

have to be resolved somehow, usually in a court or by administrative or political intervention, and at some cost.

29. So annual payments invite annual disputes about who should get them. Annual payments may be cheaper to the project, but the costs are borne by someone else: by government and the courts, when they have to try and resolve disputes, and by the people involved in them.
30. Problems of entitlement are particularly acute in natural resource projects, simply from the local political effects of the presence of the project. Some groups who initially advocated the project will become disappointed with it, others will become increasingly dependent on it (and co-opted into it). New local groups, like employees, will emerge because of the project: reliant on it, yet feeling they are not getting as much as they could out of it. Behind this the tactical position of the foreign investor has changed. The more money he has put into infrastructure the less easy it is for him to withdraw, or threaten to withdraw.
31. So while the local economy has been transformed by the project, rents and royalties keep coming to the same people that signed the agreement before it began. Renegotiation is hard, particularly if the people who stand to lose from it (landowners as well as foreign investors) can argue that they only went into the project on the terms originally agreed.
32. In the new and unpredictable environment created by the project, even if entitlement is not disputed, rent and royalty payments - though cheaper to the project - have considerable social costs. Ronston Simpson, then the FCO's Land Tenure Adviser, stated the argument in relation to PNG in 1971: "Agricultural land is a means of production, very often the only means, and if it is to be removed from people who have no other resources, they are not properly compensated merely by the payment of an annual rent. A capital payment (which can just as easily be made on taking a lease as it can be on a purchase) should be available to set up an alternative livelihood - if not at once, then when the time comes. In any case, the payment of rent down the years creates great difficulty as owners die and heirs have to be determined; much money will stick to the wrong hands as it passes and it does no good other than to salve the conscience of those who have, in fact, appropriated the land just as effectively as if they had bought it. Partnership schemes and nucleus plantations are, of course, to be encouraged, but the time has come to stop further alien exploitation, even if it is merely for a time by way of lease."
33. So in this sense disputes are actually beneficial if rents and royalties accumulate in government trust funds while the disputes continue. Land disputes become a kind of enforced saving.
34. But it's clearly better that institutions that can use rather than consume capital are set up before the project starts. Example in the Solomons would include the Hon. John Tapaika's proposed "Mungava Development Corporation" for Rennell bauxite/<sup>the</sup>Kolombangara Association (Hon. Lawry Wickham) for forestry, and the proposed "North Guadalcanal Corporation" (Hon. Philip Kapini) for plantations. These are institutions designed to manage and survive the economic, social and hence political impact of foreign investment on once customary land, (the Christian Fellowship Church on New Georgia might be a potential institution of this kind).
35. Government Guarantees  
Government's immediate role is to guarantee the finality of decision about entitlement. Investigating customary ownership, establishing boundaries and hearing appeals are costly to government even if the costs are mainly in salaries, buried in different parts of the estimates, and not charged

to the project. For comparison, 'land settlement' (registration of customary land) costs government about \$15 per hectare. These costs may be justified if its only done once, but may be less justified if question of entitlement are raised again and again. In this case the finality is literally guaranteed: government, not the owner, must pay compensation if the register is proved wrong, hence it must get right first time.

36. PNG's Private Dealings Act and to a lesser extent our Amendment Bill seem to try to achieve finality on the cheap or at least, as with royalties, by pushing the costs into the future. In neither case does government have much say in how ownership is established. In PNG the Authority recognised by the Minister makes "such investigations as it deems necessary." In our case the jobs of the Area Committee are more spelt out, but both the Area Committee and the Customary Land Appeals Court are only recently set up and relatively in-tried (the tried, though often failing, institution of the Local Court is excluded). Yet in both the Act and the Bill the Minister has to decide on entitlement 'if satisfied' or 'at his discretion' and if he does his certificate is supposed to be final - though PNG gives him more legal protection of it is challenged. It's possible that in both cases the cost of achieving finality may become a political cost to the Minister himself. Being implicated in each agreement he may get drawn into any subsequent dispute about it. Certainly the government guarantee of finality and the failure in the Act and the Bill to specify appropriate legal mechanisms for resolving subsequent disputes about entitlement, will mean continuing government intervention if and when the agreements go wrong.

### Part 3 Conclusions

1. Forestry legislation in the Solomons and PNG tries to separate land from timber, but is only partially successful, and at best only succeeds in displacing questions of land ownership into the future, when the trees run out.
2. Separating land from timber can only succeed if governments can assert
  - (a) that customary rights over large tracts of relatively unused forest amount to less than freehold rights, so procedures for establishing ownership of trees can be less definitive than procedures for establishing ownership of land;
  - (b) replanting will be done for ecological and national economic reasons that can override landowners who for their own rational economic reasons may not be interested in replanting.
3. Landowners considering a timber replanting project are involved in precisely the same considerations of return on their investment, reward for risk, and evaluation of alternatives as foreign investors.
4. Considering 'projects' in isolation from ownership of capital or land has the effect of transforming direct costs to the project (like interest payments) into indirect costs to government and local people (like establishing ownership).

If these conclusion are correct, they suggest that

- (a) land needed for replanting, and to a lesser extent timber cutting, should be paid for once and for all (whether leased or bought) in a way that ensures a useful capital sum is paid to institutions representing landowners, and that these institutions are capable of surviving the economic, social and political impact of the project on the area.
- (b) governments should be very cautious about guaranteeing decisions about ownership and entitlement, and loading the guarantees onto Ministers in likely quickly to become politically embarrassing to them. At least some continuing mechanism for resolving disputes about entitlement needs to be built into every agreement, and treated as a cost to the project.



Preliminary Report

Implementing a New Land Policy  
PNG's Experience and the Solomons

1. This is about PNG's experience in implementing the recommendations of its 1973 Commission of Enquiry into Land Matters. It is about administrative issues, but these can quickly become political if a government promises things in its legislation that it then fails to deliver. It is based on four days of discussion with officials in Port Moresby at the end of May 1977. I am very grateful for their help, particularly to Jim Fingleton, Assistant Secretary (Policy & Research), Digby Huffman in the Planning & Research Branch and Bill Lawrence, Secretary to the Ministry of Natural Resources.
2. This is a preliminary report, produced for discussion while the Solomons Government is considering legislation on alienated land in advance of agreement with UK. about the Independence Constitution. A more detailed report on PNG's forestry policy and land has been produced for MNR, and papers on valuation policy and land administration training are being prepared.

Why Compare the Solomons with PNG

3. PNG is a Melanesian society that was under formal colonial rule from 1885 to 1975. The Solomons is a Melanesian and Polynesian society under formal colonial rule from 1896 until, probably, 1978. About 95% of PNG and 87% of the Solomons is customary land. In PNG about 0.4% of the land is still owned as freehold by expatriates compared to 1.6% in the Solomons ( $\frac{2}{3}$  of that owned by Levers).
4. PNG's Lands Division comes under the Ministry of Natural Resources, and includes an Alienated Land Redistribution Branch (ALRB) equivalent to our Ministry of Agriculture and Lands' Land Use Division (LUD). PNG's Lands Division seems huge: the parts of it that do the same jobs as ours have 182 people against our 13. PNG's ALRB has 21, including a Plantation Management Agency of 3, against LUD's 11. But PNG has 13 times our population and 16 times our land area. If you take this into account the two equivalent Lands Divisions are about equal in size, the Solomons being if anything slightly better staffed. PNG has one officer per 2,500 sq. km. and 15,000 people. The Solomons has one per 2,200 sq. km. and 15,000 people. Our LUD has over twice the staff of the ALRB per sq. km. of expatriate owned land.
5. Though our Lands Division is less localised than it was in the early 1970s, PNG now does better in percentage terms. 87% of their Lands Division is localised, against our 72%. PNG's ALRB is 88% localised while our LUD is now entirely expatriate.
6. The administrative routines of both Divisions are surprisingly similar considering their different colonial inheritances, though PNG's seems more prescribed by law (the 1962 Land Act). Both have 'Land Settlement' branches, but the label is confusing. PNG's Land Settlement is the equivalent to our Resettlement branch: government owned land is divided up into blocks and leased to local people for cash cropping.
7. PNG has as yet no equivalent to our Land Settlement branch which deals with registering customary rights and boundaries, usually in areas of economic development or likely dispute (see also para. 46)

8. PNG's public service does not seem to have the generalist ideology that the Solomons has inherited from UK. Lands officers in the Solomons were not expected to be specialists and could expect to be posted to other departments every two or three years. In PNG they expect to stay in the job unless they apply for another.
9. Both Divisions have started using outside sources for training in Lands Administration. PNG send staff to a 10 week course on Land Administration, run by the Administrative College, or a 2 year Diploma Course. All staff in our Division will by mid '78 have taken the 4 month extension course in Land Tenure run by the USP. by satellite from Suva, and a course in urban land administration is being considered.
10. PNG's Land Registry is separate from its Lands Division, as ours has been since early 1977, though unlike ours it is not yet involved in tenure conversion of customary land.
11. Under a pilot project started during the Sixth Development Plan (1970-74), the Solomons have got U.K aid for the staff support, development and rehabilitation costs of LUD's communal farm project. Only two of the fourteen communal farms begun between 1970-74 are on customary land, and all the 11 envisaged between 1977-79 are on alienated land (one of those on government land).
12. In the Solomons, money to pay for plantations is borrowed by the local group from the Agricultural and Industrial Loans Board (to become the Development Bank). There have only been one or two privately financed purchases without LUD assistance.
13. In PNG, the government buys plantation through the ALRB, and then hopes that the local groups will pay it back. Its 1975-6 budget allocated K2 million for plantation purchases, though this dropped to K1.12m in 1976-7. Its target is full or part ownership of all plantations by Papua New Guinea by 1980. Officials estimate there are at least twice as many re-purchases done directly than are done through the ALRB, so this goal will be achieved largely by private dealings, provided commodity prices stay high.
14. By February 1977, ALRB had acquired 52 plantations, and 35 had been handed over to groups who were required to make regular repayments to government (7 on a profit sharing or royalty basis) 3 groups were ahead on their repayments, 14 were up to date, and 18 behind. Of the comments made by officials on the list from which these figures come, 6 refer to difficulties within the groups, and 11 to management problems. But 5 groups had already completed their payments, and were to be visited by the Prime Minister to celebrate.
15. By June 1977, all 12 of the Solomons LUD's projects requiring loan repayments were paid up to date, though there is official concern that delay in approving the revised UK aid project may lead to a gap in management assistance, and hence default. There is also concern that soon the most productive plantations will have been bought back by the most efficient groups, and it will be increasingly hard to find plantation and groups that can be expected to support the loan repayments required to repay the prices. *asked. It* (a goal of complete takeover is to be achieved, the Solomons government will have to subsidise purchases of the remainder either by running the plantation itself until its profits repay the purchase price, or by not expecting repayment by local groups. Alternatively, it could insist that purchase prices should be no more than the amount that available local groups could be expected to repay from their production - hence some would have no value at all, developed, undeveloped or derelict.
16. LUD has so far assisted in the repurchase of about 5,000 ha. of land owned by expatriates as freehold, or on lease from government. It expects to assist with the repurchase of another 8,000 ha. by 1979. This will be

about one quarter the land still owned by expatriates, if you exclude Levers, where the Solomons may go for part equity rather than repurchase, as PNG intends for its larger plantations.

