, Papua LNG.¹⁷³

PNG is already one of the worst-impacted countries by climate change – impacts which will accelerate and exacerbate over the life of the project. The Notre Dame Global Adaptation Initiative (ND-GAIN) index ranks PNG 167th out of 187 countries in its resilience to climate impacts, with PNG's vulnerability to climate threats high and its readiness to address them as low.¹⁷⁴ The country is exposed to extreme events including floods, landslides, droughts, and cyclones. According to the international disaster database EM-DAT, the combined effect of floods (15 events recorded), tropical cyclones (4), and extreme precipitation-caused landslides (12) affected over 650 thousand people since 2000.¹⁷⁵

PNG's political risk for gas projects is already deemed high, and an exacerbating climate emergency raises questions as to whether PNG citizens will increase their accountability demands of, or potentially anger towards, fossil fuel projects over coming decades.¹⁷⁶ One Asian Development Bank study estimated by 2100, climate change could lead to a 15.2% drop in PNG's GDP and the IMF estimates that at least 2% of GDP should be used for

adaptation each year.¹⁷⁷ The Pacific Island Forum Boe Declaration recognises that climate change is the “single greatest threat” to security in the Pacific.¹⁷⁸ Already, households in the Oroko Bay area – the coastal region of Gulf Province – have had to relocate multiple times due to rising sea levels and violent storms.¹⁷⁹

The project’s EIS documents include no discussion of upstream decommissioning plans.¹⁸⁰ This raises a question of the assessment of related transition risks. More generally, Carbon Tracker has reported that industry underestimation of decommissioning costs could lead to a “climate-related financial shock in oil and gas asset prices”.¹⁸¹

Papua LNG appears out of step with fast evolving developments. The International Energy Agency member and associated countries include 80% of global energy consumption. In 2021, the IEA released a 2050 Net Zero Emissions (NZE) scenario report that clearly stated that it was possible to meet energy needs and limit the global temperature rise to 1.5 °C and that there was no need for new oil and gas fields under such a scenario.¹⁸² In 2023, the IEA added that no new LNG export terminals were needed under that scenario. Papua LNG is clearly out of step with the recommendations of IEA’s NZE scenario. This could increase the project, and financiers’, future legal or financial risks.

Also, for consideration, IEEFA has warned that fossil gas with so-called ‘Carbon Capture and Storage’ (CCS) is “unlikely to be competitive with renewable based solutions”.¹⁸³ If finance is issued to Papua LNG – before any evidence of the performance of a so-called CCS project, and in light of what Oil Change International has described as “50 years of failure” of carbon capture – financiers may not be protected from legal or financial liabilities, including from shareholders or climate-affected peoples.¹⁸⁴ Additionally, the claims of the so-called CCS does not relate to scope 3 emissions – which by one estimate will be approximately 10 times greater than the project’s scope 1 emissions.¹⁸⁵

More broadly, at a global level an Oil Change International analysis has assessed neither TotalEnergies nor ExxonMobil to be on track with ten criteria representing what they classify as “the bare minimum for aligning with the Paris Agreement to limit global heating below 1.5 °C”.¹⁸⁶ TotalEnergies was classified as ‘grossly insufficient’ or ‘insufficient’ on all ten criteria and ExxonMobil was classified as ‘grossly insufficient’ for all criteria.¹⁸⁷ Carbon Tracker analysis of large projects approaching FID categorises Papua LNG as not only outside a moderate transition scenario (1.7 °C temperature rise due to climate change) but outside even a ‘slow transition’ scenario (2.4 °C).¹⁸⁸

It was reported that Papua LNG’s previous financial advisor – Crédit Agricole – exited the project in 2024, according to Reuters “citing commitments to refrain from new fossil fuel developments”.¹⁸⁹ Several EPFIs would also rule out the project on climate grounds, including due to new bank policies over the last five years.¹⁹⁰ More generally, the 2021 Clean Energy Transition Partnership has also withdrawn up to USD10-15 billion in export finance to fossil fuels projects in 2023.¹⁹¹ This coincides with a shift questioning industry efforts to position fossil gas – a fossil fuel – as beneficial for the climate (for example as a ‘transition fuel’).¹⁹²

This comes at a time of emergent legal and financial risk to financiers. A 2023 summons in litigation against BNP Paribas regarding its climate impacts, makes multiple references to its financing of TotalEnergies.¹⁹³ A 2024 complaint filed against asset manager BlackRock with the French Financial Markets Authority, also names its relationship with TotalEnergies and ExxonMobil.¹⁹⁴ US EXIM bank is also facing legal action related to its decision to finance TotalEnergies project Mozambique LNG, including due to climate concerns.¹⁹⁵ KEXIM and K-Sure previously faced legal action over their financing to Santos’ Barossa project, the case was dismissed by the court, but it is reported that in 2024 both institutions chose not to renew their insurance and financing to the project.¹⁹⁶ Future risks may also exacerbate, given that in 2024 and 2025 UN experts on human rights have directly called for financial institutions to divest from fossil fuel financing.¹⁹⁷ A growing body of international human rights law and interpretive documents suggest that new fossil fuels projects – such as Papua LNG – are unlikely to adhere to human rights obligations outlined in the UN Guiding Principles on Business and Human Rights.

It is also reported that Papua LNG has faced higher-than-expected contract bids for engineering, procurement and construction – with it reported that first bids came in at almost double the project’s stated cost of USD\$10 billion,

to USD\$18 billion.¹⁹⁸ It's unclear how the CCRA may weigh if concerns regarding reputational risks to contractors – in light of extensive attention on the climate, biodiversity and human rights risks of Papua LNG (see, for example, Part 1) – was a contributing factor to high bid costs. The Final Investment Decision has been delayed by half a decade – it was envisaged for [2020](#), then [2023](#), then [2024](#), then [2025](#) – to now 2026.¹⁹⁹ It's not clear what role the shifting situational analysis on climate or global gas markets has contributed to this.

Climate-associated market risks appear likely to increase. A growing number of nation states have endorsed the Fossil Fuel Non-Proliferation Treaty Initiative, as well as 135 cities and subnational governments – which will start negotiations in 2026.²⁰⁰ This includes fossil fuel producers such as Colombia and Timor-Leste, and the first Asian endorser – Pakistan, and a second, Cambodia.²⁰¹ The articulation of financier responsibilities in international law, and nascent national law, as well as government advice on grievance mechanisms – such as China's Green Finance Guidelines – suggest that bank fiscal and legal liabilities on financing to fossil fuel projects are rapidly evolving.²⁰² This could increase legal, policy and financial risks to all banks during the life of the loan, and as shown in *Equitable Cambodia and Inclusive Development International v. ANZ bank* – long after it has ended.²⁰³ The extensively documented concerns about Papua LNG before a Final Investment Decision could also contribute to how any potential liabilities may be costed in future. It's not clear if the potential for material impacts on project financiers will be considered in the CCRA.

2.2.2 Human Rights Impact Assessment

The Equator Principles *Guidance note on the implementation of human rights assessments under the Equator Principles* notes that “each client is expected to conduct Human Rights due diligence in line with the UNGPs [UN Guiding Principles on Business and Human Rights] and to document that process in its Assessment Documentation (EP4, Principles 2)”.²⁰⁴ There is no public record of the project conducting a full Human Rights Impact Assessment in line with the UN Guiding Principles on Business and Human Rights. In 2019, a partial Human Rights Impact Assessment was published – but this was not based on criteria of scale, scope or (ir)remediability or likelihood. The partial HRIA notes that “these topics [gender, security and conflict] were selected to avoid duplication between the HRIA and other baseline studies”.²⁰⁵

Additionally, the Danish Institute for Human Rights guidance on Human Rights Impact Assessments, cited in the guidance note, notes that they should be updated every 3-5 years, which would put even the partial assessment out of date.²⁰⁶ Notably, the project design has shifted significantly since the fieldwork for the assessment was done in 2017 or the Upstream EIS submitted in 2019 (see, for example, Section 2.3.3 on IFC PS 5).

The partial HRIA authors listed various limitations for their work including that “community and stakeholder engagement was limited”.²⁰⁷ They also noted that focus group participants had no knowledge of human rights and business or human rights impact assessment processes, and that “most participants were still trying to understand what the project is [and] the nature of impacts that might be anticipated” “which meant that the greater amount of time was spent discussing these topics”.²⁰⁸ It also noted that the project design was not complete and that “predicted impacts are based on approximations of the pipeline route... [and] location of the Central Processing Facility” noting that “depending on the final Project design some findings and recommendations may be redundant while other key human rights impacts may emerge”.²⁰⁹

To the best of our knowledge, the project has never published a full Human Rights Impact Assessment. The project did privately advise CELCOR in June 2024 that it had commissioned a Human Rights Impact Assessment that would be completed in November 2024.²¹⁰ However, it is unclear of its current status. If the HRIA was completed, it raises a concern as to why it has not been published. Particularly salient here, as established in part 1, is MUFG's established track record of failing to accurately assess human rights risks and the large number of allegations against co-venturer companies recorded in the Business and Human Rights Resource Centre database.

As of August 2025, the Papua LNG website appears to fail to mention human rights at all. There is no section related to human rights, no information about communities' rights under international human rights law or the French Duty of Vigilance, and no evidence of community information materials explaining people's rights or how

their human rights may be impacted. The charter of the project's Independent Advisory Panel refers to the panel's role as "supporting TotalEnergies' ambition" referring to a list which includes supporting "human development".²¹¹ Human rights isn't mentioned in the charter.

Free, Prior and Informed Consent

Of particular concern is the issue of Indigenous Peoples rights – particularly those related to Free, Prior and Informed Consent. Note, IFC PS 7 uses the terminology of 'FPIC' – but this does not meet the international law standard. The IFC PS 7 claims that "there is no universally accepted definition of FPIC." This is not factual, FPIC is a facet of Indigenous Peoples' right to self-determination as expressed in the UN Declaration on the Rights of Indigenous Peoples, the International Labor Organization Convention 169 and international advisory decisions etc. As a result, there is attendant international case law on FPIC, in various national and international laws and through non-judicial grievance cases. The vast majority of PNG's people are Indigenous Peoples – a credible estimate would be over 95% of the population.²¹² This section examines Free, Prior and Informed Consent as relates to international human rights law and subsequent responsibilities under the UN Guiding Principles on Business and Human Rights. This is relevant to the requirement for a UNGP based Human Rights Impact Assessment under the Equator Principles, among other measures. This section also briefly references relevant Equator Principles guidance under EP4. Section 2.3.4 briefly covers Indigenous rights obligations under IFC PS 7.

Section 1.3 outlines a series of risks related to the country and company context, which are also salient to the issue of FPIC. This relates to current OECD cases, land related scandals involving the state, and the state's failure to respond to the UN Committee on the Elimination of Racial Discrimination regarding allegations of discriminatory practices that fail to uphold customary resource owners' rights in the context of logging.

To date, we are unaware of evidence that would show that Free, Prior and Informed Consent was obtained at earlier stages in the project – such as at exploration or pre-FEED – this raises a concern of whether those processes and practices proceeded without Indigenous Peoples' FPIC. Further, as explored elsewhere in this complaint there is a concerning analysis within the Upstream EIS which appears to have misidentified an instance of land rights violations in the local area as evidence of local peoples "resilience to change" (see Section 2.3.5 on IFC PS 7). Additionally, rights to FPIC are not mentioned in the Upstream EIS Addendum discussion regarding Pokore Hamlet and potential resettlement (see Section 2.3.3 IFC PS 5).

Even if the project develops formal agreements with Indigenous Peoples or local landholder groups – this may show 'consent' – but it doesn't show the necessary standard of Free, Prior and Informed Consent. Additionally, given the widely documented issues of corruption, Indigenous rights violations and fraudulent land claims in PNG – the existence of an agreement in itself is not even evidence of 'consent' and would necessitate further due diligence.

"Informed" consent

Various civil society publications listed in Section 1.2 have highlighted a concern that the project has failed to show a vital precursor to "informed" consent. A review of community information materials provided by the project in its Upstream EIS and Upstream EIS Addendum, its website and the Tok Save newsletters show that these materials either provide: 1) information about project processes (such as project timelines or milestones, meeting dates, TotalEnergies grievance mechanism, or how research into biodiversity is done) or; 2. public relations materials casting the project in a positive light (such as references to donations to community groups or logistics assistance to local organisations, or staff profiles, or general references to a claimed high standard on sustainability etc). There is also a community registry expressed in EIS documents that lists how the project is responding to community concerns. However, as a whole this is not evidence of the information necessary for Free, Prior and Informed Consent.

