



PRESS STATEMENT

National Court Confirms Unlawful Environment Council Decision in Wanigela Case

The customary landowners of Wanigela (Semorer) Village welcome the National Court's decision delivered on 14 August 2026, which found that the Environment Council and CEPA acted unlawfully in uplifting the suspension of Environment Permit EP-L2(543) issued to Northern Forest Products Limited, the developer of the Wanigela Agro-Forestry Project in Wanigela, Tufi LLG, Ijivitari District, Oro Province.

In its decision, the Court held that the review process undertaken by the Environment Council breached mandatory requirements of the Environment Act 2000 and the Environment (Council's Procedure) Regulations 2002. The Court further found that the Environment Council was not legally constituted when it purported to review and uplift the suspension of the permit in February 2022 and therefore lacked lawful authority to make that decision. As a result, the Court concluded that the decision was unlawful and made without authority.

While the Court established these significant errors of law and upheld the landowners' grounds for judicial review, it exercised its discretion to decline an order of certiorari to quash the decision. The Court reasoned that, given the passage of time, the imminent expiry of the permit in March 2027, and considerations of good administration, setting aside the decision at this stage would not be appropriate.

Importantly, the landowners' application succeeded in part, and the Court ordered the Defendants to pay the Plaintiffs' costs.

This decision is a significant affirmation that statutory authorities must comply with the law and proper procedures when making decisions affecting customary landowners, environmental protection, and natural resource development. The Wanigela landowners remain committed to safeguarding their environment and pursuing all lawful avenues available to protect their rights and interests.

Ends