17. Of the 8,000 ha. LUD expects to assist local groups to buy, only about 20% is being used for copra, while about 60% is considered to be of good agricultural potential (i.e. 64% of the land that could be is undeveloped). The average size of the local group is about 100, and the average plantation about 500 ha.
18. Labour may continue to be the constraint that expatriate landowners said prevented them from using all the land they owned, particularly if LUD have to continue with the policy of restricting their assistance to groups descended from the original owners of the land.

#### PNG's Commission of Enquiry

19. PNG's Commission of Enquiry into Land Matters followed the Australian Administrations attempt to introduce four new Land Bills in 1971. The Bills proposed a system of registration of customary land, rather like Land Settlement in the Solomons. However the basic reason for the opposition had little to do with the content of the bills. "The House of Assembly was just no longer prepared to accept any new landlaws as a gift from the Administration: it felt the people of PNG should make their own choice". A similar event in the Solomons might be the first Legislative Assembly's rejection of the Land Development & control Bill in 1974. In fact PNG officials are now considering proposing legislation very similar to that thrown out in 1971.
10. PNG's Commission worked for 8 months during 1973. Its members included people from outside politics. It made more use of independent advice and was given better administrative support than the Solomon's Special Select Committee on Lands & Mining, which sat from January 1974 to March 1976 through many changes in membership and secretaries.
21. The Basic Principles the Commission recommended were -
  - A Land Policy must be concerned with increasing production, but even more with the kind of society PNG should become;
  - B It follows from the Eight Point Programme (equivalent to the principles in para. 2.2 of the Solomons National Development Plan) that land policy should be an evolution from a customary base not a sweeping agrarian revolution, collective and individualistic extremes should be avoided;
  - C Very unequal distribution of land rights must be avoided;
  - D Private landlordism must be checked;
  - E The law should favour those who need land most and use it well;
  - F Most land transfer should be through government, but some direct dealing in small lots allowed.

22. The principles set out by the Commission in 1973 were accepted by the Somare government as a basis for its land policy, though some of its details recommendations have been modified in practice.

#### The Commission and Alienated Land

23. The Commission produced an interim report on alienated land, because at the time there was considerable local political pressure for alienated land to be returned to its original owners by direct action, such as squatting. The Solomons Select Committee produced a similar interim

\* See P. Problem of Choice Land in PNG's Future ANU 1974 p.2

report, parts directly quoting from PNG's, but was criticised for breaching parliamentary privilege.

24. Unlike the Select Committee the Commission did not recommend a general policy of returning alienated land to the descendants of its original owners. It went for redistribution rather than 'returning':

"Land should be distributed to those who need it and will use it

We believe that policy towards alienated land must do more than remedy grievances caused by European colonisation. The needs of the new nation and problems about relations between sections and classes of Papua New Guinean people are already much more important than the problem of tidying up relations with Europeans. For this reason we believe Government should not lose sight of the value of the alienated lands as a national asset. Alienated lands can be used to increase production and national income. Some Districts are short of land and need to find room for their growing population. We need to permit mobility among our enterprising people who can find outlets for their creative energies on alienated lands if these are made available to them. Inter-clan mixing and a sense of belonging to the wider national community can be fostered if people from various Districts are able to take up rights in empty areas of alienated land. For these reasons we believe that the concept of using land must therefore be stressed - that the holders of title to alienated land must make good use of it or give way to those with greater need and ability to use it. These reasons of public interest modify a simple policy of returning alienated land to the descendants of traditional rightholders."

25. The Commission recommended that the Australian government be asked to provide a special fund of \$2 million so PNG's government could buy back expatriate owned plantations for local people. The Australian government played this straight back. It treated the repurchase project like any other, and would not consider a special fund. Thus it forced the PNG government to decide what priority it would give the programme against other demands on its aid money. The British government has so far taken the same line with the Solomons further arguing that as the expatriate landowners are mainly Australian and Chinese, the British government has no special responsibility to buy them out. Meanwhile, of course, UK. funded the pilot communal farms project that paid the staff support rehabilitation and development costs but not the purchase prices, of buying back 12 expatriate owned plantations (see also para. 48).

The Commission and the Independence Constitution

26. As in the Solomons, PNG's land policy had constitutional implications. PNG's Independence Constitution protects citizens from compulsory acquisition of their land. But this protection is kept back from non-automatic citizens until 5 years after Independence. And for 10 years after Independence parliament is allowed to pass laws that discriminate in favour of automatic citizens.
27. These provisions are transitional. After 5 years all citizens will have equal constitutional protection, and after 10 years parliament may not confer any special 'benefit right or privilege' on automatic citizens. The Solomons however, are considering permanent discrimination against non-automatic citizens. But the arguments are rather different PNG was concerned that Europeans who became citizens might continue to dominate the economy in the way they had done before. So the Constitution allowed a 5 to 10 year period in which parliament could legislate to try and right the balance of economic advantage, for example by compulsorily acquiring plantations for re-distribution to local people. In the Solomons the citizenship arguments revolve around the position of the Gilbertese, and possibly the mixed race minorities, rather than of Europeans. And the fear is of future: rather than present economic dominance: without



land, the argument goes, these minorities will be more ambitious for jobs, and eventually dominate the economy. Finally, in the Solomons the arguments are less those of withdrawing constitutional protection from non-automatic citizens, and more those of allowing a special 'right, benefit or privilege' to automatic citizens. For example it is sometimes proposed that the Gilbertese minority may keep their existing land rights, but not acquire any more customary land or perpetual estates. Non-automatic citizens in the Solomons would be protected now, but could be discriminated against in future.

#### Legislation and Implementation

28. By the middle of 1977, 7 new land Acts had been introduced to allow the PNG Commission's recommendations to be implemented. In addition a National Land Bill has been prepared and will be considered by the new government. Legislation drawing on the 1971 Bills is being considered to allow registration of customary land on the lines of the land settlement provisions of the Solomon Islands Land & Titles Ordinance. PNG's basic land law, the 1962 Land Act needs substantial revision to bring it into line with the new policies.
29. Officials reckon it will be at least another 4 years before all the legislation required by the Commission's recommendations can be drawn up and passed, let alone implemented. And this assumes that the new parliament will feel the same about land as its predecessor.
30. So legislating for a new land policy like PNG's could take 8 years, or the life of two parliaments. And legislation has no effect in itself. It only allows new policies to be implemented, it doesn't implement them itself. Half way through their legislative programme, PNG's officials are already deeply concerned about how the legislation that has already been passed is being implemented, if at all.
31. For example, three years ago PNG's parliament passed four Acts to allow the purchase and 'redistribution' (not 'return') of expatriate owned plantations. They were the Land Acquisition, Land Redistribution, Land Groups and Land Trespass Acts. But as one official pointed out, by February 1977 no Distribution Authorities had been set up under the Land Redistribution Act, no groups incorporated under the Land Groups Act and the principles of valuation specified in the Acquisition Act were not being used. Nevertheless, the PNG government had gone ahead and bought back 52 plantations in the way described in para. 13. And it had set up a Plantation Management Agency, not anticipated in any of the four Acts, to give management help - at a price - to groups who buy back the larger plantation (see also para. 54).
32. So in PNG plantations have been bought back privately and by government, but not in ways envisaged in the Acts. The Acts' existence no doubt affected what happening, but they don't seem to be implemented. For comparison the Solomons' Land Use Division has been assisting repurchases, but without any new legislation (Coops are the usual way of giving legal form to group ownership, and the local council the Authority on entitlement) So implementation of <sup>new</sup> policy need not imply new legislation, and passing laws is not the same thing as implementing them.

#### Government Land

33. The PNG government owns about 4% of the land in PNG, and the Solomons government about 6% of the land in the Solomons (most of it for forestry). In both countries government land rights are challenged by people claiming to be the descendants of the original owners of the land. In PNG these claims have not decreased with independence, and we should not expect any decrease when the Solomons becomes independent. Land is valuable and people want it. The argument that it was 'wrongly acquired' had some success against colonial governments, and continues to be tried

on national governments. But the issue is really one of national against local interests.

34. Both the Solomons 'Resettlement' and PNG's 'Land Settlement' branches rely on a stock of government land, inherited from the colonial period, for leasing to local people for cash cropping. In the Solomons, for example, about 9,000 ha. (5% of government land) is leased out in resettlement and small farm schemes, with about twice this amount in reserve. Some schemes are for cash cropping, some for subsistence. One or two schemes give priority to descendants of original owners, and as in PNG there is growing pressure from Provincial governments to restrict migration into their areas.
35. PNG's Land Settlement Branch is finding it increasingly hard to buy customary land for leasing to other Papua New Guineans for cash cropping, and the programme seems to be slowing down as existing stocks of land run out. The Solomons government is currently negotiating with customary landowners on Santa Cruz to buy land with aid money to resettle refugees from the Tinakula Volcano, and has been asked by the Makira Ulawa Council to help with a purchase of land on Makira for land-short Santa Ana people. Meanwhile, the Guadalcanal Council is trying to find land to resettle about 500 people from the earthquake area on the south coast of Guadalcanal. Negotiations to resettle them on customary land have broken down, but existing stocks of unallocated government land may be insufficient. The outcome of all these current negotiations will indicate whether any resettlement will be possible after existing stocks of governments land run out.
36. Certainly both governments are finding it increasingly expensive to acquire land for public purposes. For example in PNG during May 1977 landowners were demanding to be paid k1000 for a 20 metre square of land (k25,000 per hectare) on a mountaintop in Bougainville required for a radio - telephone repeater station. At the same time in the Solomons 'landowners' were demanding \$16,000 for 4 ha. of the seabed in Auki harbour (\$4,000 per hectare).
37. Mining compensation payments have contributed to this inflation. Bougainville copper paid \$2,500 per hectare in addition to crop compensation. On Rennell compensation for the proposed bauxite mine was assessed in 1975 on the basis of 'land and rights lost' and loss of crops to a total of \$1.85 million (\$74 per hectare.) Landowners were pressing additional demands for more than \$10 million in the last days before the negotiations began, and broke down, for entirely different reasons in June. But the precedents set on Rennell could affect the compensation paid for undeveloped land flooded by the Lungga dam, behind Honiara.
38. In PNG, governments title to alienated land has never been subject to legal enquiry like the Solomons Phillips Commission in the 1920s, or the Solomons' provisions for registration of documentary title. The Constitution allowed government to continue to hold onto land "the subject of genuine dispute where that land is required for a declared public purposes." (In the Solomons, public purposes are not spelt out).
39. Though in 1975 PNG's Cabinet gave priority to drafting a Bill clarifying governments title to land, they were unwilling to go ahead with it so close to an election. The Bill as drafted will provide for registration of government title to land required for a declared public purpose, and compensation for 'proven rights extinguished'. This National Land Bill will be proposed to the new government when it is elected.
40. Meanwhile PNG has been trying to buy itself out of trouble by ad hoc and ex-gratia payments of compensation to claimants against government title. So far an estimated k $\frac{3}{4}$  to k 1million has been paid ex-gratia (i.e without admitting any legal liability) usually to politically well connected groups.