There is not, for example, copies of fact sheets that clearly explain a particular aspect of the project, that explain the risks and impacts and that emphasizes questions that communities may consider or discuss. The lack of plain language material, or even basic documents (for example, see Sections 2.3.2 and 2.8) also renders it unnecessarily difficult for other stakeholders – such as international experts on human rights or other technical areas – to

understand the project and potential risks. The Tok Save newsletters refer at various points to ‘dialogue’, ‘consulting’ people or ‘feedback.’²¹³ This language does not frame Indigenous Peoples as having clearly delineated rights or a rights-based framework regarding FPIC that the project is committed to respect. It at no point refers to international law on Free, Prior and Informed Consent. While Tok Save promises that people will have access to legal advice relevant to the Oil and Gas Act and other law – it does not reference international human rights law.²¹⁴

To the best of our knowledge and based on a review of the proponent's materials:²¹⁵

- The project does not appear to discuss what will occur if the project cannot achieve Free, Prior and Informed Consent.
- The project has not shown what, if any, community information materials have been provided to Indigenous Peoples that explain the project risks and impacts; or similar information materials that explain to them their rights. This should include their rights under international human rights law such as the UN Declaration on the Rights of Indigenous Peoples, as well as other relevant standards and law including, for example, the French Duty of Vigilance Law, the IFC Performance Standards, the Equator Principles and the OECD Guidelines on Multinational Enterprises. To the best of our knowledge, the project does not reference the existence of such materials.
- The project has not shown community information materials that may easily be available to other stakeholders. For example, that may easily allow international experts in human rights or biodiversity to understand what information has been provided to the community, and to review the quality and standard of the information provided.
- The project has not discussed any potential incongruence between national law and international human rights law, in terms of how resource owners are recognised and how any final resource agreements are made.
- The project has not assessed what capability the affected peoples have to seek independent advice – including independent scientific advice – to allow them to obtain an independent third-party view on the risks or impacts of the project, or any attendant rights or advice that are related under international law or standards. The project has not shown Indigenous Peoples accessing such independent advice.
- The project has not acknowledged if there is an inherent risk in the company, or consultants who are paid by the company, being a primary source of information about the project, including its risks and impacts.

The Equator Principles also provides advice to EPFIs on issues related to the application of Principle 4 to view if “an engagement process consistent with Free, Prior and Informed Consent (FPIC) has been applied”.²¹⁶ *The Equator Principles Guidance Note: Evaluating projects with affected Indigenous Peoples* denotes that “In evaluating a consultation process where FPIC applies, an EPFI should consider the following types of questions:...”.²¹⁷ On the issue of “informed” consent it advises EPFIs to ask the question “Were Affected Communities of Indigenous Peoples properly informed about the nature of the project, its risks, impacts and opportunities?”, it then provides four sub-questions, including:

- “Was information disclosed in a way that could be understood by affected stakeholders, including from a cultural and language perspective?
- “Was this information provided early enough in the process to allow the information to be understood and considered by the Affected Community of Indigenous Peoples...?”
- “Was the Affected Community of Indigenous Peoples provided with appropriate capacity funding to ensure meaningful participation in the consultation process?”

Based on publicly available materials, the complainants view that a reasonable response to all three of these questions would be “no”.

In the complainants’ view an adequate EPFI due diligence process should involve various processes to address these questions. This should include, on the issue of information alone, at minimum to: 1) Seek to identify what community information materials the project has provided to the community; 2) Confirm that those community information materials have been provided to the community and that participants, and their broader community, have a copy of the information provided; 3) Assess the quality and accuracy the information in those materials

provided; 4) Assess whether affected peoples accurately understand the project risks and impacts, and their rights; 5) Assess whether affected peoples have further questions or clarifications regarding the project or materials provided; 6) Assess whether affected peoples have had and still have access to independent sources of technical and expert information and advice; and 7) Assess obstacles that may prevent people from exercising their right of Free, Prior and Informed Consent, and if those barriers have been surmounted. This should include issues such as sufficient time. Added to this, should be that: 8) Indigenous peoples have access to other information necessary to make an informed decision. This should include, for example, a knowledge of existing legal cases against co-venturer companies regarding their climate claims or information, or other concerns raised about their fossil fuel projects. As outlined in Section 1.3 – both TotalEnergies and ExxonMobil are facing, or have faced, multiple legal or regulatory cases related to misleading climate claims or climate impacts. The lack of even general disclosures about the project, to a lesser standard than what is required for FPIC, is discussed in the sections addressing EP 10 and IFC PS 1. As a general due diligence approach, an EPFI failing to undertake steps 1-8 for a Category A project in a high-risk jurisdiction would be unable to undertake an accurate situational analysis, and subsequent risk assessment. For example, even if a given group of Indigenous Peoples were to support a project at its onset – if this is based on inaccurate or incomplete information, inflated expectations or a failure to understand their rights – financiers could perceivably be subject to ongoing risks across the life of the project, or even afterwards, including legal cases, non-judicial complaints, political risks or shareholder action.

Information in this complaint related to PS 1, EP5 and EP10 establishes that there is no verifiable evidence that the project has disclosed fundamental information about the project. ‘Informed’ consent should mean that Indigenous Peoples feel confident that they fully understand the project and its risks and impacts, have access to independent and expert advice (including scientific advice) and understand not only the practical shifts from the project, but the paradigm shifts – such as the introduction of a cash economy. There is no verifiable evidence that the project has met this standard. There is also no evidence that affected communities are aware of current or recent legal actions involving companies overseas – that may materially impact Indigenous Peoples due diligence and approach to negotiations.

We note more broadly concerns expressed by what the project terms its Independent Advisory Panel. (However- it should first be noted that while the Independent Advisory Panel Charter states that members of the panel will not be paid – the charter notes that “TotalEnergies will, at the request of the member of the Panel, financially support organizations related to areas of expertise of the members, provided such support complies with the rules relating to conflicts of interest and ethics”.²¹⁸ While not confirmed, there appears to be a credible question regarding whether organisations closely affiliated with one or more panel members have received financial support from co-venturer companies or the project since members joined the panel.²¹⁹ Additionally, there is also a question as to the appropriateness of a religious leader – the head of the Catholic Church in PNG – serving on the panel.²²⁰)

In October 2024, the panel noted after speaking with villagers and Papua LNG staff concerns regarding a ‘disconnect’ on communication.²²¹ Noting that: “It is essential that exchanges with local community members be conducted in a manner to which they can easily relate, using language they are comfortable with and a cultural framework with which they are familiar.”²²² It then added: “This has prompted the IAP to wonder how the decisions made by TotalEnergies to implement specific actions and interventions in support of the communities actually align with... the needs, wishes, and expectations of the communities themselves.”²²³

The panel noted that “Papua LNG has made a significant investment in many projects on various scales, for which villagers appear to be grateful. We noted, however, that the villagers have conveyed numerous requests to Papua LNG, many if not most of which are modest and reasonable in the context of expectations from large extractive projects in PNG, largely without any clear feedback or response, which is a cause of significant frustration and confusion.”²²⁴ The advisory panel does not appear to have any specialist human rights expertise but are raising very clear concerns regarding communities’ substantive access to information. More broadly, this raises questions about the extent to which people understand, in substantive terms, their collective right to assert, or withhold, their Free, Prior and Informed Consent. More broadly, if they conceptualise that they have a right to ‘ask’ the project for information, support or consideration; or whether they view the project as having a responsibility to

respect Indigenous Peoples' assertion of their rights – which could extend to redesigning certain elements of the project if FPIC is not given.

In a response to the panel concerns, TotalEnergies appeared to reinforce its existing approaches – none of which appear to include providing clear and easy to understand community information materials that clearly explain projects risks and impacts, or relevant rights – such as FPIC – in local languages, and provide everyday people with a record of what information they have been given and understood.²²⁵

Even on its website, as of October 2025 the only photo that appears to have community members themselves holding a copy of information – which resembles the Upstream EIS summary document.²²⁶ If this is the case, this is a 40-page, text-heavy document in English or Tok Pisin. It is not easily understood by people who are not confident readers or have a level of formal education typical for the affected communities. This is not a document intended for a lay audience, does not readily explain key concepts or terms and is not a community consultation resource.

“Prior” consent

A 2018 study on Free, Prior and Informed Consent by the Expert Mechanism on the rights of Indigenous Peoples notes that “any free, prior and informed consent process must also be prior to any other decisions allowing a proposal to proceed”.²²⁷ It also describes that “the ‘prior’ component of free, prior and informed consent should entail: (a) involving indigenous peoples as early as possible. Consultation and participation should be undertaken **at the conceptualization and design phases** and not launched at a stage in a project’s development, when crucial details have already been decided”; [and] (b) providing the time necessary for indigenous peoples to absorb, understand and analyse information and to undertake their own decision-making processes.” [emphasis added]

Without substantive changes, it appears unlikely that a good faith interpretation of the “prior” requirement for Free, Prior and Informed Consent could reasonably be met based on the criteria that this should occur before “crucial details have already been decided” or “any other decisions allowing a proposal to proceed”. The project has already submitted its upstream Environmental Impact Statement (in 2019); an upstream Environmental Impact Statement Addendum half a decade later (2024); undertaken or largely undertaken its Front-End Engineering and Design (FEED) process and been awarded its upstream and downstream environmental permits. While the project appears to have undertaken some engagement with local Indigenous Peoples, this does not appear to be to a standard necessary to achieve, or progress towards, free, prior and informed consent – as highlighted in the previous section on concerns regarding “informed” consent.

As noted in Section 1.1 the size of an expected loan necessary for a project estimated to cost USD\$12-18 billion – means that the standard of “prior” in Free, Prior and Informed Consent cannot be achieved after a Final Investment Decision. This would clearly constitute a point at which “crucial details have already been decided”. This is firstly on the basis of a level of project detail and development necessary to secure a multi-billion dollar loan, including key permits and licenses. Secondly, would be on the potential hardship that any non-consenting customary resource owners may be expected to endure if choosing to exert a decision to withhold, or deny, their Free, Prior and Informed Consent for certain aspects of the project, or the project overall at this late stage – raising a question as to how truly “free” they may be.

As described in Part 1, PNG has an extensively documented history of court findings and credible allegations related to contracts and agreements that relate to land and forest use that are fraudulent, or are based on misleading information, trickery, coercion, false claims or incomplete information.

Human rights harms are irreversible. Under the UN Guiding Principles on Business and Human Rights, an EPFI’s decision to finance a project that has not obtained the full Free, Prior and Informed Consent of Indigenous Peoples would constitute a failure to respect human rights.

Papua LNG involves some of the world’s most powerful companies, as well as the backing of the PNG state. This creates a sizeable challenge for the project to show that any consent obtained has been truly “free” – that is,

Indigenous Peoples genuinely have a sense of a right to withhold their consent to the project altogether or to withhold consent unless certain conditions are met.

A 2015 academic article explores multiple concerning dynamics of extractive industries companies and projects in the Purari Delta, and the long historic precedence for this. While it does not refer to Papua LNG specifically (as it did not exist at that time), how this relates to Free, Prior and Informed Consent for extractive projects is exemplified in the article's concluding quote from a Mapai resident: "If I a village person goes to stop the development then the government is going to come against me and beat me again. So that is why the village they want to stop the particular project for the future but the government is forcing that thing to happen. So we have no power to stop it. We have concern for our children there to stop it but we have no power because the government has power to do everything there."²²⁸

No evidence of engagement with, or Free, Prior and Informed Consent from, all affected peoples

While the lack of Free, Prior and Informed Consent is most pressing for communities most directly in the immediate project area, the project will affect other Indigenous Peoples. The project documents do not include any discussion of any potential provisions under the UN Guiding Principles on Business and Human Rights, including any discussion of whether Free, Prior and Informed Consent or obligations on informed consent apply. On our review of the material available to us, we did not find any evidence that suggests the following groups have been made aware of or have received adequate information about potential risks, impacts or their rights regarding Papua LNG:

- Any Indigenous Peoples in areas related to "offset" initiatives linked to the project. A SOMO analysis of TotalEnergies acquisition of carbon offsets internationally references an array of allegations regarding adverse human rights impacts (including Indigenous Peoples rights) in Peru, Suriname and the Republic of Congo, and methodological flaws.²²⁹
- Zenadh Kes (also known as the Torres Strait) communities in Australia have very strong ties to Papua New Guinea and cultural responsibilities to care for marine life and sea country, as well as uses of marine natural resources. For example, Zenadh Kes has a sizeable "kaia" tropical rock lobster industry (*Panulirus ornatus*), shared with PNG – this holds significant cultural and economic importance in the region, as well as traditional harvesting. More broadly, the industry was worth \$16 million in 2021-2022.²³⁰ (See further Section 2.3.7.1)
- Daru Island communities in Western Province of PNG are also particularly active in the tropical rock lobster trade.
- Indigenous Peoples with customary responsibilities for caring for, or using, marine natural resources and sea country. It is common for Indigenous Peoples in the region to have close non-human kinship with specific animal species, including responsibilities for their care. This can be deeply embedded in identity and cultural practices, as well as traditional law practices that include a system of traditional environmental regulations as well as close monitoring under Indigenous scientific practices. This is particularly important for critically endangered, endangered or vulnerable migratory species that are known, likely or possible to be in the project area of influence by Papua LNG.
- Other PNG communities who are already impacted by the climate emergency, which will be exacerbated by the project pollution - specifically anthropogenic greenhouse gas emissions.

