



FAO/USP/RICS Foundation
South Pacific Land Tenure Conflict Symposium
Suva
10-12 April 2002

Declaration:

- D1. We aim for peaceful and constructive transformation of land tenure conflict.
- D2. We live in a broader world; we acknowledge the clash between indigenous values and capitalism.
- D3. We recognise that there are many stakeholders that should be acknowledged and consulted regarding land.
- D4. We are committed to sustainable long-term solutions that are fair to all, including equitable apportionment of returns from land.
- D5. We respect the different value system of indigenous peoples.
- D6. We acknowledge that indigenous people see their relationship as coming from the land rather than owning it as a commodity.
- D7. We acknowledge and respect the customary nature of land ownership and control in the Pacific:
 - a. It does not prevent optimum use or development (in its many forms).
- D8. We are committed to good governance in terms of land use and land tenure systems, incorporating:
 - a. Wide participation, at appropriate levels in both the private and public sectors;
 - b. Equal recognition and empowerment.
- D9. We recognise the need for solutions at appropriate levels:
 - a. Local solutions for local problems, with the need for local acceptance and ownership of solutions.
- D10. We recognise the need to have processes that focus on building relationships and ensuring positive outcomes.
- D11. We accept the existence and possible value of non-violent conflict.
- D12. We recognise the need for goodwill between people.
- D13. We are committed to finding long-term solutions.

Resolutions:

A formal expression of opinion or intention agreed on.

Vision Statement for the future

- V1. Strive for land reform that is both based on and sensitive to the reality of continuing customary ownership.
- V2. Adopt a stakeholder approach to land management at local, community, provincial and national levels.
- V3. Respect and incorporate the best of customary and western values in the process of land tenure conflict transformation.
- V4. Aspire to a productive interface between indigenous and western information to ensure sustainable land use.
- V5. Share the insights and understanding gained through the Symposium and subsequent initiatives with ordinary people/citizens.
- V6. Aim for equitable (just) distribution of land rent.

Specific Strategies to move on

- S1. Explore and reach consensus on where people/citizens want to be located between the extremes of traditional customary ways and Western materialism.
- S2. As a starting point for further developments/considerations, baseline studies of the current situation in each [of the] South Pacific country/ies need to be assembled, setting out the legal context of current tenure systems (both customary and introduced), current customary systems (including informal/extra-legal land dealings) and what options there are for each country and the consequences and implications of each of those options.
- S3. Build capacity in landowners to take an active part in decisions regarding their own land, with mechanisms for more people (both landlords and tenants) to be able to express their views (at various levels) with:
 - a. Need for on-going meetings of ordinary people to talk more about solutions;
 - b. Networking to improve inter-group relationships
 - i. Improve landlord/tenant relationship
 - ii. Review the role, place and responsibilities of intermediaries;
 - c. Open transmission of information to explain issues/proposals to people, where possible in their own language.
- S4. Explore more efficient/effective market institutions:
 - a. To provide an honest and fair return to all parties;
 - b. Establish an appellate body at an appropriate level to facilitate equity and social justice in resolving land disputes;
 - c. Revise customary structures that are no longer working;
 - d. Redistribution timing – manage the transition to develop other activities.

- S5. Invite a neutral or third party to review issues and mediate where consensus cannot be equitably obtained.
- S6. Identify good land management practice and establish methods to share best practice.
- S7. Explore equity of compensation issues regarding infrastructure.
- S8. Remove provincialism from the dialogue.
- S9. Devise a more effective rental valuation methodology to:
 - a. Review allocation of rents aimed at equitable distribution (distributive justice);
 - b. Avoid costly mechanisms.
- S10. Optimise contemporary land/geographic information systems and find ways of ensuring that the public will have access to these LIS/GIS databases.
- S11. Facilitate impartial scientific research to better understand:
 - a. Land use and tenancy;
 - b. The role and responsibility of absentee landowners.
- S12. Educate both lessors and lessees to create better understanding of lease terms, obligations and responsibilities, and covenants:
 - a. Especially termination/reversion issues;
 - b. Ensuring equity irrespective of gender and ethnicity.
- S13. The language used should be appropriate/effective:
 - a. Adopt '*plain English*' style leases, officially translated into the local language of all signatories;
 - b. Train facilitators/mediators sensitive to language and culture;
 - c. Adopt a positive attitude.

The FAO/USP/RICS Foundation South Pacific Land Tenure Conflict Symposium 2002 builds on earlier initiatives held in Fiji in 1969 and Tonga in 1984. This regional Symposium brought together over 100 practitioners, researchers and academics from eight Pacific island nations, Australia, New Zealand, UK and US, with a common interest in *Transforming Land Conflict*.

Symposium Convenor: Spike Boydell.
 Advisory Committee: Rajesh Chandra, Iosefa Maiava, Sevanaia Dakaica, Vijay Naidu, Howard Van Trease, Susannah Thackray, Neils Gedge, Paul Munro-Faure, Stephen Brown.
 Facilitators: Ric Small, Hartmut Holzknrecht, Vijay Naidu.
 Regional Representatives: Nooapii Tearea (Cook Islands), Ratu Timoci Vesikula (Fiji), Charmaine Scotty (Nauru), Hartmut Holzknrecht (PNG), Patea Malo Setefano (Samoa), Robert Zutu (Solomon Islands), Loia Tausi (Tuvalu), Alick Kalmelu (Vanuatu).
 Speakers/Discussants: Savenaca Siwatibau, Ric Small, Don Paterson, Jone Dakuvula, Vijay Naidu, Rhian Williams, Vidya Narayan, Hartmut Holzknrecht, Timoci Waqaisavou, Ian Marru, Matt Myers, Cath Elderton, John Sheehan, Lynne Armitage, Tanira Kingi, Anupam Sharma, Padma Lal, Mahendra Reddy, Jag Singh, Sevanaia Dakaica, Steven Ratuva, Sue Farran, Rashmi Rita, Silika Tuivanuavou, Spike Boydell, Mike McDermott, Howard Van Trease, John Overton, Abdul Hassan.
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