For example the PNG government recently paid out k136,000 to people who claimed to be the original owners of the land that the central government office, the Australian High Commission, the Public Service Association's speculative office block and the Development Bank are built on.

### Priorities

41. While everyone in the Solomons and PNG will agree that land is a very important issue, the two governments have to decide what they can or should do about it, and how important it is in relation to other things they want to do with their resources. Both the Solomon and the PNG have aid-based economies, and while the prices of their commodity exports stay high, more money is usually easier to find than more staff. In the Solomons, Lands & LUD already have 1% of the total staff in the public service, in PNG about 0.3%.
42. The Solomons Select Committee on Lands & Mining recommended that Lands Division "must get more staff to implement the new land policy" (14C1). But the assumption behind the Solomons negotiating position with UK over the Financial Settlement was that the public service should grow no faster than population, at least until the productive sectors of the economy were strengthened. So more staff for Lands would mean less staff to implement other government policies.
43. Professor Crocombe of USP. commented on the Select Committee's recommendation as follows. "There is indeed a strong case for them having more staff. But in other Pacific countries where similar recommendations have been made and where there has been just as strong a case for them to have it, and where government has given a firm assurance that they will have it, they still have not got it! This is because governments are faced with a lot of competing demands for urgent, necessary and reasonable services and just do not have sufficient staff and finance to meet them all. Unfortunately, although the "negative" aspects of land are very powerful political factors, getting anything positive done about land is a long slow and boring process and not very spectacular. Therefore Lands Departments get relatively little to the money and key staff. Exotic, high prestige, usually low pay-off services like Foreign Affairs get disproportionate quantities of the funds and top skills."
44. Four examples of problems of priority set by new land policies in the Solomons and PNG are given below:  
Example A: Conversion of Expatriate Freeholds to Leases
45. In 1976, PNG passed a law providing for the conversion of freeholds to government leases, if their present owners wanted to sell them to non-citizens. This legislation, as one official commented, was easy to pass, but "What is more difficult is to devise a procedure for the conversion which is reasonable taking into account not only the interests of the present freeholder, but also the availability of funds and manpower for the undertaking given the other more pressing demands for these resources. The nature of the terms and conditions relating to period of the new lease, rental and improvement covenants is also a sensitive area where even-handedness with the present proprietors will be critical to the tranquillity of the conversion. While the conversion is important to the State in terms of sovereignty over its natural resources, land administration, land use planning and collection of revenue, I feel that it is essential that, in endeavouring to do justice to the present proprietor, we do not create machinery which over-taxes our limited resources of expertise such as judicial officers and Departmental personnel, including valuers and surveyors, in effecting this objective. The demands on these people in other development priorities will be increasingly heavy, and their diversion to the conversion exercise to any great degree cannot be justified in our present circumstances."

### Example B: Land Settlement (Tenure Conversion)

46. PNG is considering legislation to allow the registration of customary land by tenure conversion, along the lines of the Solomons Land Settlement

programme. If it is considered appropriate, it will be very demanding of staff and time. The Solomons have done 10 schemes since 1965, but the programme has stalled partly because of uncertainty about land policy, and partly also because of other demands on Lands Division's staff, particularly from the growth of towns, and hence town land administration. All work on land settlement was suspended early in 1976, one scheme was evaluated early in 1977, and the programme will start up again later this year.

47. But even at full establishment (one quarter of Lands Division's staff) the Solomons land settlement branch has only the capacity to handle two or three schemes a year. The average size of each scheme has been 400 ha. So at this rate, with this priority, it could take us about 3,000 years and about \$40 million (at 1973 prices) to register all the customary land in the Solomons. Equally, if all the 2,360 people employed by the Solomon Islands government did nothing else we could probably do it in about 5 years.

Example C: Plantation Purchases

48. Measured by the amount of staff and money devoted to it, both countries already put a high priority on 'returning' or 'redistributing' the smaller expatriate owned plantations. Yet overall, the amount of land involved is very small. For example, in PNG only 0.4% of the land is expatriate freehold (slightly more if you include leases to expatriates). Yet 11% of the staff of PNG's Lands Division, and a third of its budget (a half in 1975-6) is involved in buying it back.
49. In the Solomons, LUD will by 1979 have a staff only slightly smaller than the present Lands Division, and amounting to 10% of total staff of the Agriculture Division. They will be helping about 2,200 people to buy back and run 22 expatriate owned plantations (and another 200 to run 3 projects on customary or government land).
50. These 2,200 people represent only 1% of the Solomons population overwhelmingly from the Western District & Isabel. They will only qualify for LUD assistance on plantation purchases if they can claim they are descended from the original owners of the land. And each one of them will be getting an equivalent of \$56 each year in management help (nearer \$70 if you include LUD's salaries). PNG is considering charging them for these sort of costs (see para. 54).
51. If you extrapolate these figures, and assumed that LUD could be expanded four times to assist in repurchases of all the remaining expatriate owned land, in blocks of 500 ha. run by groups of 100, still only 1 Solomon Islander in 20 could benefit and they would be very unevenly spread throughout the country.
52. At the same time as LUD is directing intensive government help to the small minority of the population how will gain from the return of expatriate land, the copra plantation sector is rapidly declining in importance to national economy. Copra production formed 31% of the value of our exports in 1973, but only 18% in 1976, and the plantation sector has consistently produced less than half of it. But LUD will assist repurchasing groups to replant and diversify. One third of the cattle-under-cocomut project, for example, will take place on LUD's farms - a further bonus for the 2,200 people who not only get their land back but government help in running it, and a early stake in a new source of wealth.
53. In PNG, large scale plantation have a bigger share of declining copra production (in 1976 67% vs 56%). However, in PNG some expatriates had diversified into cocoa, coffee, rubber and tea before the repurchase programme, and high prices for, particularly, coffee have allowed local groups to repay purchase prices ahead of schedule.
54. Because of the relative economic advantage that the groups who can buy back plantations gain over everyone else in the country, PNG has set up a Plantation Management Agency based in Rabaul that will at least charge groups buying the bigger plantations for management advice it gives them.

Example D: Customary Land Disputes

55. PNG's major new intervention into customary land tenure has been the 1975 Land Disputes Settlement Act. This specifies procedures for mediating land disputes before they go to court. The Solomons Select Committee proposed something similar by recommending that Area Committees appointed by Local Councils should try and settle land disputes before the Local Courts. Professor Crocombe commented on this in 1976 "Almost every government I know has seriously underestimated the time, money and staff needed to get such a programme carried out."
56. It is hard to assess the success rate of mediation, which no doubt took place unofficially before PNG's new Act was introduced, and may well continue outside it. But of all PNG's new legislation, this Act was the one officials were most confident about. It is clear, however, that the new procedures require more staff, or-by drawing previously unofficial mediators onto the government payroll (at k200 per annum, and k1.75 per diem) - more money. The Land Court services budget doubled from 1975-6 to 1976-7 (while, for comparison, the Plantation Purchase programme's nearly halved).
57. A study commissioned by PNG's Central Planning Office commented on the early implementation of the Act as follows:
- "5.42 If the Mediators are drawn into the many thousands of low-level disputes which are a constant feature of Chimbu daily life, a backlog of unresolved disputes may be expected to accumulate rapidly, as under the Land Titles Commission. With only two Mediators available, and therefore unavailable directly and immediately to the majority of Chimbu, the channels of referral presumably through district or sub-district offices and from there to Kundiawa, will however undoubtedly tend to eliminate some cases. If this does occur, only the more serious disputes will reach the Mediators while the others will be settled by less official means."

Deciding Priorities

58. Where the number of public servants is growing decisions about priority can be limited to decisions about who gets the extra staff, usually by a Public Service Office. New staff are recruited, or new branches set up within Divisions. Meanwhile existing staff continue to do more or less what they have always been doing, though less and less able to cope as demand for existing government services grows with population and urbanisation, and sometimes more and more demoralised by their inability to compete with the prestigious new branches and Divisions for the extra staff they need to maintain existing levels of service.
59. But in time, deciding priorities through allocations of staff on the margin of existing allocations leads to, at best failures in coordination and, at worst, contradictions between the new branches and the old Division (for example between Lands & LUD in the Solomons). And as demand for existing services grows, decisions on priority with the Divisions tend to get taken by default: things increasingly may not get done while over-worked officials respond to the most immediate demands made on them, usually from other government departments, or from the more privileged people who live in or near the capital city.
60. The Lands Divisions of both the Solomons and PNG show symptoms of the lack of political decisions on priority implied by a new land policy. PNG, for example, followed the marginal approach by setting up in 1974 a Policy & Research Branch within its Lands Division. The Branch was to initiate, direct and monitor the implementation of PNG's new policies. Meanwhile, the rest of the Lands Administration section remained organised around the work it had done before, but with rapid changes in staff coming at the same time as increasing demand for its services, its officers finding it increasingly hard to cope. At the same time the officers in the Policy & Research Branch seemed to be getting drawn into involvement with politically sensitive administrative issues, handling public access to the Division, and unsticking routine delays in response to the more pressing

external demands. While this sort of damage control activity goes on, officers are becoming concerned that the new legislation is not getting implemented.

61. By setting priorities on the margin of an expanding public service, governments can at least avoid having to say to the public that they can no longer do some of the things they used to, because their priorities have changed. New policies become additional to, but do not replace the old. But while the public continues to expect services they have become used to, they may become disappointed by government's growing failure either to maintain existing levels of service, or to deliver what it promised under its new policies. This growing disappointment will have political consequences.
62. Finally, in both PNG and the Solomons decentralisation is already removing from central governments the power to set priorities by allocation of staff. In PNG, for example central government officials cheerfully recognised that the Lands Disputes Settlement Act was only unevenly implemented throughout PNG. This showed, they said, that Provincial governments were setting their own priorities. Similarly in the Solomons, local councils are increasingly reluctant to allocate staff to the administration of resettlement schemes, arguing that they have more important work to do. So Provincial and local government are already deciding what new or old land policies are not or no longer to be implemented.