Fossil fuel projects disproportionately impact Indigenous Peoples

More generally, the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change has specifically noted that "fossil fuel operations disproportionately impact Indigenous Peoples."²³¹ The project has not fully assessed the cumulative human rights impacts of various fossil fuel activities underway or proposed in Gulf Province. Noting that population statistics in PNG are notoriously unreliable due to various factors, in 2021 Gulf Province was estimated to have a population of 201,388.²³² At minimum, this shows a small provincial population, made up of Indigenous Peoples, multiple language groups, low levels of formal education and attendant limited resources. This poses an additional barrier for 'informed' consent. There is nothing to

suggest that Indigenous Peoples impacted by Papua LNG have access to resources to seek, for example, independent scientific expertise or independent expertise by international human rights experts.

The Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment in discussion of ‘sacrifice zones’ has also noted that heavily polluting and hazardous facilities – including gas fields – as well as clusters of these facilities “tend to be located in close proximity to poor and marginalized communities.” They further note that “the continued existence of sacrifice zones is a stain upon the collective conscience of humanity. Often created through the collusion of Governments and businesses, sacrifice zones are the diametric opposite of sustainable development, harming the interests of present and future generations. The people who inhabit sacrifice zones are exploited, traumatized and stigmatized.”²³³

Irrespective of whether Gulf Province can be considered a “sacrifice zone” in the making or not, it is clear that several concurrent fossil fuel activities in a concentrated period of time, suggest a heavy burden on Indigenous Peoples in Gulf Province to try to understand a proliferation of complex, technical activities and how they may impact on their future rights and the rights of future generations. This is in addition to other large and unprecedented non-fossil fuel projects such as the Pacific Lime and Cement sand projects (previously known as Mayur Resources) and IHU Special Economic Zone.²³⁴

Table 2: Is Gulf Province a “sacrifice zone”? Example of existing, planned or proposed fossil fuel projects and exploration in Gulf province	
At minimum, this list of fossil fuel activities in a concentrated period of time suggest a heavy burden on Indigenous Peoples in Gulf Province to trying to understand a proliferation of activities.	
PNG LNG	Existing pipelines on land and onshore in Gulf Province.
Papua LNG	Majority of the project is in Gulf Province.
Pasca A	Offshore project in Gulf Province. (Currently reported to be aiming for FID in 2026)
Floating LNG facility	Currently in pre-FEED, with an expected FID in 2026-2027. ²³⁵
Pandora	Offshore license awarded to Kumul Petroleum. Supported by the Floating LNG Facility.
Uramu	Offshore license awarded to Kumul Petroleum. Supported by the Floating LNG Facility.
Wilbebeest	Currently in exploration. ²³⁶
PRL 48, 49, 5	Seismic testing recently undertaken by Kumul Petroleum. ²³⁷

More generally, several international Indigenous rights organisations have advised banks outright against financing fossil fuels. In its 2023 guide on FPIC for banks, Cultural Survival has explicitly recommended that: “banks and financiers should prohibit financing to sectors and companies which are well known drivers of human and environmental rights violations, such as the fossil fuel and industrial agribusiness sectors.”²³⁸ The Indigenous Environment Network noted in 2021 that 20 fossil fuel projects in Turtle Island/North America are being opposed and various federations of Latin American Indigenous Peoples have rejected fossil fuels via the Amazon Assembly.²³⁹ The Asian Indigenous Peoples Pact has called on “states, private sectors and stakeholders to stop the extraction of ... fossil fuels”.²⁴⁰ Multiple Indigenous nations have also endorsed the Fossil Fuel Non-Proliferation Treaty Initiative.²⁴¹ Indigenous peoples have also lodged formal human rights complaints regarding alleged human rights violations linked to fossil fuel projects.²⁴² Intergenerational equity is often a concept embedded in Indigenous jurisprudence – and the role of climate change or reduced access to land and water – should also be considered in any assessment related to fossil fuel projects. It also relates to specific issues – such as the lack of information on decommissioning.

Very serious human rights concerns also arise from the experience of PNG LNG. The proliferation of small-arms and other violence in Hela province, including multiple recent massacres and mass sexual assault incidents in the last five years – also impedes Gulf communities, and other stakeholders, from easily learning from Hela province communities’ experience from PNG LNG. Prior reports signal a range of harm – including increased conflict, kidnappings, failure to pay landowners at first gas or potentially even at all and a fundamental change to gender relations, and the rise of a sexual economy (see Section 2.3.7 on Gender).²⁴³

Human rights law and climate change

Human rights law related to responsibilities on climate change and fossil fuel extraction is particularly fast evolving. In 2024, UN experts have advised states to “prohibit new fossil fuel exploration and exploitation” and to “revoke licenses for existing fossil fuel exploration and exploitation”.²⁴⁴ The Center for International Environmental Law has also synthesized statements from the Committee on the Elimination of Discrimination against Women on climate issues – including those that relate to fossil fuel extraction.²⁴⁵ Climate change also impacts on concepts of intergenerational equity and has attendant impacts on the Rights of the Child. To date, we are not aware of any efforts by the co-venturer companies to provide remedy or redress for the communities affected by their prior pollution, such as via GHG emissions. Note, given that PNG itself is already hard hit by the climate emergency, it has undoubtedly experienced loss and damage, and the Climate Change Development Authority is currently preparing a loss and damage policy framework for climate finance.²⁴⁶ These human rights norms and associated liabilities can only reasonably be expected to increase over the coming years. Noting also, that financiers also have responsibility to provide remedy or redress for adverse human rights impacts arising from project finance.²⁴⁷

2.2.3 Socio-economic impacts

Exhibit III, paragraph 18 of EPIV refers to socio-economic impacts. There appears to be no publicly available comprehensive economic modelling on the costs or benefits of Papua LNG to PNG or to Gulf Province. The Upstream EIS makes generalised discussions of site-specific livelihoods.²⁴⁸ Thus the project does not cohesively communicate potential economic risks or impacts, or allow independent scrutiny for how the benefits of the project are assessed. The project website states that it will create ‘3,000 jobs for PNG nationals over the lifetime of the project’ – it does not state how many of these jobs will be short-term construction positions or unskilled labour, what percentage will go to women vs. men, or what number of jobs will go to locals within Gulf Province, compared to national or international staff.²⁴⁹

Most critically, it does not outline the underlying economic assumptions upon which this figure is based. Without this information, affected communities are unable to scrutinize the project’s economic claims. Some local people have also privately communicated that they do not feel that they are fully informed about how the project may impact on the Orolo Bay and Kikori delta – which is a critical biodiversity landscape, but also linked to fishing livelihoods and industry. (For example, see discussion on Cumulative Impacts under section 2.3.7). The lack of economic modelling also renders it difficult to assess the likelihood of highly gendered economic impacts.

The economic claims of PNG LNG were vastly overstated. At one point it was claimed that PNG LNG would double the country’s GDP.²⁵⁰ However, Hela – where the project is based – remains the worst scoring province in PNG on the Human Development Index and multidimensional poverty.²⁵¹ Added to this, a lack of economic modelling makes it difficult to consider if, or how, legitimate concerns about stranded asset risk have been considered.

Additionally, Volume 2, Part 15 of the Upstream EIS appears to honestly assess risks of state failings in PNG regarding development, particularly related to the extractive industries. This includes a risk that without adequate effective governance “a minority of the impacted population may capture the majority of benefits”.²⁵² However, there is a clear disconnect between the benefits and mitigation claims regarding the impacts from Papua LNG presented in the main Upstream EIS report, and the severe governance issues that are a reality of the PNG state. As noted by some economists, PNG has a long history of the ‘resource curse’, where extractive projects do not necessarily deliver development outcomes.²⁵³ Notably, an array of serious governance issues have appeared since the Upstream EIS was conducted, for example see information on the Financial Action Task Force under Section 2.3.7.

2.2.4 Requirements under applicable international treaties and agreements²⁵⁴

Kunming-Montreal Global Biodiversity Framework: The project Upstream EIS references the Convention on Biological Diversity but doesn’t assess any potential requirements under the 2022 Kunming-Montreal Global Biodiversity Framework.²⁵⁵ The Kunming-Montreal Global Biodiversity Framework is the key implementing agreement of the Convention on Biological Diversity and aims to halt and reverse biodiversity loss by 2030. Relevant targets may include 4, 7, 8, 9, 14, 15, 16, 18, 22 and 23.²⁵⁶ As detailed in Section 2.3.4 on IFC PS 6, the

project entails extraordinary exposures to biodiversity risks. This is also relevant for state or commercial EPFIs, given GBF Targets 14 and 15.

Paris Climate Agreement: The Upstream EIS regulatory section refers to the UN Framework for the Convention on Climate Change but does not specifically reference the Paris Climate Agreement.

Joint management of transboundary species: The project doesn't appear to have undertaken any stakeholder engagement with authorities outside of PNG who are part of international agreements or programs for the joint management of migratory marine species. This includes those under the Bonn Convention or the Law of the Sea. This extends to a lack of consultation with Indigenous Peoples whose natural marine resources include migratory species – such as Indigenous Peoples beyond Gulf Province (such as Daru Island); Zenadh Kes communities with ancestral ties to the waters between Papua New Guinea and Australia, or other impacted Indigenous Peoples in Australia or other Pacific Island states.

The International Court of Justice: The project has not considered the implications of the 23 July 2025 International Court of Justice July 2025 advisory opinion on the responsibilities of states on climate change under existing human rights law, climate change and environmental treaties or international customary law. The court stated explicitly that fossil fuel production, licenses for exploration and subsidies “may constitute an internationally wrongful act”.²⁵⁷

The International Tribunal for the Law of the Sea, Advisory Opinion No. 31 (2024): As noted by the UN Special Rapporteur on the promotion and protection of human rights in the context of climate change “this clarified that greenhouse gas emissions and ocean acidification are forms of marine pollution and that States therefore have strict due diligence obligations under the law of the sea, additional to those contained in the Paris Agreement, to take all measures necessary to prevent future or potential pollution from those emissions...”.²⁵⁸

2.3 Principle 3: Applicable Environmental and Social Standards

Under Principle 3, the EFPI will “evaluate the Project’s compliance with the applicable standards”, which includes the IFC Performance Standards and the World Bank Group Environmental, Health and Safety Guidelines. The objective of the review is to “establish...the Project’s overall compliance with, or justified deviation from, the applicable standards”. This section begins by examining the project’s compliance with the IFC Performance Standards, including issues raised in an independent expert review. It then examines perceived compliance issues with aspects of IFC Performance Standard 1, 5, 6 and 7.

2.3.1 IFC Performance Standards – Independent Expert Review

In 2025, CELCOR commissioned Dr. Martinez-Harms to provide an expert review of the Papua LNG Upstream EIS Addendum.²⁵⁹ This was limited to a review of the EIS documents provided and did not include additional field research. In summary, on the IFC Performance Standards they wrote²⁶⁰:

“PS1...: Requires an integrated assessment that reflects the interconnectedness of social and environmental risks. The EIS [Addendum]’s compartmentalization of impacts and its reliance on standardized matrices, rather than participatory valuation, do not satisfy PS1’s emphasis on context-sensitive and inclusive risk assessment.

PS6...Mandates that projects assess not only how they affect ecosystem services but how they depend on them. The EIS [Addendum] does not examine the project’s reliance on local ecosystem functions (e.g. water regulation, erosion control), undermining the project’s resilience planning and violating PS6 guidance.

PS7 (Indigenous Peoples): Requires culturally appropriate engagement and FPIC. The Addendum refers to FPIC in principle but does not demonstrate that it was obtained or applied. The absence of signed community agreements or feedback incorporation mechanisms suggests non-compliance.

PS8 (Cultural Heritage): Stipulates that irreplaceable cultural sites must be treated with the highest level of protection. Sacred groves and ceremonial trees are assessed using generic infrastructure metrics, not adequately meeting PS8’s heritage-specific criteria.”

2.3.2 IFC Performance Standard 1

The project does not meet any reasonable interpretation of IFC PS 1 on issues related to the disclosure of information. See for example Table 3, see also Table 5 under EP 10, and sections on IFC PS 6 and 7. The project's partial Human Rights Impact Assessment remarked in 2019 that for affected peoples, "community knowledge and understanding about the Project, likely associated impacts, and the impact assessment process is extremely low".²⁶¹ As of early August 2025, the project does not have any public full Human Rights Impact Assessment – more than five years after the project's Upstream EIS was submitted. There also appears to be some confusion as to how key details of the project are communicated. The Upstream EIS Addendum completed in 2024 notes that the project will have up to 11 production wells.²⁶² As of 1 August 2025, the Papua LNG website listed the project as consisting of 9 production wells.²⁶³

IFC PS 1 notes that: "Disclosure of relevant project information helps Affected Communities and other stakeholders understand the risks, impacts and opportunities of the project. The client will provide Affected Communities with access to relevant information on: (i) the purpose, nature, and scale of the project; (ii) the duration of proposed project activities; (iii) any risks to and potential impacts on such communities and relevant mitigation measures; (iv) the envisaged stakeholder engagement process; and (v) the grievance mechanism". Note 26 on "relevant information" states: "Depending on the scale of the project and significance of the risks and impacts, relevant document(s) could range from full Environmental and Social Assessments and Action Plans (i.e., Stakeholder Engagement Plan, Resettlement Action Plans, Biodiversity Action Plans, Hazardous Materials Management Plans, Emergency Preparedness and Response Plans, Community Health and Safety Plans, Ecosystem Restoration Plans, and Indigenous Peoples Development Plans, etc.) to easy-to-understand summaries of key issues and commitments..."

