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Supreme Court Decision Reaffirms Public Right to Information in Solwara 1 Case

Dismissal of CEPA's application reinforces constitutional right for public oversight of resource developments.

PORT MORESBY, 10 September 2026 — The Supreme Court of Papua New Guinea has dismissed an application by the Conservation and Environment Protection Authority (CEPA) . CEPA sought to challenge orders requiring full disclosure of official documents on the Solwara 1 deep-sea mining project.

The Court dismissed the proceeding for want of prosecution yesterday after CEPA failed to appear in court to pursue its application, accepting arguments from the community's legal team regarding the unacceptable delay, the Court dismissed the matter and ordered CEPA to pay the legal costs of Jonathan Mesulam and three other local representatives.

This dismissal reaffirms and upholds previous court orders requiring CEPA and the Mineral Resources Authority (MRA) to provide key environmental, technical, and licensing documents to the plaintiffs.

Significance for Public Access to Information

By dismissing CEPA's challenge in this Supreme Court review, one thing can be noted that government bodies cannot use procedural delays to avoid fulfilling their constitutional obligations under Section 51, which guarantees every citizen the right to access official information.

For customary landowners and local communities, this dismissal reaffirms the previous Supreme Court decision and the Orders by the National Court that state agencies are subject to the requirements of the Constitution's section 51- citizens right to reasonable access of "official documents" which are in the custody of state entities like CEPA and MRA. Landowners now have a clearer, stronger legal foundation to demand critical information whenever proposed projects threaten their customary lands, marine resources, and livelihoods.

Community representatives welcomed the court's decision. By dismissing CEPA's challenge, the ruling clears the way for the matter to be fully completed in the National Court.

ENDS