Peter Larmour  
Lands Division MAL.

15.7.77



Gilbertese Land Rights in the Solomons

The "News Drum" of 26 August, 1977 stated that "the Gilbertese will be treated as non-Solomon Islanders under the new law dealing with alienated land". This was made clear by the Minister of Agriculture and Lands, Dr. Zoloveki in the Assembly.





**LAND USE DEVELOPMENT  
CONFERENCE**

**22 - 26 JUNE 1987  
HONIARA**

**RECORD OF A MEETING OF RURAL  
PROJECT REPRESENTATIVES AND  
SENIOR OFFICIALS OF GOVERNMENT  
AND INSTITUTIONS**

**MINISTRY OF AGRICULTURE & LANDS**



LAND USE DEVELOPMENT CONFERENCE

22-26 June 1987

Ministry of Agriculture and Lands  
 Honiara - Solomon Islands

LAND USE DEVELOPMENT CONFERENCE

22-26 June 1987, Honiara

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LAND USE DEVELOPMENT SECTION  
 MINISTRY OF AGRICULTURE AND LANDS  
 BOX G.13 HONIARA  
 SOLOMON ISLANDS

JULY 1987

LAND USE DEVELOPMENT CONFERENCE

22 - 26 June 1987

Solomon Islands College of Higher Education

Panatina Campus , Honiara

INTRODUCTION TO THE CONFERENCE

This was the second LUD conference - the first was in May 1986.

A detailed agenda is at Appendix A

A list of the people who attended is at Appendix B

The format of the conference was a panel of invited speakers each morning, talking about and answering questions on various aspects of farming and farm management. In the afternoon sessions the project representatives formed discussion groups to consider the management issues in further detail.

MONDAY 22 JUNE - AFTERNOON :

OPENING ADDRESS BY THE MINISTER OF AGRICULTURE AND LANDS

The conference was officially opened by the Minister of Agriculture and Lands, Honourable Daniel Sande.

After welcoming the participants, Mr. Sande spoke of the responsibility of the conference participants for the development of their land, for the benefit of their communities and their country.

In the last year many projects had suffered due to the fall in the price of copra and the effects of Cyclone Namu, but the Minister hoped that financial assistance would be available soon to assist with rehabilitation and further development. However, the Minister added that direct financial assistance is only useful when a project has good management and the proper support of its members, and this would be the main theme of the conference.

The full text of the Minister's speech is attached as Appendix C.

MONDAY 22 JUNE - MORNING

FIELD VISIT TO S.I.P.L. COCOA ESTATE

The Cocoa Manager of S.I.P.L., Stewart Addison, explained how they organise labour and equipment on a large commercial estate. This included:

- proper ways to prune cocoa trees
- proper ways to spray with knapsack sprays and micro-sprayers, including safety precautions
- proper ways to harvest pods from the tree
- organising labour for harvesting and paying by weight
- proper ways to dry cocoa beans, with grading and quality control
- proper ways to store cocoa
- control and discipline of labour
- labour records
- labour productivity - setting daily tasks/contracts.

MONDAY 22 JUNE - AFTERNOON:

In a review of the last two years, LUD staff explained in general terms the financial situation for Land Purchase Co-operatives (LPC's) and similar projects. A summary of this financial situation is at Appendix D.

When the copra price was high in 1984 and 1985 projects had had a good cash flow and had financed most of their development costs from their own earnings. However projects had not always used their money wisely, many had lost money on stores and by loose advances. Many had not built up savings which would finance the project when prices and earnings were low.

The sharp fall in copra prices in 1986, together with the effects of Cyclone Namu, had seriously reduced earnings. Figures for 20 LPC's showed that net earnings, after paying production costs and overhead costs, fell from \$232,000 in 1985 to \$32,000 in 1986. Some projects could not meet all their overhead costs.

As a result, projects had shortages of working capital to keep paying wages and some projects cut back on the number of workers. Development slowed down.

However projects have cut down on overheads, have stopped running trade stores, and have reduced loose advances. Management has improved, particularly financial management, with the use of budgets and up to date accounts.

Most projects would like some outside finance to pay for development. DBSI would like to lend money to well managed LPC's but has no funds until it also receives more finance from outside. LUD has made proposals for investment finance to be available for crop rehabilitation and development from the Stabex funds. No decision by government has yet been made on these proposals.

TUESDAY 23 JUNE - MORNING:

The conference heard the Chairman of the DEVELOPMENT BANK OF SOLOMON ISLANDS (DBSI), Bart Ulufa'alu, explain why DBSI is not able to make any new loans at present.

DBSI has in the past been lending out money to assist development such as funding the purchases of land by LPC's. Their record on loan repayment has usually been good, but many other borrowers are in arrears. These delays in loan repayments together with problems of loan administration and recovery have led to DBSI running out of money. DBSI presently has arrears of \$ 2.6 million from borrowers.

Asian Development Bank (ADB) is now the main funding agent for the bank and is reluctant to lend more money to DBSI until it can cover all its costs. DBSI has made application to government for extra funds to assist its reorganisation.

DBSI is now under review and trying to improve the loan system to agriculture. Lending to single small farmers is expensive to administer, DBSI would like to begin lending to groups of farmers. A special unit is being set up in Honiara to deal with larger loans, including LPC loans, which should give these borrowers a better service.

The work of the MINISTRY OF ECONOMIC PLANNING (MEP) is to examine project proposals and decide on priorities for projects in line with Government policy on rural development.

It is expected that there will be \$ 35 million available from STABEX funds for rural projects. (STABEX is compensation paid by the EEC to countries like Solomon Islands when export prices are low.) \$ 4 million will be for copra price support and \$ 6 m for agricultural rehabilitation and investment.

Funds from the EEC under the Lome 3 agreement will also be used for agriculture, particularly for demonstration plots and other ways to make research results more available to farmers.

MEP is presently looking at the proposals received from LUD and the Ministry of Agriculture and Lands, which have to be discussed with Ministry of Finance before they can be approved by government.

A large part of the work of the COMMISSIONER OF LANDS (Lands Division, MAL) is to assist the proper development of land. Hence he will usually require that registered land is developed by its owners before granting a perpetual estate title. Also that groups like LPC's who want to purchase a fixed term estate must have a plan to develop the land which is backed by LUD

At present there is no procedure for a group to register customary land, only for Provincial Secretaries to register land for use by Provinces. Lands Division is presently trying to establish a Customary Land Development Procedure that will record ownership as a means to reduce land disputes and so encourage more development of customary land.

TUESDAY 23 JUNE - AFTERNOON : WORKSHOP.

The morning session with DBSI and MEP was concerned with how projects could get finance from outside - the conference now divided into four groups to discuss how to improve management INSIDE projects so as to get better financial results.

Discussion between the various project managers and leaders yielded the following ideas:

TRAINING	PRODUCTION SURPLUS	TRACTOR ECONOMY	APPROPRIATE TECHNOLOGY
CUT OVERHEAD COSTS	MIXED FARMING	REPLACE OLD COCONUTS	COMMUNITY PROJECTS
ONE DAYS WORK equals ONE DAYS PAY	PLAN SHIPPING	QUICK CASH CROPS	EXCHANGE MANAGERS
	SMALL LIVESTOCK	VOLUNTARY LABOUR	

MANPOWER :

Communal farms are difficult to manage because when managers and workers are "wantoks" the manager has less authority over the workers.

But communal farms can only earn the same price for copra as any other farm, so work must be the same. Workers and managers should work on the principle:

A FAIR DAY'S WORK = A FAIR DAY'S PAY

A FAIR DAY'S PAY = A FAIR DAY'S WORK

In practice, pay must fit work. Too many workers get paid for "attendance".

A worker at SIPL may be paid \$4.00 a day for 8 hours real work. He "earns" = 50c an hour for his work

A worker at XX LPC may be paid \$2.00 a day for 2 hours attendance. The LPC "gives" him \$1.00 an hour for his time

PRACTICAL WAYS TO CHANGE THIS:

Copra cutters are usually paid for weight : more work = more pay

Other workers could be on a contract basis : paid for work finished:

For example:

Brush --- coconuts = \$2.00  
 Fertilize --- cocoa trees = \$2.00  
 --- loads of firewood = \$2.00

Part of the Manager's wages could be paid for results:

For example: 20c for every bag copra sold  
 : Year-end bonus based on development plan achievements.

LPC's to exchange Managers:

Suppose two managers have know-how and experience on plantation management, but "wantok" business means they have problems with their workers. Suppose the projects exchange managers - if the committee and workers support the idea, maybe both managers will be more successful.....

CUTTING OVERHEAD COSTS:

Overheads tend to be fixed -when production goes up, overheads stay as a smaller part of total income. On the other hand, when production goes down, overheads stay as a larger part of total income.....

Cut..... Travel expenses - less trips to town  
 Tractor costs - plan the tractor's daily work  
 Tractor costs - a little money on maintenance can save a lot of money on repairs  
 Administration expenses - does the project need a Manager AND a Secretary ?

### PRODUCTION SURPLUS

Suppose one bag copra sells for \$22.00 and costs \$12.00 to produce (copra cutters, millmen, sacks, freight....)

- EVERY EXTRA BAG OF COPRA provides a surplus of \$10.00 to help pay the overhead costs, the development costs, the loan payments.....

Make TARGETS for copra production - and pay extra to people when production is over the target

For example: Suppose production is usually between 80-100 bags of copra a month. A target of 100 bags could be agreed. When production is over 100 bags, all copra workers, and the manager and the tractor driver, get a 10% bonus on their wages for that month....

### APPROPRIATE TECHNOLOGY

The cost of running a tractor and trailer may include:

Labour - 3 men at \$2.00 a day	= \$1500 a year
Fuel - 1 drum a month	= \$1200 a year
Oil, grease, spares at \$20 a month	= \$ 240 a year
A major overhaul (\$2600), plus freight to Homiara (\$1000), every 4 years: \$3600 / 4	= \$ 900 a year
Depreciation: 25% of cost \$12,000	= \$3000 a year
Interest on \$9000 loan at 10%	= \$ 900 a year

Total Cost = \$7740 a year

Out of \$7740 a year, people at the project earn only \$1500 in wages, the rest is paid outside the community.

\$7740 equals - 350 bags of copra at \$22 a bag  
- 15 mens' wages of \$2.00 for one year

A different technology might be using animal power - bullocks or horses - to pull trailers or carts. Levers at Yandina used bullocks for many years. Obviously the costs are much lower, and bullocks are less likely to break-down.....