Table 3: (Lack of) disclosure of assessments, plans etc to affected communities and other stakeholders	
<i>To date, complainants have been unable to find any verifiable evidence that affected communities, and other stakeholders, have copies of these materials. Materials are not on the project website or do not appear to be in Environmental Impact Statements.</i>	
Full Environmental and Social Assessments	No – see Table 5 under EP10.
Full Environmental and Social Action Plans	No.
Easy-to-understand summaries of key issues	No. There are no easy-to-understand materials outlining specific risks and impacts etc. If information was provided orally, there is no public record of what was provided. See further Table 3 under EP2.
Easy-to-understand summaries of key commitments	No. Commitments Registers are not on the project website. The Upstream EIS and Upstream EIS Addendum include Commitments Register, but are not online. Cannot be considered readily accessible for 'other stakeholders'.
Stakeholder Engagement Plan	Not on project website.
Resettlement Action Plans	According to the 2024 Upstream EIS Addendum, not yet completed.
Biodiversity Action Plans	Not on project website.
Hazardous Materials Management Plans ²⁶⁴	Not on project website.
Indigenous Peoples' Development Plans	Not on project website.
Upstream Construction and Environment and Social Management Plan (CESMP)	Its existence is referred to in the Upstream EIS Addendum. But it is not on the project website or in the EIS.
"Studies used to Inform the Upstream EIS Addendum" but not in the Addendum	
With only two exceptions, the Upstream EIS Addendum includes none of the studies referred to in the report. The Addendum overturns decisions in the Upstream EIS that were based on expert studies, without providing evidence behind these decisions. For example, regarding the Bulmer's Fruit Bat as discussed in Section 2.3.4.	

Table 5.2 in the Addendum (p.5-5, 5-6) denotes that the proposed site – P3 – has various environmental and social risks which are: a) not described; b) unknown or; c) not available to complete the assessment. This includes for c) cumulative impacts; and acid sulphate soils, for b): economic displacement; cultural heritage and stakeholder acceptability; and for a) regulation, company reputation, security, water resources, vegetation condition and ‘greenhouse gas emissions’.

A list of studies that are not in the Upstream EIS Addendum include:

- Upstream Papua LNG Project Alternatives Assessment Report
- Terrestrial biodiversity
- Community Directory Update – Upstream
- Dredging Impact Assessment, Purari River
- ERIAS. 2023a. Upstream Papua LNG Project alternatives assessment report
- ERIAS. Papua LNG Upstream Project pre-clearance survey findings (multiple 2023 and 2024 reports that appear to be the basis of the Addendum)

Misleading claims?

In 2023, the Independent Advisory Panel (that is appointed by the project) advised it to ‘soften the claim that “Papua LNG is a project that will reduce overall greenhouse gas emissions”’.²⁶⁵ To suggest that a new fossil fuel project will reduce climate emissions is contrary to the IEA net zero scenarios and does not meet the IFC PS 1 requirement that information “helps Affected Communities and other stakeholders understand the risks, impacts”. This raises a question about who this claim was made to and concerns about misleading misinformation. For context, in 2025 UK regulators found TotalEnergies to have breached the advertising code for ‘omitting key information’ regarding its climate claims, in 2024 South Africa’s advertising regulator ruled against TotalEnergies over use of the claim that it is “committed to sustainable development”, in 2023 a German court found TotalEnergies’ carbon neutral claims to be misleading and in 2025 a French court also found that TotalEnergies had misled consumers regarding its climate claims.²⁶⁶ In 2023, in two Tok Save newsletters, the project included an article (see image) that Papua LNG is a ‘landmark project’ in terms of sustainability.²⁶⁷ This omitted critical context that it is less sustainable than many energy projects in PNG that are centred on renewables or reducing energy loss.²⁶⁸ If affected communities have not been provided accurate information about the project’s risks and impacts this could also affect their views towards the project.

About Papua LNG project

Papua LNG is a liquefied natural gas (LNG) production project led by TotalEnergies in response to Papua New Guinea’s desire to develop its gas resources. There have been estimated at over 1 billion barrels of oil equivalent. The Project will have an LNG export volume of 5.6 million tonnes per year (Mt/y).

The Project is a direct response to the growing need for energy in the Asia Market, which will contribute greatly to the economic growth of Papua New Guinea, focusing on people development. It is also a landmark project, in terms of sustainability, carbon footprint optimisation and biodiversity consideration.

We want the Papua LNG project to be exemplary in its deployment, paying particular attention to the environment, biodiversity, respect of the local communities.



Image: From two Tok Save newsletters in 2023

More broadly, complainants have been unable to find on the project website, the Tok Save newsletter or the upstream Environmental Impact Statements – any examples of community information materials dedicated to clearly explaining various projects risks and impacts. This has rendered it nearly impossible to analyse the quality, or even the nature, of the information provided to communities. This raises a question as to why the project is unable, or unwilling, to provide such materials.

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2.3.3 IFC Performance Standard 5

The project’s Upstream EIS Addendum includes a focus on the relocation of the proposed Central Processing Facility site – to a new site called P3. The proposed Central Processing Facility site is just 700m from Pokore Hamlet, which the Addendum states is a new settlement arising since 2020. In 2024, it appeared to have 42 residents – almost half of them children – and the Addendum notes that “people from Pokore Hamlet depend on natural resources for survival and wellbeing.” The Addendum section on Pokore Hamlet notes that the project would have noise and visual impacts on the hamlet, yet notes that “for the purpose of this EIS addendum, the assessment considers resettling Pokore Hamlet. However, the resettlement is not [TotalEnergies’] preference.

Therefore [TotalEnergies] will continue to investigate mitigation and management measures (including embedded designs controls) that can be applied to reduce impacts to Pokore Hamlet and avoid resettlement.” However, the section covering noise issues appears to discuss the risks more definitively, noting “predicted noise limit exceedances at Pokore Hamlet” during operations and construction, especially at nighttime, and the Commitments Register notes that “the site selection process for resettling Pokore Hamlet will...ensure that noise limits are not exceeded at the new site”.²⁶⁹ In a discussion of the impacts on increased river traffic the EIS Addendum notes “Pokore Hamlet...will be resettled and [current residents will] no longer residing opposite Herd Base and the CPF P3 site.”²⁷⁰

This raises profound questions. The project is seeking financing for a project with estimated costs between USD\$12-18 billion – and has a stated timeline for first gas within three years of FID, which would require an intensive construction period after FID – but has it not yet engaged with local communities on issues related to potential physical displacement arising from living 700 metres from the proposed Central Processing Facility? ²⁷¹ And why was this risk related to displacement only identified in 2024 – four years after the settlement began?

The Upstream EIS Addendum references Chapter 9.2 of the Upstream EIS in relation to cultural heritage, stating that no cultural heritage sites relate to P3. However, the groups discussed in the section on P3 in the Upstream EIS Addendum appear to fall within the groups described in Table 9.2 of the initial Upstream EIS on “Indigenous People in the [Project Area of Influence]”.²⁷² The Upstream EIS Addendum does not appear to discuss any provisions related to Indigenous Peoples rights – such as under IFC PS 7 or the broader application of Free, Prior and Informed Consent under international human rights - applying to the Pokore Hamlet community.

The original Upstream EIS noted an intention of having “518 ha of land acquired around the [Central Processing Facility] area to establish a safety and security exclusion zone.”²⁷³

The Upstream EIS Addendum notes that it has no existing agreements with communities and no Resettlement Action Plan. The Addendum notes that “given that a relocation site has not yet been identified for Pokore Hamlet, it is not possible to assess social impacts associated with the new location of the community.”²⁷⁴ It vaguely states that “effective community engagement will be integral to the process and will include disclosure of relevant information on matters that directly affect them. Engagement and decision-making processes related to resettlement and livelihood restoration will include options and alternatives, where applicable.” It does not state, or provide example materials of what has, or hasn’t, been disclosed to residents.

The Upstream EIS Addendum does not clearly state that it would rule out using forced evictions or discuss associated risks. As recently as February 2025, the United Nations in PNG has expressed “deep concern” about forced evictions in Baruni informal settlement in Port Moresby. And urged “authorities to ensure that law enforcement actions are conducted in accordance with human rights principles, due process, and the rule of law.”²⁷⁵ The UN Committee on Economic, Social and Cultural Rights notes that forced evictions can be broadly defined as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection” and that “forced evictions constitute gross violations of a range of internationally recognized human rights.”²⁷⁶

IFC PS 5 states that “the client will consider feasible alternative project designs to avoid or minimize physical and/or economic displacement, while balancing environmental, social, and financial costs and benefits, paying particular attention to impacts on the poor and vulnerable.” The Upstream EIS Addendum primarily focuses on the issue of site relocation for the project, particularly for cost saving reasons. The Addendum does not provide any of the documents discussing the site relocation. Additionally, Table 5.3 in the Addendum (reproduced below) regarding the final site - P3 – appears to show that key information is uncertain or not known.²⁷⁷ The Upstream EIS Addendum does not show if there were measures in this process that considered if it could have *avoided* physical or economic displacement, particularly the impacts on vulnerable people (almost half of Pokore Hamlet are children) – relevant to IFC PS 5 (point 8) for project design regarding site relocation. The project does not state if the Pokore Hamlet community was engaged in discussions about the Central Processing Facility site or what their preferences were. The project describes the main reason for Pokore Hamlet in-migration as due to ‘marriage’ – it does not reflect on if there were any failures in its in-migration risk mitigation plans.

Table 5.3 – CPF Site Suitability Rankings

Criteria	P2C	SP5	P3	SP9
Physical Constraints				
Soil type				
Terrain/slope stability				
Geohazards				
Flooding/drainage				
Executability/ Technical Feasibility				
Constructability				
Cost and commercial viability				
Regulation				
Company reputation				
Operability/complexity of operations				
Development flexibility				
Logistics/spread of operations				
Health, Safety and Security				
Security				
Workforce health and safety				
Community health and safety				
Environmental Sensitivity				
Protected areas				
Sensitive ecosystems or habitat				
Vegetation condition				
Priority species				
Acid sulfate soils (ASS)				
Water resources				
Greenhouse gas emissions				
Cumulative impacts	X	X	X	X
Social Sensitivity				
Land ownership				
Risk of in-migration				

Criteria	P2C	SP5	P3	SP9
Land and water use				
Physical displacement				
Economic displacement				
Amenity				
Cultural heritage				
Stakeholder acceptability	X	X	X	X

Table 5.2 – Suitability Rankings

Colour Coding	Suitability
	No go. Unacceptable environmental or social impacts that cannot be satisfactorily mitigated. Technically infeasible, economically unviable, substantial reputational damage.
	To be avoided wherever possible. If not possible, significant mitigation will be required, e.g., biodiversity offsets, compensation programs, substantial engineering features, and/or substantial costs and risks involved.
	Not without environmental/social impacts or engineering/economic/regulatory risks, but these can be readily managed to an acceptable level.
	Minimal environmental/social impacts and/or low engineering/economic/regulatory risks.
	Further studies/information are required to address major uncertainties in the assessment.
	Criterion is not applicable to the option being assessed.
X	Information is not available to complete the assessment.

Image: Table from the Upstream EIS Addendum that appears to show that for the relocated site (P3) – ‘community health and safety’, ‘physical displacement’ and ‘stakeholder acceptability’ had major uncertainties or were unknown. The documents regarding site selection are not disclosed.

A timeline of first gas by 2028 does not appear congruent with a human rights-compliant approach to physical or economic resettlement in the case of Pokore Hamlet.²⁷⁸ In the Upstream EIS Addendum the project does not communicate how much time it has factored in for disclosure of information, planning, community engagement, evaluating compensation related to economic or physical displacement, for communities to seek legal advice or time for responding if individuals or households reject a voluntary settlement. If resettlement cannot – in the eyes of the project – be avoided, it has not detailed time allocated to identify potential resettlement sites, securing land rights to that site, any community engagement to avoid conflict in the resettlement process, agreement of any land-based compensation or expropriation processes. The lack of allocated time for this process raises worrying questions about due process, adherence to IFC PS 5 requirements and international human rights. This is particularly pressing given the history of alleged human rights abuses in forced eviction processes in PNG and the volume of human rights concerns regarding TotalEnergies overseas included in the Business and Human Rights Resource Centre database.²⁷⁹

The project does not detail if or how issues related to the economic or physical displacement of Pokore Hamlet will be considered, or not, in the Development Forum process currently expected to take place in early 2026. If the Development Forum process is to negotiate agreements with landowner groups regarding the project – it is not clear why potential resettlement considerations, including for receiving communities, wouldn’t be material to this process.

More broadly, the Upstream EIS identified a risk of in-migration and that this was likely to occur within proximity of the nearby village Poroi. (An Upstream Community and Demographics Baseline Report - Volume 2, Part 14 documented the experience of Wabo and Ura villages which have experienced significant levels of in-migration

related to logging. These villages report problems such as domestic violence, fighting, stealing, alcohol and drug abuse associated with in-migration.) As predicted, the project is having an in-migration impact and this is happening before the project is even approved. The Upstream EIS provides little clarity on how it proposes to mitigate the adverse impacts of in-migration, let alone how to reduce it.

2.3.4 IFC Performance Standard 6

The project clearly does not meet IFC Performance Standard 6 on biodiversity. This section focuses specifically on critical habitat. The IFC PS 6 defines critical habitat as “areas with high biodiversity value, including (i) habitat of significant importance to Critically Endangered and/or Endangered species; (ii) habitat of significant importance to endemic and/or restricted-range species; (iii) habitat supporting globally significant concentrations of migratory species and/or congregatory species; (iv) highly threatened and/or unique ecosystems; and/or (v) areas associated with key evolutionary processes.”

The project area of influence includes the Purari river, coral triangle and the Kikori Delta in Gulf Province, which is a designated Important Marine Mammal Area (IMMA) recognised “as one of the most important areas of forest and wetland/riverine biodiversity in the Asia-Pacific region”.²⁸⁰ The project’s area of influence also overlaps with the Crater Mountain Wildlife Management Area. At its closest point, the Herd base is 160m from the Purari River and 1 km from pig-nosed turtle upstream nesting sites.

The project poses profound questions related to critical habitat, which is the primary focus of this section.

Multiple species facing a high or extreme risk of species extinction

The Upstream EIS Addendum and Upstream EIS include dozens of IUCN threatened species. The Upstream EIS Addendum on terrestrial biodiversity alone notes that the project includes 27 IUCN threatened species:²⁸¹

- 10 Endangered species – representing those at ‘extreme risk’ of extinction in the wild: this includes the iconic pig-nosed turtle (*Carettochelys insculpta*), the far eastern curlew (*Numenius madagascariensis*) and great knot (*Calidris tenuirostris*) migratory shorebirds, four plants confirmed to be in the area, and three likely or potentially present.
- 17 vulnerable species – a category representing that they are already recognised as at ‘high risk’ of extinction in the wild: this includes the lowland tree kangaroo (*Dendrolagus spadix*) and the grey dorcopsis (*Dorcopsis luctuosa*), as well as six species of plants confirmed to be in the area and four likely or potentially present in the area.

The 2019 Upstream Environmental Impact Statement marine baseline assessment identified multiple threatened species that were known, likely or possible to be in the project area.²⁸² This included the Largetooth sawfish – listed as critically endangered – as deemed ‘likely’ to be in the project area, as was the Hawksbill turtle. Another critically endangered turtle, the Leatherback turtle was listed as ‘possible’. Six endangered marine species were listed as ‘known’ to be in the area, and two ‘likely’. This listed the Narrow sawfish, Winghead shark, Golden sandfish, Black teatfish, Sandfish, Prickly redfish and (likely) the Speartooth shark and the Green turtle. Vulnerable species such as the Australian snubfin dolphin and the Australian humpback dolphin were deemed as ‘likely’ in the area. In view of the rapid escalation of attention on the biodiversity crisis – with extinction risks being its most serious risk – those tracking biodiversity concerns in future are also likely to point out additional risks beyond the parameters of the project’s own risk assessment. For example, a number of threatened species that are likely, known or possible to be in the project area of influence are also identified in the area of influence of other fossil gas projects. This suggests that there may be escalating risks to the species as a whole. For example, the Olive ridley turtle was named in the Papua LNG marine biodiversity baseline study as ‘likely’ to be in the project area of influence.²⁸³ It is currently listed as ‘vulnerable’ on the IUCN Red List – meaning that it faces a high risk of extinction in the wild. It is also listed on CITES Appendix I. The Olive ridley turtle appears in the project area of influence for multiple current, planned or proposed gas projects in Australian waters such as the Barossa gas project (by co-venturer company Santos), the Scarborough project, and Pluto LNG.²⁸⁴ These projects, and others, also name other overlapping species, such as the Flatback turtle.²⁸⁵ The marine baseline assessment viewed the Flatback turtle as ‘likely’ to be in the project area of influence. In Australia, the Flatback turtle is listed as ‘vulnerable’ under conservation legislation.²⁸⁶ It is also listed on CITES Appendix I. The Flatback turtle has not been

assessed under the IUCN Red List since 1996, as it is listed as “data deficient” although it is reported that a new assessment is under review.²⁸⁷

100 new-to-external science or undescribed by external science species

Papua New Guinea is one of the most biodiverse places on the planet. As described in the Upstream EIS the project area includes dozens of species that external scientists weren’t even aware of.²⁸⁸ Notably, this included 48 new-to-science species and 15 undescribed-by-science species that, by never being studied, are not classified in the IUCN Red List system or by CITES.²⁸⁹ Several of these species are considered ‘very sensitive’ or ‘extremely sensitive’ in the Upstream EIS itself. This includes several species of begonia and syzygium, damselflies, and one species of gecko.

The Upstream EIS Addendum notes regarding two of the new-to-external science species known only as *Begonia* sp. 5 and *Begonia* sp. 14 “both... are rare (respectively known from 15 plants and one plant) and presently known only from PRL-15”.²⁹⁰ Based on this description, it is certainly not unimaginable that they could meet the criteria for ‘endangered’ or even ‘critically endangered’ species – raising concern that the project may present a heightened risk to biodiversity even beyond that already described.



*This gecko and damselfly are among dozens of species in the project area unknown to external scientists and which have never been studied.*²⁹¹

The EIS Addendum suggests that the initial Upstream EIS baseline studies missed not one, but dozens of new-to-science species. It notes that: “Thirty-six (36) plants and one odonate (damselfly) are new-to-science and recently discovered on Project surveys conducted after the ESBS [Environmental Social and Baseline Studies] surveys.”²⁹² Unlike the Upstream EIS, it does not include any table with a description of the species, how they are listed, where they are found etc. It also notes eight other scientifically undescribed plants that were discovered.²⁹³ The Upstream EIS notes that four of the species listed in the Upstream EIS as ‘undescribed’ were since identified.²⁹⁴ It also states that three restricted-range subspecies or variants (two mammals, one plant), that are not recognized as distinct at the required taxonomic (species) level. It provides no evidence or studies to evidence these statements. Even with these amendments, it appears that there are an extraordinary 100 new-to-external science or undescribed by science species in the Papua LNG project area of influence. If species have never been studied by scientists – it is not possible to rigorously identify what potential risks are, let alone if they can be mitigated.

To date, we have not seen any community information materials that meaningfully discuss the issue of these 100 new-to-external science or undescribed species, and the implications and impacts of this. Nor resources that allow affected peoples to seek their own independent scientific advice on this point.

The IFC Performance Standard 6 (point 17) notes that “In areas of critical habitat, the client will not implement any project activities unless all of the following are demonstrated...[including that] the project does not lead to measurable adverse impacts on those biodiversity values for which the critical habitat was designated, and on **the ecological processes supporting those biodiversity values**”. [emphasis added]. The project’s failure to include key documents in the Upstream EIS Addendum annex does not show that it has met IFC PS 6. Additionally, it is not clear how the project can claim to understand the “ecological processes supporting those biodiversity values” given what appears to be an unprecedented number of new-to-external science and undescribed by science species – whose precise role in local ecosystems cannot be known, as they have never been scientifically studied.

Without this, it also cannot meet the IFC PS 6 standard that “the project does not lead to a net reduction in the global and/or national/regional population of any Critically Endangered or Endangered species over a reasonable period of time.”

The Advisory Panel, which includes several scientists, also expressed several concerns in October 2024. This included that “the current list of ‘sensitive species’ is clearly not sufficient for ensuring that the project will be able to meet its obligations under PS6...it provides only partial knowledge of the flora of the areas that will be impacted by the project and contains many incompletely identified taxa. Moreover, it is based only on published IUCN Red List assessments, a significant portion of which are out of date, and does not consider the risk of extinction of the majority of species for which published assessments are not available, some of which are almost certain to represent CH [critical habitat] triggers. The current list of ‘sensitive species’ thus contains some whose threat status is in fact not CR [critically endangered] or EN [endangered], but omits others whose status does correspond to these levels of threat and therefore require management and mitigation.”²⁹⁵ Also adding that “the plant recovery and nursery activities do not appear to be explicitly directed toward and guided by a broader vision of ‘project success’ with respect to plant species” and associated project obligations.²⁹⁶ The project provided an extensive response including an explanation that “we believe that the current list of priority species...provides an adequate basis for activities ensuring PS6 compliance.”²⁹⁷ It referred to various documents and databases that are not available publicly. The concerns raised by the Advisory Panel, which include a PHD level tropical biologist and botanist, that the project has taken insufficient measures to protect biodiversity (or meet IFC PS 6) warrant further investigation.

Cumulative impacts of multiple projects on critical habitats

Added to concerns related to IFC PS 6 paragraph 17, and perhaps more broadly, is that the project has not considered the cumulative impacts of some major planned or proposed fossil fuel projects on critical habitats. In Gulf province alone, in the near-future there is the offshore Pasca A project, as well as a proposed floating LNG facility to support the long-term exploitation of the offshore Pandora and Uramu gas fields. Added to this, the project has not described the cumulative transboundary impacts on migratory species – for example, through offshore LNG projects in Australian waters. These projects include threatened IUCN species which are known, likely or possible to be in the area affected by Papua LNG.²⁹⁸ See further Section 2.3.7.1 on Cumulative Impacts.

The Bulmer’s Fruit Bat – one of the 100 of the world’s most endangered species

The Bulmer’s Fruit Bat (*Aproteles bulmerae*) has been described as one of the 100 most at-risk of extinction species in the world.²⁹⁹ It was described in an *Upstream Bats (Chiroptera) Baseline Study Report*, annexed to the 2019 Upstream EIS as both Critically Endangered and Nationally Protected.³⁰⁰ One of the report’s authors had previously undertaken field work and published on the Bulmer’s Fruit Bat, and is listed as the lead author on the IUCN Red List assessment for the species.³⁰¹ The report noted that the species was “understudied” and gave a vivid explanation for the inclusion of the Bulmer’s Fruit Bat.³⁰² This included the remains of young juvenile species in an owl roost in the study area, with owls suspected of having a limited hunting range (1-2 kms). Given the prevalence of only young bat remains, the assessors inferred that owls had hunted young bats unattended in the maternity roost while the adults foraged. They also noted that the assessment had visited at least one cave that appeared to be a candidate for the bat, and noted that “the surrounding karst landscape may well conceal other cave systems including larger sinkholes of the kind utilized by Bulmer’s Fruit Bat elsewhere”. They further noted that: “Given that the Bulmer’s Fruit Bat has been confirmed as a living animal at only two localities, with no recent census at either site... **any additional population of this species is of potential importance of its long-term survival...** given the location of the cave, [where the remains were found], it is likely that some individuals of Bulmer’s Fruit Bat would forage into at least the northern part of PRL-15 and that any caves, fissure or rock overhangs within this area could be utilized as temporary roost sites. This kind of casual use of dispersed roosts is documented for the Moluccan Naked-backed Fruit Bat...and might be assumed also for the Bulmer’s Fruit Bat.”³⁰³ [Emphasis added]. More broadly, the 2022 *Guidelines for the appropriate use of the IUCN Red List for Business* specifically note that “range extensions are not unlikely for poorly-known species where suitable habitat is present”.³⁰⁴

The 2024 Upstream EIS Addendum noted that it now excluded the Bulmer’s Fruit Bat from its list of ‘very high sensitivity species’. It provided only a single sentence, noting that its presence in the project area of influence was

“now considered unlikely”.³⁰⁵ It did not attach a copy of any new baseline study or survey on which this was based. The project team did not list any apparent experts on bats or the Bulmer’s Fruit Bat. This clearly does not meet the evidentiary standard needed for an EPFI to ensure that the project meets the standards under IFC PS 6. IFC PS 6 clearly states that “in areas of critical habitat, the client will not implement any project activities unless ...the following [is] demonstrated...the project does not lead to a net reduction in the global and/or national/regional population of any Critically Endangered or Endangered species”. At last assessment, the IUCN Red List estimates the known number of mature individuals as 137-160.³⁰⁶

Additional issues

Decommissioning: The lack of a preliminary upstream decommissioning plan raises questions as to the quality of the assessment on residual impacts for biodiversity.

PFAS: The Upstream EIS Addendum noted that a groundwater bore at Herd base tested three times, tested unsafe drinking water scores for PFAS (‘forever chemicals’) the first two of three times (the last test was taken during the wet season). It did not state what the source of the PFAS was. Herd base is 160m from the Purari River.