### MIXED FARMING:

A mixture of crops on a farm helps because if one crop price is down, the farm keeps going with its other crops. If a project only has copra, then its earnings will always be up and down. If it has other crops or enterprises, its earnings will be stronger....

Timing is also important, new tree crops need labour and expenses for many years before the crop is ready to be sold. On the other hand, a vegetable crop can provide income within a few months....

Practical ideas for mixed farming include:

Cocoa - but land suitability may restrict many LPC's

Cattle - for both income and labour-saving on brushing

Small livestock - may be appropriate on poor land not suitable for other crops.

Vegetables - if the market is close, can provide a quick cash return.

Spices - turmeric, chilli, vanilla, cardamon are high value crops but need good management.

Forestry - quick growing trees for "harvest" are available

### COMMUNITY PROJECTS

Members support for their project may increase if the community in general benefits from the project.

Guguha LPC on Isabel built three school buildings as a primary school for its community. Other projects have helped organise water supplies, clinics. Canoes and tractors are sometimes useful for the community too...

### OTHER IDEAS....

Better planning of shipping.

More control on use of assets - tools, tractors....

More training courses, visits to other projects, demonstrations.....

Voluntary labour in difficult times

All members to make an economic contribution to the project - if not labour, then cash contribution.

WEDNESDAY 24 JUNE - MORNING

AGRICULTURE RESEARCH AND FORESTRY

Dodo Creek Research Station (DCRS) had started a programme of research on turmeric, cardamon, ginger, chillies, and vanilla with the aim of finding varieties suitable for smallholder production in the Solomons.

Research on turmeric was the most advanced and it was thought that planting material would be available for distribution to certain areas of Malaita and Guadalcanal in January 1988. Planting production, and harvesting would be closely monitored by DCRS and DCRS would guarantee to buy the harvested turmeric back at a fixed price which would give a good return to the farmer.

DCRS had established a distribution service for planting material for root crops such as kumara, yams and pana. DCRS had also started selling vegetable seeds at 20-30c per packet. These two services were available to any farmer.

DCRS had had a lot of requests for fruit trees such as pomeloes, mangoes and avacadoes, and was expanding the fruit tree nursery to cope with the demand. DCRS had been trying out improved varieties of fruit trees and would eventually be able to distribute them. Research was also being carried out on local nut species. Research on Betel nut has a low priority.

In answer to questions about the turmeric scheme, the farmers were told that turmeric has similar site requirements to cocoa and needs a good site to give heavy yields over a short period of time. The first batch would need to be carefully monitored and that is why planting material would only be given to selected farmers close to DCRS or Fote (Malaita).

The reason for farmers having to pay for the seeds is that the Government has given DCRS \$ 10,000 to set up a commercial seed service which DCRS has to make self financing.

The Timber Control Section of FORESTRY DIVISION is concerned with promoting good logging techniques and encouraging post-logging development. Forestry Division does not try to prevent logging but tries to ensure that logging takes place in such a way that the land can be used and developed after logging has taken place.

Any company wanting to log an area should approach Timber Control Section first and get a survey done of the area to assess the timber resources.

Forestry Division will give advice to landowners on drawing up logging agreements with logging companies, but cannot force landowners to take the advice. A "Standard Logging Agreement" is available.

Money from logging should be invested in the land so that future generations can benefit. This investment may be in the form of re-forestation, or agricultural development.

WEDNESDAY 24 JUNE - AFTERNOON

Discussion continued on the issues raised in the Tuesday afternoon workshops.

Managers were encouraged to be more self-critical and to look for ways to solve problems themselves. When problems come up inside their LPC's - then the solution must come up from inside too.

Solving manpower problems must begin with the manager inside the project; solving financial problems should also begin by first trying to earn more money from work at the project....

THURSDAY 25 JUNE - MORNING

BUSINESS

CEMA (COMMODITIES EXPORT MARKETING AUTHORITY) has changed from being the Copra Board which only dealt with copra and now has the power to deal with other commodities such as cocoa, oil palm and spices. CEMA itself does not buy cocoa at present but issues licences to cocoa buyers eg CCA. For buying copra CEMA has established 8 buying centres in the Provinces.

CEMA deals with regulations regarding commodities, for example quality, and is aiming to establish and maintain a high quality standard. Solomon Islands sells in competitive markets and overseas buyers will only buy if they have confidence in the quality of export goods.

The CENTRAL CO-OPERATIVE ASSOCIATION (CCA), has recovered from its problems of 1982. It now has a greater share of the wholesale business than before and along with Honiara Consumers is the biggest food importer in the country. (Both CCA and Honiara Consumers are Co-operatives, owned by their customers).



CCA now trades in cocoa and offers a price to farmers which is usually better than that offered by private traders. CCA is expanding and opening branches and wholesale warehouses in the provinces.

The LIVESTOCK DEVELOPMENT AUTHORITY (LDA) up until 1987 had concentrated on large scale livestock programmes, but has now developed a programme for smallholders which includes the tethering of cattle instead of fencing, and of small livestock like pigs, chickens and goats.

Cattle production in the country is presently low and cannot meet the demand for fresh meat. This means that frozen meat is having to be imported until local production can be increased.

The NATIONAL BANK OF SOLOMON ISLANDS (NBSI) has 48 agencies in the provinces, but realising the limitations of agencies, is hoping to open more sub-branches, possibly at Choiseul Bay, Lata, and Afio.

The price of copra has a big effect on banking. A low copra price means that there is less money being banked, so there is less money available for lending.

The Bank's current interest rate of 18% is not appropriate to long term loans for agriculture projects, but short term overdrafts are a possibility.

#### THURSDAY 25 JUNE - AFTERNOON

This session, continued on Friday, was used to discuss proposals to form a SOLOMON ISLANDS FARMER ASSOCIATION. This was originally raised in the 1986 LUD Conference. The decision was taken to go ahead with organising an Association.

Details of working arrangements to start the Association are in Appendix E.

#### FRIDAY 26 JUNE - MORNING

##### TRAINING AND SUPPORT

As part of the Rural Services Project, the NATIONAL AGRICULTURAL TRAINING INSTITUTE (NATI) is being established at Fote in Malaita.

The Institute will provide courses in agriculture and food production for extension staff, as well as for farmers and their families. One aspect of food production which will be taught will be intercropping with coconuts.

At the time of the conference the full content of the various courses had not been decided upon and so the Principal of NATI would welcome ideas for the courses from farmers.

As a further part of its training role, Rural Services Project is establishing Rural Development Centres in the Provinces, which among other things will have demonstration plots and places to show people how to process and market crops.

LUD is planning to construct a small training centre at Baunani plantation on Malaita, where LUD could hold training courses with both classroom and field training. People from different provinces would be included in these courses.

The INTERNATIONAL HUMAN ASSISTANCE PROGRAMME (IHAP) is a non government organisation (NGO) from America. They have been working in Solomon Islands for 7 years, assisting communities with rural development by giving small grants.

IHAP does not hold money itself but if a project proposal from a community comes to them they will then request money from an overseas organisation such as USAID. Project proposals must first be agreed by Provinces.

At present, most of their projects are concerned with Cyclone Rehabilitation. Their other priorities are projects which involve women and youth.

FRIDAY 26 JUNE - AFTERNOON

CLOSING OF CONFERENCE

The conference was officially closed by Mr. Nathaniel Waena, Permanent Secretary of the Ministry of Agriculture and Lands. In his closing address, Mr Waena thanked the representatives for their attendance and the long time spent discussing important business.

The Ministry was expecting to be able to help with some financial assistance through the STABEX programme but was waiting on final decisions from government. However success in the past had come largely from hard work, not easy money. The key to future success was good financial management and continuing hard work by all concerned.

In opening the conference, the Minister had asked whether communal farming was really appropriate to Solomon Island's custom. The answer from the conference was "Yes, but communal farms need special attention." Attention was needed, in the beginning, to educate members in a new way of doing things; later, technical advice and training on plantation management was a continuing need. Appropriate long term finance on reasonable terms was important. With this attention, communal farms could make good progress on land recovery and development, provided the working support of members was forthcoming.

APPENDIX A

LUD CONFERENCE 22-26 JUNE 1987

AGENDA:

-----			
MONDAY	FIELD VISIT	!! OPENING	REVIEW OF
22 June	S.I.P.L. Cocoa Estate	!! Hon. Minister	1986/87 LUD staff
-----			
TUESDAY	PANEL I: D.B.S.I.,	!!	WORKSHOP I:
23 June	: Commissioner of Lands		Financial Management inside projects
	: Ministry of Economic Planning		
-----			
WEDNESDAY	PANEL II: Agriculture	!!	WORKSHOP 2
24 June	: Research		Workshop 1 continued
	: Forestry		
-----			
THURSDAY	PANEL III: Copra Board (CEMA)!!		WORKSHOP 3
25 June	: Central Co-operative Association (CCA)		"Solomon Islands Farmer Association"
	: Livestock Development Authority (LDA)		
	: National Bank of Solomon Islands (NBSI)		
-----			
FRIDAY	PANEL IV : Registrar of	!!	CLOSING
26 June	: Co-operatives		Permanent Secretary Ministry of Agriculture and Lands
	: National Agriculture Training Institute		
=====			

APPENDIX B

LUD CONFERENCE 1987 - PARTICIPANTS

PROJECT	REPRESENTATIVES	
<b>Western Province:</b>		
1.TETEPARE	Timothy Hebala	Nebothi Bero
2.KALIVARANA	Lawrence Kilivisi	Alric Jimuru
3.CHALE	Aron Sevi	Ian Chite
4.LADY LEVER	Stewart Evo	Macciver Kaidi
5.VILA	Selwyn Taeini	Alan Betokera
6.RARUMANA	Nikolo Kuriti	
7.JOROVETO	Dudley Soka	
8.RURUVAI	Iven Manila	Peter Vato
9.NIAROVAI	Reuben Vizuvaka	
10.V.D.C.	Donald Takabatu	Victor Paulsen
<b>Malaita Province:</b>		
11.MAFU	Jimmy Alu	Charles Bona
12.BAUNANI	Vincent Alisigeni	Roy Genieloa
13.KWAINA'AE	Savino Oromae	
14.KWAIBONO	Simon Kwata'a	Martin Suafunua
15.KWAGIO	Sam Torea	
16.NGALIASI	Matthias Lui	
17.LESIALA	Alick Ilimae	
<b>Guadalcanal Province:</b>		
18.VARIANA	Paul Wainoni	
19.BERANDE	Joseph Ono	
20.RUAVATU	S.Golu	E.Limanipiru
21.RUASURA	Michael Mau	
22.KAUKAU	John Pitulia	
23.MARAUAPA	Obed Hatara	
24.LAVURO	Sam Tuaveku	
<b>Isabel Province:</b>		
25.GUGUHA	Andrew Togita	Nason Koburu
26.HAEVO	Albert Nau	
27.SAKALENA	Patterson Radukana	
<b>Makira Province:</b>		
28.BIO	Stanley Mamanu	