Offsets: The project documents refer variously to reliance on so-called biodiversity offsets.³⁰⁷ To date, we are unaware of public details of the offset claims to enable independent scrutiny, including the number of years that the so-called ‘offsets’ will need to be retained. There are credible allegations of large-scale carbon credit fraud in Papua New Guinea, and widespread illegal logging.³⁰⁸ As detailed in the section on FPIC, there are also serious allegations related to TotalEnergies’ use of carbon offsets elsewhere. This raises questions about oversight or verification of offset claims and capacity to avoid the destruction of ‘offset’ areas beyond the life of the project.³⁰⁹ The absence of this information raises questions about the quality of the assessment on residual impacts for biodiversity. If the project plans to use biodiversity offsets in relation to critical habitat (point 19) under IFC PS 6, IFC PS 6 notes “In instances where biodiversity offsets are proposed as part of the mitigation strategy, the client must demonstrate through an assessment that the project’s significant residual impacts on biodiversity will be adequately mitigated to meet the requirements of paragraph 17.” This has not been demonstrated. More broadly, while the concept of offsets (sometimes also termed ‘credits’) is referenced in IFC PS 6 – they have been heavily criticized by some, including by hundreds of civil society organisations.³¹⁰ Growing awareness of the impacts on biodiversity of anthropomorphic climate change, as well as fossil fuel projects more broadly, should also see the use of biodiversity or carbon offsets/credits considered as a possible transition risk.

2.3.5 IFC Performance Standard 7

IFC PS 7 clearly applies in the case of Papua LNG, as relevant to “projects with impacts on lands and natural resources subject to traditional ownership or under the customary use of Indigenous Peoples.” It also applies to “projects with significant impacts on critical cultural heritage essential to the identity of Indigenous Peoples”. As noted previously, the terminology of ‘Free, Prior and Informed Consent’ utilised in IFC PS 7 does not accord with international human rights law. A review of complaints or campaigns towards EPFIs related to Indigenous Peoples rights concerns would likely show that any requirement less than respecting Indigenous Peoples’ full rights to give, or withhold, their Free, Prior and Informed Consent – could still engender many reputational risks, and potentially other risks.

However, just on IFC PS 7 it is noted:

- There is no easily available evidence of community information materials informing Indigenous Peoples of their rights under IFC PS 7 – or other laws or standards that apply to the project. This includes on the website.
- A failure of the project to meet ‘disclosure of information’ under any reasonable interpretation, referenced in IFC PS 7, point 10, as outlined through Part 2 of this complaint. This includes: 1. An absence of public key documents, assessments and baselines.; 2. A failure to disclose key documents as required under EP 10 and IFC PS 1 – including a failure to provide key community information materials; and 3. Broader questions regarding the quality of assessment.

Among other issues, this would suggest that any attendant ‘mutual agreement’ would not be based on informed participation. This is in addition to many issues discussed in the earlier section on human rights. See further Section 2.2.2 covering FPIC.

2.3.6 World Bank Group Environmental, Health and Safety (EHS) Guideline: Upstream decommissioning

Principle 3 of EP IV refers to the World Bank Group Environmental, Health and Safety (EHS) Guidelines as an applicable standard under Exhibit III, noting that the guidelines ‘contain the performance levels and measures that are normally considered acceptable for Projects in non-Designated Countries’. The applicable industry guidance for Papua LNG are: 1) Onshore Oil and Gas Development; 2) Offshore Oil and Gas Development; and 3) Liquefied Natural Gas facilities. Among other points, the industry sector guidance on Onshore Oil and Gas Development notes that “decommissioning of onshore facilities usually includes the complete removal of permanent facilities and well abandonment, including associated equipment, material and waste disposal or recycling” and that a “preliminary decommissioning and restoration plan should be developed that identifies disposal options”.³¹¹ It also notes that “the plan should consider the removal of oil from flowlines, the removal of surface equipment and facilities, well abandonment, pipeline decommissioning and reinstatement.” The Offshore Oil and Gas Development sector guidance reiterates the need for a preliminary decommissioning plan, and also notes that “where more stringent local regulatory requirements do not exist, internationally recognized guidances and standards issued by IMP and OSPAR should be followed for the decommissioning of offshore facilities.”³¹²

Neither the Upstream EIS nor Upstream EIS Addendum include a preliminary plan for decommissioning; communities have not been consulted on any such plan for decommissioning – so it does not have their FPIC.

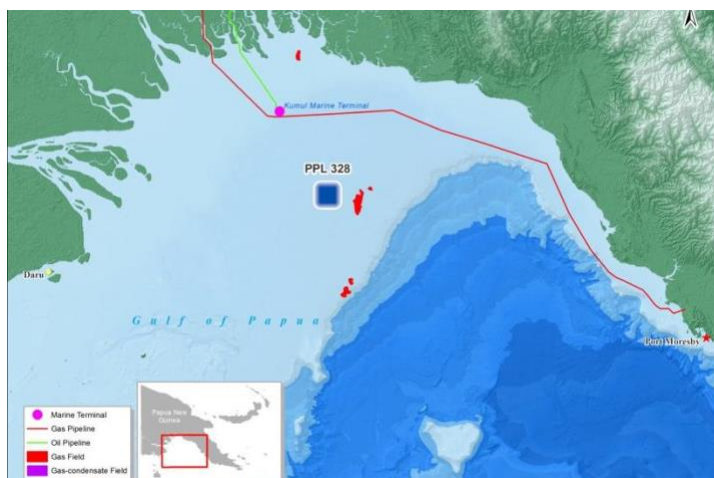
2.3.7 Potential Environmental and Social Issues to be Addressed in the Environmental and Social Assessment Documentation

EPV also includes Exhibit II: Illustrative List of Potential Environmental and Social Issues to be Addressed in the Environmental and Social Assessment Documentation. This section canvasses additional issues in that list not previously raised.

2.3.7.1 Cumulative Impacts

In Exhibit II, point 14 of supporting information for the Equator Principles is “cumulative impacts of existing Projects, the proposed Project, and anticipated future Projects”.³¹³ When producing its 2024 Upstream EIS Addendum the project chose not to update its assessment of cumulative impacts that was prepared last decade. In excluding major projects, the project has not aligned with the Equator Principles 2022 guidance that “cumulative impacts should consider existing, planned and/or reasonable anticipated future projects.”³¹⁴ This exclusion also does not accord with the 2022 Equator Principles guidance on cumulative impact assessment or the 2013 IFC Performance Standard good practice recommendations on cumulative impact assessments.³¹⁵ For example, Section 2.3.4 highlighted the implications of this for biodiversity assessment.

Pasca A: The 2019 Cumulative Impact assessment excludes a major project, the Pasca A Offshore Gas Project, by Twinza Oil. The project is also in Gulf Province, in the Gulf of Papua. The following image shows its proximity to the Orokolo Bay area, and perceivably key project infrastructure. According to Twinza Oil, in addition to Pasca A it has a prospecting licence - PPL 584 - which comprises eight graticular blocks with an area of 677 km² surrounding the Pasca A gas condensate field.³¹⁶ According to Twinza Oil the Pasca A project pre-FEED engineering has been completed and it is currently reading to commence FEED.³¹⁷



Credit: Map of Pasca A from Twinza Oil website.³¹⁸

Floating LNG facility to support the Pandora and Uramu gas fields: In 2024, Kumul Petroleum signed a pre-FEED contract for a floating LNG facility in the Gulf of Papua. According to Kumul Petroleum, this is projected to have a Final Investment Decision sometime in 2026 or 2027, and is intended to help with the commercialisation of the Pandora and Uramu gas fields.³¹⁹

Ihu Special Economic Zone (SEZ): The Ihu SEZ was excluded from the 2019 Cumulative Impact Assessment as it was “currently a master plan with no known financial commitments by the PNG Government”.³²⁰ The Ihu SEZ project was established in 2019 and started in 2020, projected to be ongoing until 2045.³²¹ The Ihu SEZ is undertaking discussions about land access in the local area. Papua LNG does not appear to have acknowledged the burden and diminished capacity of affected communities having to engage with Pasca A, the Ihu SEZ, a floating LNG facility and Papua LNG simultaneously, as well as the Mayur sands projects.

The Danish Institute for Human Rights denotes 10 key criteria for HRIAs.³²² On the criteria for the ‘Scope of Impacts’ it specifically calls for HRIA practitioners to ask: “Does the assessment consider cumulative impacts, i.e., impacts that arise due to the aggregative or cumulative effect of multiple business operations and activities in the same area?”.³²³ Note, within a broader question as to whether the project has conducted a full HRIA and if so, why it isn’t publicly available is the concern that if Papua LNG has excluded key projects and impacts in its analysis – such as Pasca A - this could also render any forthcoming Human Rights Impact Assessments inaccurate.

Transboundary impacts

The project has not considered the transboundary cumulative impacts on threatened species, particularly marine species. According to PNG’s National Fisheries Authority, the lobster fishery currently involves more than five hundred divers. This generates over K4 million in exports alone for PNG, from an estimated annual average harvest of 80 mt.³²⁴ Within PNG, all lobsters are exported from Western Province – with all shore-based facilities based in Daru.³²⁵ More broadly, it is reported that the Zenadh Kes/Torres Strait industry in Australia earned AUD\$16 million in 2021-2022.³²⁶ The Upstream EIS notes that “The ornate rock lobster ... regularly migrates from the Torres Strait through the Gulf of Papua to the Yule Island spawning grounds...The route for this migration crosses the export pipeline route and the existing PNG LNG Gas Pipeline. Lobsters walk along the seafloor and have relatively weak swimming ability...The pipelines may therefore present a physical obstruction of the migration to spawning grounds near Yule Island...this may impact the population by decreasing the number of migrating lobsters reaching the spawning area and successfully spawning, thereby potentially decreasing larval supply and recruitment. The ornate rock lobster also has important artisanal value in the Cape Suckling to Yule Island region and commercial significant to the Torres Strait.”³²⁷ However, on cumulative impacts, the Upstream EIS simply notes that “the assessment of potential cumulative impacts is limited by currently unknown potential impacts of the existing PNG LNG gas pipeline on lobster migration.”³²⁸ This raises a question about environmental monitoring undertaken by PNG LNG – in which three of Papua LNG’s co-venturers are also involved. More broadly, the project has not

considered any cumulative impacts of the planned Pasca A and a floating LNG facility, or prospective development of the Pandora and Uramu gas fields but also doesn't appear to have consulted on any transboundary impacts with Daru island or Zenadh Kes communities.

2.3.7.2 Gender

Papua LNG will operate in a country and industry of extreme risk for women and girls. Human Rights Watch has previously described Papua New Guinea as “one of the most dangerous places in the world to be a woman, with the majority of women experiencing rape or assault in their lifetime and women facing systemic discrimination.”³²⁹ In Papua New Guinea's 118-member national parliament, there are only two women and since 1975, only nine women have ever been elected to PNG's National Parliament.³³⁰ This highlights profound governance issues – from local to national levels – related to gender equitable participation in decision-making. In 2018, PNG women's organizations raised in their shadow report on the Convention on the Elimination of All Forms of Discrimination against Women that the PNG LNG project – which involves three of the four co-venturers for Papua LNG - had caused a decline in women's rights whereby there was an overall increase in gender-based violence in the area, where women were excluded from decision-making, had diminished access to justice and lost access to and control over land.³³¹ A 2024 Special Report from the United States Institute of Peace notes that in Hela, “a male-dominated cash economy tied to the ExxonMobil LNG plant [i.e. PNG LNG]” has reflected highly gender inequitable impacts.³³² The male-dominated cash economy has also fed a transactional sex economy that has distorted pre-existing gender relations. They observe that “this has resulted in an increase in marital conflict and violence, including between co-wives, as well as a rise in sexually transmitted diseases. As cash incomes have declined with the construction bust, some men have felt their status within the home challenged, and they have resorted to violence to reassert their dominance.”³³³

The Danish Institute on Human Rights noted in its partial 2019 HRIA that “the baseline studies conducted for the Project paint a grim picture of the conditions faced by many women and girls throughout the PAOI [project area of influence].”³³⁴ And that: “female-headed households, single mothers and widows are among the most vulnerable and disadvantaged people in the PAOI.”³³⁵ It included research that with the proliferation of child marriage, which although illegal in PNG, it was reported that the average age for females in customary marriages was 12-17. It particularly noted that “Women tend to be marginalised in land and benefit-related decision-making”.³³⁶ Yet the discussion on Pokore Hamlet (see further Section 2.3.3 on IFC PS 5) in the Upstream EIS Addendum does not identify any specific gender-differentiated impacts. It notes that the in-migration is due to ‘marriage’ and polygamy, but does not reference any consideration of vulnerabilities to women or girls in a proposed resettlement or a lack of resettlement for the Central Processing Facility.³³⁷ Despite the project publishing its community directory for the Upstream EIS – it chooses not to do so for the Upstream EIS Addendum making it not possible to identify if the project, for example, has considered if resettlement or living 700m from the Central Processing Facility may exacerbate gender-based violence. Or if it has recognised a heightened risk of Sorcery Accusation Related Violence – a very serious form of violence within PNG.