LUD AND CO-OPS STAFF

29.LUD AUKI	Alfred Letona
30.LUD BAUNANI	Jimmy Walton
31.LUD MAKIRA	Carlton Pua
32.LUD RUAVATU	Ken Watehau
33.LUD BERANDE	Jimmy Baenia
34.LUD BERANDE	Michael Teirara
35.LUD BUALA	Eric Lele
36.LUD BUALA	Anderson Sikapu
38.LUD RINGI	Eddie Hori
39.LUD MUNDA	Inia Maqiti
40.LUD HQ	Franklin Qaloboe, SFO LUD
41.LUD HQ	Graham Rea, Land Use Adviser
42.LUD HQ	John Launder, Financial Adviser
43.LUD HQ	Paul White, Field Adviser
44.LUD HQ	Vaughan Redfern, AFO, Land Use Planning
45.CO-OPS HQ	Fred Fono, PCO
46.CO-OPS MAKIRA	Eddie Kopala
47.CO-OPS ISABEL	Robert Kuare

SPEAKERS AND GUESTS

M.A.L.	Hon. Daniel Sande, Minister Nathaniel Waena, Permanent Secretary Gordon Rence, Commissioner of Lands
D.B.S.I.	Bart Ulufa'alu, Chairman Luke Eta, Acting General Manager
M.E.P.	Derrin Davis
Research, MAL (Dodo Creek)	John Abington, Chief Research Officer Steve Caiger, Field Crops Agronomist Ken Trewen, Tree Crops Agronomist
Forestry, MNR	Tim Nolan, Timber Control Adviser
C.C.A.	Bruce Gee, General Manager
C.E.M.A.	Moses Pelomo,
N.B.S.I.	Trevor Woods
L.D.A.	Richard Namu, Director.
MTCI	George Tatau, Registrar of Co-operatives
NATI	Bob Cogger, Principal

APPENDIX C

OPENING ADDRESS TO THE LAND USE DEVELOPMENT CONFERENCE

HON. DANIEL SANDE

Minister of Agriculture and Lands

WELCOME

To 40 representatives from 30 Land Use Projects in five provinces - attending the second Land Use Development Conference.

Projects that include Land Purchase Co-operatives, Land Development Co-operatives and other forms of group or communal farming.

Some of you represent projects with 10-15 years of work behind you, others are just starting to work on your newly returned land.

This is a fairly unique occasion, for senior officers of government to meet leaders and managers of rural projects in a conference like this - this is an opportunity for the officers and yourselves to learn from each other.

You have come from many different parts of the country to this conference (Choiseul to Makira) and have much to learn from each other - the conference has been organised so you will all be close together in the College this week - and small group workshops will help you to exchange your experiences

LAND

Land is the main source of livelihood for Solomon Islanders - in the past some of our land was alienated from us - now projects like yours are bringing that land back under the ownership and control of its traditional owners - more than 8000 hectares since 1974 - ten of your projects have completed their payments on the loans to buy their plantation - now other people are seeking to recover alienated lands - they can learn from your experience - and the experience of the staff of LUD section.

LAND USE  
DEVELOPMENT

The name of this conference is "Land Use Development" - since 1974 this programme has been working not only for land recovery but for the development of this land - when the foreigners chose these lands for their plantations they made good choices - these lands which are now in your

hands are some of the best agricultural lands in the country - the proper use of these lands and the development of their potential is a special responsibility - as leaders and managers of your projects you have an important job to do for your communities and for your country.

The 40 people in this room represent some 3000 members of Land Use projects - with their families this means about 20,000 people are represented here today - this is a big responsibility too.

CONFERENCE

This conference is an opportunity for you to discuss important matters of agriculture, finance and the business of running your projects - many of these things involve support from various sections of government - like technical assistance from LUD section and from the Co-operatives section of the Ministry of Trade, Commerce and Industry.

The last 12 months have been difficult times for rural areas - the big fall in the copra price was followed by the disaster of cyclone Namu - many of your projects have been starved of money to keep going and to continue developing - even now the copra price is not enough to cover all your costs - hence my Ministry has made proposals to government to help you directly with finance for your rehabilitation and further development -

But any direct financial help is only useful when a project has good management and the proper support of its members - a lot of this conference will be about management and leadership - you in your workshops will be working together to find better ways to manage and lead your projects.

CONCLUSION

A country like Solomon Islands must develop its rural areas - your projects are a significant part of the agriculture sector of this country - government has its plans and its various means of supporting you - but people like you are the key to making things work through good management and effective leadership at your projects.

I look forward to hearing the results of your discussions in this conference. In particular, I would like to know if communal farms of this type are appropriate to Solomon Islands.

## APPENDIX D

## LUD PROJECTS : SUMMARY OF FINANCIAL RETURNS : 20 PROJECTS

	1985	1986	1987 Estimate
COPRA tonnes	1,124	630	900
Average Price	475	240	330
COPRA SALES	534,000	151,000	297,000
COCOA SALES	38,000	40,000	40,000
CATTLE SALES	44,000	40,000	19,000
OTHER INCOME	20,000	19,000	
TOTAL INCOME	636,000	250,000	396,000
PRODUCTION COSTS	245,000	137,000	195,000
OVERHEAD COSTS	159,000	81,000	81,000
CURRENT PROFIT	232,000	32,000	120,000
Add LOANS	27,000	62,000	
Add SAVINGS net		9,000	
TOTAL FUNDS	259,000	103,000	
DEVELOPMENT COSTS	114,000	42,000	
LOANS PAID	76,000	30,000	
NEW ASSETS	56,000	72,000	
BONUSES	6,000	9,000	
SAVINGS net	6,000		
Sub Total	258,000	153,000	
ADVANCES net	9,000	0	
STORES net losses	14,000	0	
CASH SHORTAGES	5,000	1,000	
OTHER	11,000	10,000	
TOTAL	297,000	164,000	
Surplus (Deficit) in Working Capital	(39,000)	(61,000)	

## APPENDIX E

TO : THE REGISTRAR OF CO-OPERATIVE SOCIETIES IN SOLOMON ISLANDS

SOLOMON ISLANDS FARMER ASSOCIATION

MEMORANDUM OF INTENT

1. I/We intend to join with others to form a SOLOMON ISLANDS FARMERS ASSOCIATION (S.I.F.A.) to promote the interests of farmers and agricultural projects in Solomon Islands. This Memorandum describes how it is intended to operate S.I.F.A. until such time as it is formally incorporated.

2. Representatives of Land Purchase Co-operatives (LPC's) and similar projects agreed to form SIFA at the LUD Conference (22-26 June 1987, Honiara). The representatives appointed a STEERING COMMITTEE which shall organise SIFA until a proper committee is elected under a formally agreed constitution.

The following were appointed to the steering committee:

Alan Betokera, Vila, Kolombangara - Western Province  
 Alec Ilimae, Lesiala LPC, Baunani - Malaita Province  
 Patteson Radukana, Sakalena LPC - Isabel Province  
 Sam Tuaveku, Lavuro, West Guad'l - Guadalcanal Province  
 Stanley Mamanu, Bio LPC, - Makira Province

3. The main tasks of the steering committee shall be:

- to enlist LPC's and others as members of SIFA
- to appoint an Honorary Secretary to act as Co-ordinator of SIFA
- to receive subscriptions from members and other funds on behalf of SIFA. (The Registrar of Co-operatives has approved the collection of money for SIFA)
- to prepare a constitution for SIFA

4. It is intended that SIFA shall have two classes of membership : CORPORATE and INDIVIDUAL.

5. Annual Membership Subscriptions shall be approximately 1% of the gross sales value of the farm. At the present time the following rates shall apply: Copra - 20c per bag of copra sold  
 Cocoa - \$1.00 per bag of cocoa sold  
 Cattle - \$2.50 per head sold

The total annual contribution of each member shall be fixed by the steering committee member for the area, by reference to the appropriate records or accounts of the member. Members who sell to CCA may ask to have CCA transfer their subscriptions from sales proceeds at the above rates.

6. A SIFA account shall be opened at CCA Ltd and all subscriptions shall be deposited to this account. CCA has agreed to assist SIFA with office and communications services. These will initially be at no cost to SIFA but CCA will some time in the future negotiate with SIFA on any charges for services.

7. The funds of SIFA shall, until it is formally incorporated, have the following conditions:

- all expenses must be approved in advance by the Registrar of Co-operatives.
- expenses shall be limited to
  - a) paying allowances of the Honorary Secretary on proper business of SIFA. (He or she shall be recruited on a part-time casual basis and shall be paid an allowance for the days spent on SIFA business, plus any reasonable travelling expenses.)
  - b) expenses of the steering committee in the tasks described at 3. above.
  - c) any other expenses agreed by both the steering committee and the Registrar of Co-operatives.
  - d) the Registrar shall ensure that proper accounts are kept of SIFA's funds.

8. The constitution of SIFA shall include:

- the objects of the association.
- the means by which individuals and groups may become members.
- the nature of subscriptions and other funds which may be contributed by members.
- the purposes for which SIFA funds may be used.
- the nature of meetings of the membership and of the governing bodies.
- the form of electing the governing bodies of SIFA, which shall include provision for provincial committees.
- the duties of officers of SIFA.

9. As a signatory to this memorandum, I/We agree to become a member of SIFA and to pay an initial membership subscription according to 5. above. Until such time as a constitution is formally adopted, I/We will have one vote (individual member) or ten votes (Co-operatives and other registered bodies) in any meeting of SIFA. A signature on behalf of a Co-operative or other registered body means that the committee or governing body has agreed to membership.