It's also unclear that the project has considered emerging research on the gendered impacts of PNG LNG in Hela. As academics noted in 2021: “Whether in areas where the benefits from the LNG have flowed directly or where the benefits have been indirect, women in Hela Province have lost power and status as their families have disintegrated due to men seeking to participate in the booming sexual economy. Thus, one outcome of the explosion of money is that men gained the opportunity to seek out new sexual relationships, leading to them withdraw support from, or neglect, existing families. Facing abandonment by their spouses, women are left wholly responsible for their children and pushed into poverty. Women who found themselves in this position had no access to secure livelihoods (since access to land is through husbands) or other financial support, such as welfare services, which do not exist in PNG. Lacking the skills necessary for formal employment, women must turn to the exchange of sex for money or goods as a strategy to make a living for themselves and their children.”³³⁸

The lack of economic modelling underlying the project's economic claims and benefits for Gulf Province or PNG itself also suggests that no economic modelling has been undertaken to address gender-differentiated economic impacts, which is particularly important in the experience of a sexual economy arising in Hela. While the project makes gender claims on the workforce - there is no clear analysis. While the project has acknowledged some

gender risks – it does not appear to have substantively mitigated these risks – for example, ensuring gender equality in hiring, economic benefits or negotiations – without this, impacts will be highly gendered. Similarly, the experience of Hela is that broader conflict is also likely to have undermined the capacity to provide services to address gender-based violence or other programs to support women and girls. In 2024, researchers noted that “in Hela, the expansion of the cash economy, heightened inequality, and the introduction of guns, including military-grade assault weapons, have turned conflicts deadlier and exponentially increased the amount of cash or in-kind compensation owed for damages caused, making it more difficult for conflict parties to negotiate an end to hostilities. Increasingly, political and business leaders hire gunmen out to warring groups in exchange for cash or political support and also hire gunmen for their own protection. Guns and the growing prominence of such actors have eroded the authority of traditional leaders and elders. It is frequently unsafe for international organizations to work in Hela. When they do, they tend to adopt security precautions that place multiple barriers between themselves and the communities they serve”.³³⁹

The Papua LNG Upstream EIS and partial Human Rights Impact Assessment do not consider the gender impacts of Papua LNG’s GHG emissions. It is extensively documented that climate change “can amplify and accelerate pre-existing gender inequalities, exacerbating dispossession, marginalisation and discrimination of women and girls in affected communities.”³⁴⁰ In 2022, the UN Special Rapporteur on violence against women and girls, its causes and consequences emphasized that “climate change is the most consequential threat multiplier for women and girls, with far-reaching impacts on new and existing forms of gendered inequities.”³⁴¹ This can range from security threats that may arise in the aftermath of disasters, to the need to engage in transactional sex in exchange for food.³⁴² More broadly, it is not clear how the project considers gender inequality in negotiations or agreements with landowners.

2.3.7.3 Due diligence against additional standards relevant to specific risks of the Project

The Equator Principles IV also noted that “the EPFI may, at its sole discretion, undertake due diligence against additional standards relevant to specific risks of the Project and apply additional requirements”. This section highlights a lack of clarity as to how the project has undertaken such due diligence or met other relevant requirements.

Applicable laws and standards

In its Environmental Impact Statements, website and other materials, Papua LNG appears to make limited or no reference to several key international laws and standards that apply to the project. These include: 1) the French Duty of Vigilance Law; 2) the OECD Guidelines on Multinational Enterprises; and 3) the EU Corporate Sustainability Due Diligence Directive. The project appears to have a partial, out-of-date Human Rights Impact Assessment that examines gender, conflict and security – but it has not produced a full Human Rights Impact Assessment that fully covers its obligations under the UN Guiding Principles on Business and Human Rights. This fails to show how the project meets its obligations under 4) international human rights law.

Financial Action Task Force notice on grey-listing and corruption risks

As described in Section 1.3 the Financial Action Task Force has currently put Papua New Guinea on notice for being grey listed over concerns related to corruption, politically exposed persons and environmental crime. In July 2025, one of Australia’s most awarded investigative journalists reported corruption allegations in the Sydney Morning Herald regarding the Head of Kumul Petroleum – PNG’s state-owned enterprise which has a right to buy into Papua LNG of 22.5%.³⁴³ The concerns are not related to Papua LNG, but relate to allegations that he personally profited from Kumul Petroleum contracting with the China Petroleum and Pipeline Engineering Corporation.³⁴⁴ It is our understanding that the Managing Director is suspended and that he strongly denies the claims.³⁴⁵ Notably, PNG’s current Minister of Petroleum was extensively discussed in PNG’s 2000 Commission of Inquiry into the National Provident Fund, of which he had been Managing Director.³⁴⁶ In 2015, the National Court convicted him of conspiracy to defraud and misappropriation of property – the conviction was later overturned by the Supreme Court.³⁴⁷ While the subsequent acquittal means that no guilt was proven, the appointment does not necessarily reassure international financiers of pro-active management of corruption risks. In 2024, there was a prolonged legal action, brought on behalf of the Gulf Provincial government that related to treasury authorising sending K20

million of a larger K60 million in business development grant allocated to Gulf province (related to Papua LNG) to Enga province.³⁴⁸ This was only overturned after the intervention of the court.³⁴⁹

Given the lack of verified evidence of Free, Prior and Informed Consent – it is unclear how an EPFI would conduct sufficient due diligence regarding public officials/politically exposed persons to consider corruption risks in the Development forum or key licensing processes. More broadly, the project does not appear to have considered the inter-relationship between corruption and human rights.”³⁵⁰

2.4 Principle 4: Environmental and Social Management System and Equator Principles Action Plan

Principles 4 notes for category A projects that “the EPFI will require the client to develop and/or maintain an Environmental and Social Management System. Further, an Environmental and Social Management Plan will be prepared by the client to address the issues raised in the Assessment process and incorporate actions required to comply with the applicable standards...” To date, the project has not publicly disclosed necessary information about the project (EP10) or other relevant information (EP 2 – IFC PS 1); it has not completed key aspects of an assessment (EP2) and cannot show compliance with the EPs (EP 3 etc). These are necessary precursors, without which EP4 cannot reasonably “address the issues raised in the Assessment” or take actions “required to comply with the applicable standards.”

2.5 Principle 5: Stakeholder Engagement

EPFI 5 states that the EPFI to require the client to “demonstrate effective Stakeholder Engagement, as an ongoing process in a structured and culturally appropriate manner, with Affected Communities, Workers and, where relevant, Other Stakeholders.”³⁵¹ As shown in this complaint sections on EPs 2, 3 and 10 – the project has shown what appears to be a profound disregard for basic disclosure of information, which is a necessary precursor to ‘effective Stakeholder Engagement’ as well as raising other concerns.

EP5 notes that appropriate Assessment Document should be made readily available to the affected communities, and where relevant other stakeholders, in the local language and in a culturally appropriate manner. It also notes that disclosure of environmental or social risks and adverse impacts should occur “early in the Assessment process”. Notably, the Upstream EIS was submitted in 2019. However, to date we have been unable to find verifiable evidence of community information materials sufficiently explaining risks and impacts, or evidence of assessment document being readily available to other relevant stakeholders. Additionally, to date we have not been able to find evidence that affected communities were informed of the CEPA Upstream EIS Addendum consultation in May 2025 or provided access to information in the Addendum, or that they were informed of the findings of the Addendum in an accessible way.

EP5 also notes that “the client will take account of, and document, the results of the Stakeholder Engagement process, including any actions agreed resulting from such process.” However, if an EPFI is unable to verify what information was provided to affected communities, and the quality of that information – it cannot make an informed assessment of what the actual ‘result’ of that process was. Note, the project’s own Independent Advisory Panel in April 2023 had suggested the project to “very carefully consider Community Engagement & Communication with the local population” noting that “the social dimension [of the project] is likely to be substantially more complex [than environmental aspects] and therefore represents a greater risk to Project success, compliance with commitments and obligations, and ‘license to operate’.”³⁵² The project has included a Commitments Registry in its Environmental Impact Statements. It has also stated that it has an internal information system for logging staff community engagement. However, this doesn’t necessarily show a constituted clear agreement with affected communities - it appears to refer to a record that the company itself has documented which may, or may not, be accurate.

Table 4: (Lack of) evidence of meeting requirements on stakeholder engagement <i>Based on a review of the Papua LNG website and Upstream EIS documents.</i>	
Make the Assessment Documentation readily available to the Affected Communities, and where relevant Other Stakeholders	No.
“in the local language”	No. The 2019 partial Human Rights Impact Assessment identified that 7 language groups live in the project area of influence. It named 5: Pawaian, Ahia, Iare, Orokelo and Koriki. ³⁵³
“in a culturally appropriate manner”	No.
Document the results of the Stakeholder Engagement process	Insufficient. Key to understanding the ‘results’ of a stakeholder engagement process is understanding the basic disclosures and access to independent advice etc that stakeholders had. Without this, it’s not possible to assess the validity of results.
Disclosure of environmental or social risks & adverse impacts	No verifiable evidence of this to a basic standard.
“...” early in the Assessment process	No. The website includes no community information materials, i.e. about risks, impacts and rights. The Upstream EIS was completed in 2019.
Disclosure of information as an ongoing process	No. See Table 3 and 5. For example, it appears not to have alerted communities of the consultation period on the Upstream EIS Addendum etc.

Lack of evidence of adequate community information materials



Of particular concern for IFC PS 1 is the project’s inability to show evidence of even the most basic community information materials describing project risks, impacts and community rights under international standards. The Upstream EIS Addendum showed two posters advertising the date of a community meeting.³⁵⁴ It also provided two additional images (above) – without any further information.³⁵⁵ It is not possible to denote any risks, impacts or in-depth information from these posters.

The Upstream EIS Addendum refers to the project’s ‘Tok Save’ newsletters.³⁵⁶ These are always in English and often also in Tok Pisin. The newsletters are not fact-sheets, but more public relations materials. They include: 1) A lot of information about community donations; 2) Updates about project timelines or milestones; 3) Staff profiles; or 4) Some rudimentary process information – i.e. that the project is doing seismic studies or landowner surveys. The newsletters do not provide any information about project risks, impacts or provisions under international standards. The Papua LNG project website itself does not include any reference to human rights only ‘human development’.³⁵⁷ There are no fact sheets on project risks and impacts, nor on the standards that the project will apply – nor what provisions there are to support community rights under that standard.

We have also been unable to identify any information regarding efforts to engage communities in the 2025 public consultation period on the Upstream EIS Addendum. The legal requirement of 30 days consultation under PNG law, for detailed studies that take years to produce, is already a significant challenge, and does not reasonably facilitate a deep community understanding of complex technical processes.

EP5 notes that “the EPFI will require a qualified independent consultant to evaluate the consultation process with Indigenous Peoples, and the outcomes of that process, against the requirements of host country laws and IFC Performance Standard 7.” The project failures on disclosure of information, described elsewhere, appear to be so profound that complainants have, to date, been unable to find any evidence of community information materials for communities explaining provisions to respect their rights under the Equator Principles, the IFC Performance Standards, the UN Guiding Principles on Business and Human Rights, the French Duty of Vigilance Law or the OECD Guidelines on Multinational Enterprises. Nor, by extension that affected peoples have a copy of those materials nor that independent human rights experts, particularly those in PNG, can access those information materials via the project website.

Any consultant willing to state that FPIC can be achieved in such circumstances would not meet the standard of ‘qualified’.

2.6 Principle 6: Grievance Mechanism

EP 6 notes that “the EPFI will require the client, as part of the ESMS, to establish effective grievance mechanisms which are designed for use by Affected Communities and Workers, as appropriate, to receive and facilitate resolution of concerns and grievances about the Project’s environmental and social performance.” Effective grievance mechanisms are defined as meeting eight key criteria.³⁵⁸ The first six of these criteria are defined as legitimate, accessible, predictable, equitable, transparent and rights-compatible.³⁵⁹ While TotalEnergies has included a pamphlet in its Upstream EIS that communicates that it has a grievance mechanism – there is no evidence to suggest that it meets the standard of being “effective”.³⁶⁰ For example, an effective grievance mechanism that meets the criteria of being ‘equitable’ should “seek to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms.”³⁶¹ Given that Papua LNG has failed to provide evidence of accessible materials provided to community members – this suggests that community members may not have a concrete record of what information was provided, or not provided, on the diverse risks and impacts of the projects – if this is the case, this could materially disadvantage potential complainants using a project, or any other, grievance mechanism. It also may discourage communities from bringing grievances in the stages before a Final Investment Decision – if they are not fully informed of a project’s risks and impacts. Similarly, if they have not been informed of provisions related to their rights under various international laws and standards, including the Equator Principles. That MUFG itself has failed to respond to human rights grievances filed against the bank suggests that the bank is not a reliable assessor of what constitutes an effective grievance mechanism.

2.7 Principle 8: Covenants

A question arises of when a project’s inadequate environmental and human rights approach was clearly communicated prior to financial close – if a bank’s ability to enact a covenant could be feasibly limited by lender liability (i.e. that the bank itself is responsible for covering any profits lost by the project as a result of any changes compelled of the project). Notably, a bank has most leverage before financing. If an EPFI is unable to ensure that the project adheres to fundamental aspects of human rights and the Equator Principles before financial close this should be seen as indicative as to how the EPFI will manage these risks after financial close. Any bank that publicly communicates its adherence to the Equator Principles – without acting on credible information that the project does not meet EPIV or other relevant standards – could imaginably be at future risk of civil claims, or shareholder and regulator action, including in its home jurisdiction. The long timeline of the project and imaginable shifts in public expectations should also be considered. Particularly pertinent are the due diligence obligations of financial institutions under the UN Guiding Principles on Business and Human Rights and, where applicable, the OECD Guidelines on Multinational Enterprises. If an EPFI does insufficient due diligence, or chooses not to act on those risks and still finances a project – it is at risk of being viewed to facilitate harm.³⁶² Note, in one OECD case, an argument has been put forth that a bank’s human rights responsibilities may escalate from “contribute” to “cause”

adverse human rights impacts – for example, where it has been involved in successive deals with companies or projects failing to act on adverse human rights impacts.³⁶³

2.8 Principle 10: Reporting and transparency

The project does not meet Equator Principles Principle 10. Principle 10 states that “the client will ensure that, at minimum, a summary of the [Environmental and Social Impact Assessment] is accessible and available online and that it includes a summary of Human Rights and climate change risks and impacts when relevant”. As shown in Table 5 this has not been met.

Table 5: (Lack of) disclosure of Environmental Social Impact Assessments		
Document	Full copy available online	Summary available online
Upstream Environmental Impact Statement	No.	Partly met. The executive summary is on the Papua LNG website. But the summary does not include a Climate Change Risk Assessment or a summary of human rights informed by a full human rights impact assessment. ³⁶⁴ Only in English on website.
Downstream Environmental Impact Statement	Online but not on the Papua LNG website - so not accessible. Requires following a link to a google drive posted at the bottom of a November 2023 Facebook post of the Conservation & Environment Protection Authority. Only in English.	No.
Upstream Environmental Impact Statement – Addendum	No.	No.
2019 gender, conflict and security report (partial HRIA). Research undertaken in 2017. Note, the contracted partner advises that HRIA's should be updated every 3-5 years. So this partial HRIA would also be out of date ³⁶⁵	Online but not on the Papua LNG website – so not accessible. Only in English and Tok Pisin, not all local languages.	Online but not on the Papua LNG website – so not accessible. Only in English and Tok Pisin, not all local languages.
Human Rights Impact Assessment	No. The existence of a current HRIA that meets the Principle 2 requirements against the UNGPs is not confirmed.	No.
Climate Change Risks and Impacts	No. A primary document appears to be the Climate Change Risk Assessment, which is not online.	No.

2.9 Concluding note

This complaint was prepared to the best of complainant ability based on available information about the Papua LNG project. In many cases, there are limited sources that are not associated with the project, its consultants or co-venturer companies. Complainants believe the information in this complaint comes from reliable sources and

strive to ensure that the analysis presented in the report are thoroughly researched, but we do not guarantee the accuracy, completeness, or reliability of the content. We invite any additional public disclosures of materials, documents or agreements that may allow the clarification or correction of any inaccuracies. We disclaim any liability arising from the use of, or reliance on, the information provided in the complaint. We encourage readers to independently verify any information before relying on it. This document was also produced under a very real time constraint – in order to raise concerns about potential financing to the Papua LNG at a point that it could inform EPFI evaluations of the project before a financing decision, and to invite action by Equator Principles Limited.

Even with these limitations, the inability to display that the project has met even the most basic of Equator Principles requirements – such as relate to EP10 – raises profound questions and concerns.

Our organisations are extremely concerned about the project’s risks and impacts on the climate, on the environment and human rights – particularly the rights of Indigenous Peoples, women and children. The climate emergency is already leading to loss of life, both human and non-human; critically endangered and endangered species in the project area are already at extreme risk of extinction in the wild; and any human rights harms that may occur will be irreversible.

But more specifically to the Equator Principles, this complaint clearly outlines that there is an extreme lack of verifiable evidence that the project meets the Equator Principles standards. More broadly, there are a series of red flags that suggest that it does not, which would not reasonably meet a credible enhanced due diligence process for Equator Principles compliance. A failure of financial institutions to act on concerns regarding the Equator Principles would also increase their risks related to other key international standards and laws that apply. It is not unimaginable that any EPFI that finances the project, or provides advisory services, could in future be subject to formal grievances, OECD complaints, legal cases and damages claims, divestment, shareholder actions or ongoing reputational risks.

Table 6: (Lack of) evidence of meeting the Equator Principles requirements for Papua LNG	
Principle 2: Environmental and Social Assessment	No.
Principle 3: Applicable Environmental and Social Standards	No.
Principle 4: Environmental and Social Management System and Equator Principles Action Plan	Not met. The meeting of other EPs is a necessary pre-cursor for EP4.
Principle 5: Stakeholder Engagement	No.
Principle 6: Grievance Mechanism	No. The project has a grievance mechanism, but there is no verifiable evidence that it meets the EP standard of being ‘effective’, especially on the UNGP effectiveness criteria of being ‘equitable’.
Principle 8: Covenants	Not assessable. However, if a covenant is included – but a contract is agreed with a full understanding that the project has not meet extremely basic provisions of the EPs prior – a covenant may not support the EP objective of risk management.
Principle 10: Reporting and transparency	No.

Endnotes

- ¹ 'Partners' page, Papua LNG Project website: <https://papualng.com.pg/papua-lng/partners/> Accessed 5 August 2025
- ² 'Partners' page, Papua LNG Project website: <https://papualng.com.pg/papua-lng/partners/> Accessed 5 August 2025
- ³ TotalEnergies EP PNG Ltd (2024). Papua LNG Upstream Environmental Impact Assessment PRL-15 Addendum. Note production wells are listed on p. 4-8. As of August 2025, the project website was listed as having 9 production wells, but the Addendum notes that it is up to 11.
- ⁴ Total Energies (2023) 'TotalEnergies publishes its full response to Le Monde French Newspaper', 2 October. Available at: <https://totalenergies.com/media/news/press-releases/papua-new-guineatotalenergies-publishes-its-full-response-le-monde-french> Accessed 16 September 2025.
- ⁵ For examples on the Papua LNG website see: Home page, Papua LNG website (n.d.). Available at: <https://papualng.com.pg/> 'Could Papua New Guinea's second gas project get the green light in 2025?', Papua LNG (n.d.) Website. Available at: <https://papualng.com.pg/2024/12/totalenergies-country-head-very-confident-of-papua-lng-final-investment-decision-date/> On figures related to estimated project costs see: 'Papua LNG and beyond', in Business Advantage Papua New Guinea (Mining & Energy special edition) 2024/5, p.22-23 Available at: <https://www.businessadvantagepng.com/miningenergy/> Department of Prime Minister and National Executive Council (2025) 'Prime Minister Marape engages ExxonMobil leadership in Houston to advance key LNG projects in Papua New Guinea', 10 July. Available at: <https://www.pmnec.gov.pg/prime-minister-marape-engages-exxonmobil-leadership-in-houston-to-advance-key-lng-projects-in-papua-new-guinea/> Department of Prime Minister and National Executive Council (2025) 'PNG Marape confirms Papua LNG advancing toward FID amid strong economic growth', 11 February. Available at: <https://www.pmnec.gov.pg/pm-marape-confirms-papua-lng-advancing-towards-fid-amid-strong-economic-growth/> Angela Macdonald-Smith (2024) 'PNG PM's big hopes for delayed LNG project', Financial Review. 10 December. Available at: <https://www.afr.com/companies/energy/png-pm-s-big-hopes-for-delayed-lng-project-20241209-p5kx27> Angela Macdonald-Smith (2024) 'Santos' \$15b Papua LNG project hits further delay', Financial Review. 9 April. Available at: <https://www.afr.com/companies/energy/santos-15b-papua-lng-project-hits-further-delay-20240409-p5fie3> On occasion, this has been reported as high as USD\$19 billion figure, for example see: The National (2025) 'Construction in sector to ride on back of PNG LNG: Marape, 12 February. Available at: <https://www.thenational.com.pg/construction-in-sector-to-ride-on-back-of-png-lng-marape/> All accessed 1 August 2025.
- ⁶ As reported by IJG Global. IJG Global (2024) 'New Financial Advisor in place for Papua New Guinea LNG project, 4 December. Available at: <https://www.ijglobal.com/articles/221776/new-fa-in-place-for-papau-new-guinea-lng-project> Accessed 16 August 2025.
- ⁷ As reported by Defund TotalEnergies at 'Papua LNG: A liquified natural gas project in Papua New Guinea', DefundTotalEnergies (n.d.) Website: <https://defundtotalenergies.org/en/papualng-2> Accessed 1 August 2025.
- ⁸ For example, see TotalEnergies EP PNG Ltd (2024). Papua LNG Upstream Environmental Impact Assessment PRL-15 Addendum. p.13-11 noting in 2016 the figure was an estimated at 12,763 people. See also 'Table 9.20 – Indigenous People in the PAOI', p.9-70 in Total E&P PNG Ltd (2019) Chapter 9: Existing Environment – Social, Economic and Cultural, Volume 1: Main report, Upstream Environmental Impact Statement.
- ⁹ TotalEnergies EP PNG Ltd (2024). Papua LNG Upstream Environmental Impact Assessment PRL-15 Addendum. Note production wells are listed on p. 4-8. As of August 2025, the project website was listed as having 9 production wells, but the Addendum notes that it is up to 11.
- ¹⁰ Total Energies (2023) 'TotalEnergies publishes its full response to Le Monde French Newspaper', 2 October. Available at: <https://totalenergies.com/media/news/press-releases/papua-new-guineatotalenergies-publishes-its-full-response-le-monde-french> Accessed 16 September 2025.
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²⁴ For references and discussion see sections 2.2.2, 2.3.2, 2.3.3 and 2.3.5 of the complaint.

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¹⁹⁸ Business Advantage PNG (2019) 'US\$10 billion Papua LNG agreement signed between Papua New Guinea government and developers'.

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²⁰⁴ Equator Principles (2020) 'Guidance note on the implementation of human rights assessments under the Equator Principles', September. p.1. Available at: https://equator-principles.com/app/uploads/Human_Rights_Assessment_Sept2020.pdf Accessed 30 October 2025.

²⁰⁵ The Danish Institute for Human Rights (2019) 'Papua LNG Human Rights Impact Assessment: Focus on gender, security and conflict', January, p.8. Available at: https://www.humanrights.dk/sites/humanrights.dk/files/media/document/~%2019_02922-15%20papua_lng_hria_summary_report_final_feb2019%20-%20fd%20461989_1_1.PDF Accessed 16 September 2025.

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²¹⁰ As privately noted by the Centre for Environmental Law and Community Rights Inc.

²¹¹ Papua LNG Independent Advisory Panel Charter (the "Charter"), accessible via: <https://papualng.com.pg/papua-lng/independant-advisory-panel/> Accessed 16 September 2025.

²¹² For example, at least 97% of the land area comes under customary land title.

²¹³ For example, Tok Save #6, #7 and #8.

²¹⁴ Observed from a Jubilee Australia review of all Tok Save newsletters.

²¹⁵ Undertaken in August 2025, this includes: 1. A review of the Papua LNG website, including the Tok Save newsletters and published videos. 2. A review of the regulation and stakeholder engagement (Chapter 1.6) chapters of the 2019 Upstream Environmental Impact Statement and 2024 Upstream Environmental Impact Statement Addendum, and the executive summaries. We did not find anything to indicate that community information materials explaining community members rights under international law or standards had been produced.

²¹⁶ Equator Principles (2020) Equator Principles Guidance Note: Evaluating projects with affected Indigenous Peoples. September. p.9-10. Available at: https://equator-principles.com/app/uploads/Affected_Indigenous_People_Sep2020.pdf Accessed 17 October 2025.

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²¹⁸ Papua LNG Independent Advisory Panel Charter (the "Charter"), p.5. Available via: <https://papualng.com.pg/papua-lng/independant-advisory-panel/> Accessed 16 September 2025.

²¹⁹ For example, New Guinea Binatang Research Centre has described that it is building a new field research centre with the 'support' of landowners and Papua LNG – given the likely costs involved, a valid question is whether this support is financial. For example, see New Guinea Binatang Research Centre (2024) Facebook post, 5 July. Available at: www.facebook.com/binatangresearch/posts/1132991275521867 Accessed 16 September 2025.

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Caritas PNG: (2025) 'Papua LNG signs MOU with Caritas Technical Secondary School', 6 February. Available at: www.caritas.ac.pg/recent-headlines-1/papua-lng-signs-mou-with-caritas-technical-secondary-school Accessed 16 September 2025.

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²²⁰ Papua LNG (n.d.) Independent Advisory Panel, Papua LNG website. Available at: <https://papualng.com.pg/papua-lng/independant-advisory-panel/> Accessed 17 September 2025.

²²¹ Papua LNG (n.d.) Eighth meeting of the Independent Advisory Panel on Papua LNG Project website: <https://papualng.com.pg/2025/08/panel-8-october-7-11-2024/> Accessed 5 August 2025.

²²² Papua LNG (n.d.) Eighth meeting of the Independent Advisory Panel on Papua LNG Project website: <https://papualng.com.pg/2025/08/panel-8-october-7-11-2024/> Accessed 5 August 2025.

²²³ Papua LNG (n.d.) Eighth meeting of the Independent Advisory Panel on Papua LNG Project website: <https://papualng.com.pg/2025/08/panel-8-october-7-11-2024/> Accessed 5 August 2025.

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