.....Signature                   Address:.....  
 .....Position  
    (or "Individual")  
 .....Organisation

TABLE 1 : LAND RECOVERY AND PLANTATION LOANS

PROJECT	MBRS	TOTAL AREA ha.	TREE AREA ha.	LOAN	LOAN DATE	PAID	DUE JAN 1987	% PAID	YRS	MEAN % p.a.
GUGUHA	130	282	100	30000	1974	1979		100%	5	20.0%
V.D.C.	400	133	133	27800	1974		5329	81%	12	6.7%
JOROVETO	80	60	60	17000	1975		4734	72%	11	6.6%
NIAROVAI	40	129	72	7650	1975	1982		100%	7	14.3%
RURUVAI	60	136	93	9000	1975	1985		100%	10	10.0%
VARIANA	224	652	180	26000	1977	1981		100%	4	25.0%
MARONIA	30	190	120	4500	1977	1984		100%	7	14.3%
SAKALENA	50	72	60	6000	1978	1983		100%	5	20.0%
KAOKA	126	620	233	12500	1979		2325	81%	7	11.6%
KIVA	52	88	88	15000	1979		12148	19%	7	2.7%
RUASURA	114	181	140	13000	1980	1984		100%	4	25.0%
PAPARI	50	202	140	26000	1980		24463	6%	6	1.0%
MAFU	200	1121	261	31000	1980		16606	46%	6	7.7%
KWAGIO	45	309	68	9200	1981	1984		100%	3	33.3%
LESIALA	44	67	67	5000	1981		3185	36%	5	7.3%
BAUNANI	43	332	150	13300	1981		6134	54%	5	10.8%
NGALIASI	20	50	15	1500	1981	1984		100%	3	33.3%
KWAIBONO	20	287	42	6000	1982		6665		4	
KWAINAAE	54	164	87	8800	1982		3668	58%	4	14.6%
HAEVO	200	423	240	50200	1982		13444	73%	4	18.3%
LUTI	80	285	190	14000	1982		14109		4	
AITORO	50	40	20	4300	1983	1986		100%	3	33.3%
RUAVATU	420	485	396	73560	1981		91473		5	
BERANDE	160	957	350	67800	1984		49135	28%	2	13.8%
TETEPARE	200	726	400	22900	1985		25190		1	
	2892	7991	3705	502010			278608	n/a		14.3%

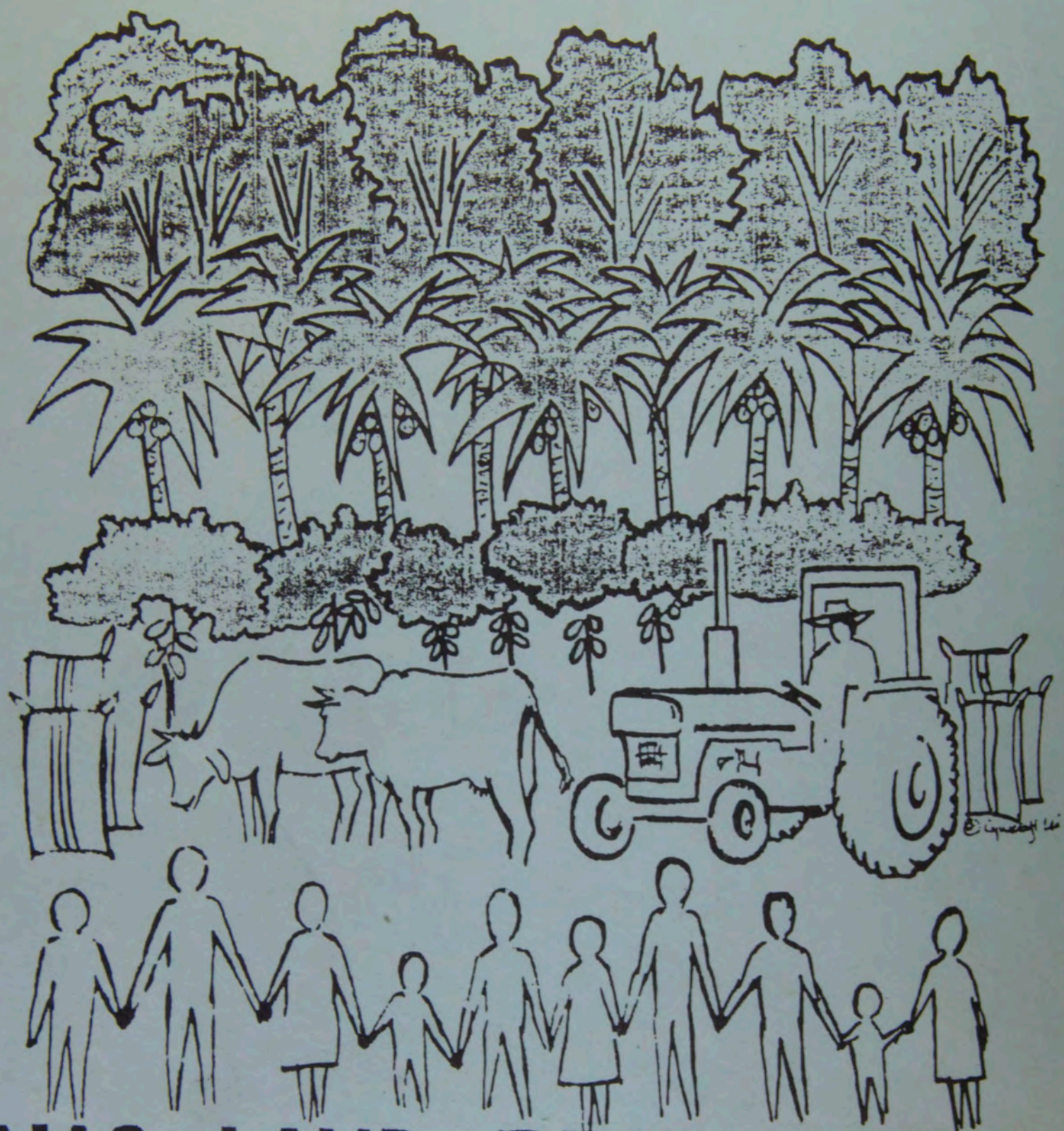
LUD April 1987

TABLE 2 : DEVELOPMENT AND INVESTMENT 1974 : 1986  
INCOME 1985-86

PROJECT	DATED	TREE RPLNT		COCOA	CTTLE	TRCTR	TOTAL DVLPMT		%	Total :	COPRA	COPRA	COCOA	CATTLE
		AREA	AREA				INCOME	COSTS						
		ha.	ha.	ha.	ha.		1985	1985	INCOME :	1986 :	1985	1986	1986	Dec '86
GUGUHA	1974	100	52	25	38	YES	90051	17030	19%	42732 :	108	77	11	103
V.D.C.	1974	133	100		30		32456	3622	11%	10091 :	66	39		
JOROVETO	1975	60	60	16	26		14410	971	7%	5548 :	24	6	2	
NIAROUAI	1975	72	4	2			10044	1486	15%	3075 :	20	11		
RURUAI	1975	93	5				11767	2510	21%	2617 :	24	11		
VARIANA	1977	180	8	5	100	YES	60251	2284	4%	26974 :	92	84	3	36
MARONIA	1977	120	16				n/a	n/a		n/a :	n/a	n/a		
SAKALEVA	1978	60	43				4013	n/a		3264 :	9	24		
KAKWA	1979	233	18				19060	6316	33%	n/a :	33	n/a		
KIVA	1979	88					n/a	n/a		n/a :	n/a	n/a		
RUASURA	1980	140	3			YES	30209	n/a		n/a :	63	n/a		
PAPARI	1980	140	27	1			19680	n/a		10953 :	40	20		
MAFU	1979	261	85	4	134	YES	71948	14163	20%	27793 :	128	66		218
KWAGIO	1979	68	50			YES	28677	4529	16%	5399 :	55	19		
LESIALA	1979	67	23	2	50		16190	4997	31%	4799 :	32	16		28
BAUNANI	1979	150	18	2	50		20121	6936	34%	7272 :	34	21		16
NGALIASI	1979	15	14	2			3122	819	26%	1161 :	9	5		
KWAIKONO	1979	42	17				7293	3092	42%	1193 :	14	4		
KWAINAAE	1979	87	24	1			22435	6713	30%	5756 :	47	22		
HAEVO	1981	240	14		60	YES	49872	9079	18%	31858 :	97	80		10
LUTI	1982	190	11		6		n/a	n/a		7044 :	n/a	28		20
AITORO		20	20		20		n/a	n/a		n/a :	n/a	n/a		19
RUWATU	1981	396	18	11	76	YES	59496	11041	19%	47537 :	94	89	5	
BERANDE*	1981	350	15	7	100	YES	49152	8958	18%	39753 :	100	97	2	44
TETERARE	1982	400	25	2		YES	36493	5009	14%	2797 :	76	12		
		3705	670	80	690		656740	109555		287616 :	1165	731	23	494

\* PLUS 8 ha. OIL PALM

LUD April 1987



**NAO LAND BILONG YUMI  
YUMI GO-GO HEAD NAO**







Ministry of Overseas Development  
Eland House Stag Place London SW1E 5DH

Telephone 01-834 2377 ext

Professor R G Crocombe  
University of the South Pacific  
P O Box 1168  
Suva  
FIJI

Your reference

Our reference NRA 224/22001

Date 28 July 1977

Dear Ron,

I have been swamped by the back-log of papers since my return to this country and have still not written my report on New Hebrides or Fiji. I have, however, written a note on the Solomon Islands, a copy of which I enclose in case it is of any interest to you. This was written for UK, not Solomon Islands Government eyes, and should be treated accordingly, although its contents are not confidential.

2. Following the postponement of the independence constitutional talks timed for late June/early July, Posnett visited the Islands to attempt to iron out some of the constitutional "differences", including those on citizenship and land. His visit seems to have been reasonably successful and the talks are now planned for early September with a substantial, but significantly reduced, delegation from the Solomon Islands.

3. I was glad to have the opportunity of meeting you again. These meetings are always very useful to me (even when conducted in the dark). I think it is possible that this was my last visit to the region before my retirement, which seems likely to take place in 1979 or 1980, but one never knows.

With best wishes

*Yours sincerely,*  
J C D Lawrance

ENC

## LAND TENURE - SOLOMON ISLANDS

### Introduction

My short visit to the Solomon Islands from 5 - 9 June 1977 was timed to take place between the London talks in early May on the financial settlement and certain constitutional matters, and the Constitutional Conference, which was expected to take place at the end of June, but which has since been deferred.

2. One purpose of my visit was to discuss, if opportunity offered, aspects of land policy which might feature in the proposed constitution, particularly those covered by the aide-memoires on citizenship and land sent to the Solomon Islands at the end of May. I discussed these matters with, among others, the Minister of Agriculture and Lands, the Attorney General and the Chief Minister and reported my conclusions by telegram from Honiara. These aspects of land policy and Chapter VII of the Solomon Islands Position Paper were subsequently discussed in detail by Mr Posnett and the Constitutional Working Group on 1 July.

### Land Policy and connected constitutional matters

3. In September 1976 the Legislative Assembly rejected the Government's "Intended Course of Action" on the Report of the Special Select Committee (SC) and in February 1977 also rejected the Government's White Paper entitled "New Land Policy", based on the Report of the Lands and Mining Working Party (WP). As a result, no new land policy has yet been accorded formal approval. I do not regard these rejections as disastrous; in fact, they are probably advantageous at the present time. They afford an opportunity for a hard-pressed Lands Division to work on some of the less contentious, but important, aspects of a new land policy and obviate the need for hurried changes in legislation. The WP Report is a useful contribution, which looks realistically at the country's developmental needs, which the SC Report failed to do. In practice, the Lands Division is working on the details of implementation implicit in the WP Report, which may well in due course be accepted as official policy.

4. The most important (to Solomon Islanders) recommendations of the SC Report relate to alienated land (3C.1 - 3C.13). Briefly, the SC recommended (a) that land held in absolute ownership (freehold or perpetual estates) by expatriates, churches and the Government should be transferred ("returned") to Solomon Island groups, who originally owned it (3C.1-3), and (b) that where such land is usefully developed on a substantial scale, absolute ownership should be converted into leases from the original owning groups, but otherwise there should be no disturbance. In other words two separate but related prongs of policy were suggested: (a) land transfer (through the machinery of the plantation purchase (block development) programme of the Land Use Division and the A and I Loans Board) and (b) freehold conversion. (These recommendations are concerned with freehold and waste land, not with land granted since the Land and Titles Ordinance was introduced. Sales of customary land in freehold to expatriates were stopped in 1914, although the Government could continue to buy. Grants of customary land as waste land were stopped at about the same time. Most of the land involved is now registered as perpetual estate.)

5. The WP pointed out some of the problems inherent in these recommendations (WP Report paras 5 and 7). It recommended that unless there is a severe shortage of land for subsistence, land should be transferred only to Solomon Islanders "who can and want to develop it in their own and the national interest". It proposed (Report paras 9 - 17) the establishment of a Land Development Authority to purchase, own and manage transferred lands while they were being rehabilitated, disputes about original ownership were being determined, ways of returning the land without loss of production were devised, and local people were trained in management. The LDA would be "essentially an interim body, designed to manage an orderly productive transition from expatriate to Solomon Islander ownership".

6. This arrangement would solve some of the difficulties mentioned in my 1975 report. A somewhat similar approach has been adopted elsewhere (e.g. in Kenya the Agricultural Development Corporation holds and manages transferred farms destined to remain as whole units and subsequently transfers them to Kenyans; the Settlement Fund Trustees, consisting of the Ministers of Lands, Agriculture and Finance, hold land transferred for settlement purposes and ultimately transfer to individual settlers, when established on the land). The Land Use Division, perhaps in changed form, would become the LDA's operational arm.

7. At the time of my visit the Communal Farm Development (originally known as Block Development) project submission, received in London some months ago, was in process of being re-cast. Although this is an agricultural development project, it is of vital significance to this particular land transfer aspect of policy. I had expressed some reservations on the original submission, particularly those parts dealing with land policy, land valuation and "legal entities". As I suspected, there had been lack of co-ordination between the Land Use Division and the Lands Division over the preparation of these parts of the submission. After discussion with those concerned in the Agricultural Division (Messrs Mason, Rouse and Clenden) these reservations were removed, but I hope that the new submission will reflect the true position.

8. Approximately half of the Government's present land holding of 201202 ha. is affected by the SC recommendations on land transfer. The WP recommended (Report para 18) that the Government should continue to hold some of the land affected, even if wrongly acquired, for towns and ports, for future needs for subsistence or cash cropping, for joint venture projects, and for timber replanting.

9. I discussed the proposals for freehold conversion with the Commissioner of Lands and, since my return, have sent him copies of the Tanzania Freehold Titles (Conversion) and the Zambia Land (Conversion of Titles) statutes. I have suggested that it would be advisable to avoid questions of compensation by providing for a generous term for leases (fixed term estates) granted as a result of the conversion and a modest rent, as has been done in Tanzania and Zambia and elsewhere. It would be preferable if the perpetual estate in the land concerned was vested in the Government rather than in Solomon Islander groups, as recommended by the SC, although the Government could of course hand over rents received. Conversion is in accord with the principle that "all land belongs to the citizens of the Solomon Islands"; it also enables conditions to be set on use and development, and is thereby in accordance with the thinking of the WP Report. Conversion is unconnected with the issue of transfer i.e. any acquisition of a fixed term estate, which may possibly take place in future. Provided that the issue of compensation is avoided, conversion can be effected quickly and without difficulty, as elsewhere.

10. The question of a "cut-off date" for first registrations of remaining unregistered alienated land was raised in the discussions with Mr Posnett. I recommended that action to this end should be taken in paras 21 - 23 of my report dated 16 May 1975. A similar recommendation was made by the SC in 1976 and endorsed by the WP in 1977. I believe this to be a necessary "tidying up" exercise and it is unrealistic in the light of probable new policies to contemplate the continuation of undetermined documentary claims to land indefinitely. I believe that it is not unusual to set a time limit for the submission of claims; for instance, the Commons Registration Act 1965 contained such a time limit. I discussed this matter with the Attorney General and the Registrar, who provided a list of the parcels affected. The precise position of the parcels is not known in all cases; in one case the reputed owner is unknown; not all the reputed owners can be traced. The list contains a total of 99 parcels for which no registration application has been made in whole or in part. Of this total 28 are "native leases", which will in any case fall in with effluxion of time; the remainder are freehold. 32 of the freehold parcels are reputedly owned by various churches and 20 by the Commissioner of Lands, of which 10 are leased to

churches. I understand that the churches concerned do not in many cases use the land or leases for church purposes and would not wish to apply for registration; the Commissioner of Lands would not wish to retain all the freehold parcels in question. The proposed "out-off" legislation would provide a convenient means of converting this alienated land to customary land. Draft legislation to enable this proposal to be implemented has already been prepared, but there are apparently doubts as to whether this legislation would be intra vires the present Constitution.

11. During the discussions with Mr Posnett on 1 July the possibility of introducing a tax on undeveloped land and land controls (i.e. controls of dealings) on land held by expatriates was raised. Neither of these propositions is the subject of a specific recommendation by the SC or WP. Discontinuation of further transfers of perpetual estates from the Commissioner of Lands to non-Solomon Islanders does not necessitate legislation. Control of dealings in private land involving non-Solomon Islanders would, however, necessitate new legislation. As stated in para 18 of my Report dated 16 May 1975 I regard such legislation as useful, although if freeholds held by expatriates are converted to fixed term estates, the existing controls in Parts IX and X of the present Ordinance would presumably apply. The proposal to introduce a tax on undeveloped land has been under discussion during the last few years, but rejected. With present staffing the Government is likely to experience difficulty in administering a tax of this nature. The problem of failure to develop land could perhaps be better dealt with by such legislation as the Jamaica Land Development and Utilization Act 1966, which provides a process for declaring undeveloped land as "idle", for determining how it should be developed and, if the owner fails to comply with the development notice, for acquisition or compulsory lease from its owner.

#### Other land matters

12. Lands Division - Staffing: The number of Solomon Islander senior staff has dropped since my last visit; all senior posts (Commissioner of Lands and three Land Officers) are at present filled by administrative staff - three British and one Gilbertese, who are doing an admirable job under difficult conditions. However, there is an obvious gap in professional expertise in estate management/valuation and in physical planning. Experience elsewhere suggests that the need for "professionalism" will grow, rather than decrease, after independence. Ideally, most, if not all, senior posts should eventually be filled by staff qualified in "land economy" subjects, which include land administration, land law, planning and valuation. There is a dearth of suitable courses in the Pacific Region at present and a dearth of suitable candidates to send on them, but the need to fill senior posts with qualified Solomon Islander staff should be constantly kept in mind and impressed on the Government. Meanwhile, as a temporary expedient, a new section is to be established within the Division consisting of an expatriate physical planner and an expatriate land valuer, funded by the United Nations. There is an immediate need for the preparation of draft planning legislation and a revised physical development plan for Honiara.

13. Acquisition of LPPPL leasehold estate (Woodford Island) at Noro, New Georgia, for a new port: An application was submitted to London some months ago for financial assistance in the purchase of this 999 year leasehold estate of 1082 ha., but at the request of the Planning Office consideration of the application was held up. Since submission of the application a decision has been taken to establish the Copra Board at Noro. When the possibility of acquiring this lease was first raised, the Company asked a price of approximately \$267,000 for the whole property; Mr Kydd's valuation report recommends a figure of from \$125,000 to \$150,000. Consideration of the application was held up on the issue of whether any compensation should be paid for undeveloped land. A ruling is to be obtained from the Council of Ministers. It is highly improbable that the Company would agree to sell voluntarily on such a basis and at the present time the Government has no powers to acquire the lease compulsorily

without payment of full compensation, as accepted by the claimant or assessed on appeal by the High Court. Until the basis of valuation for compulsory acquisition is changed by legislation after independence, if it is so changed, there would appear to be no likelihood of acquiring the lease of the whole property on the basis of no value for undeveloped land. The Government could confine the acquisition to land immediately required to fulfil its obligation to Solomon Taiyo and for the Copra Board site, but acquisition of these small areas would be relatively expensive.

14. Urban land - squatters: The Commissioner of Lands wishes to secure the services of Mr N D Oram (British - currently working at La Trobe University) for a short advisory consultancy on this problem. We estimated the time required, including writing, as approximately one month. An approach is to be made in the first instance to CFTC to finance this consultancy. If CFTC is unable to help, this initiative is certainly worthy of British technical co-operation support. The sum involved would be the cost of return air fares from Australia, return air fares from Honiara to Gizo, subsistence for approximately three weeks and an honorarium. Mr Oram has considerable practical experience in urban problems of this nature and from my personal knowledge of his work would make a useful contribution to the solution of the problem, as described to me.

15. Customary land: The Commissioner of Lands is also considering the possibility of a consultancy to evaluate the existing system and to propose and test alternative methods of giving central or local government assistance to the customary land tenure system. The project would be directed from a University in the region, which would provide one or two staff members to run the project in the field and would last at least a year. I criticised the draft outline of this proposal, mainly on the grounds that the field to be covered is too extensive and the proposed methodology would demand a bigger input of experienced staff and more time than was envisaged. One of the subjects to be covered is registration through land settlement; this is a technical subject, which would require more varied expertise than could be provided by one or two persons; in particular, no consultancy would be of value unless the team contained a professional land surveyor experienced in this type of work. I am sympathetic to the idea behind the proposal, but would hesitate to recommend financial assistance from HMG in its present form.

16. Land for forestry: I discussed with Messrs Kera and Marten, Forestry Division; the problem described relates to two separate industrial forestry activities - logging and replanting, each of which may take place either on Government or on customary land. Industrial forestry requires firm management, planning and control for both activities over large areas for long periods of time (15 - 20 years for logging; 30 - 40 years for growth after replanting). The SC recommended that Government land acquired as freehold or waste land should be returned to original land-owning groups. Government land used for forestry represents 60% of its total holding (124,000 ha.), but much of this total was acquired since enactment of the LTO and is unaffected by the SC recommendation. Nevertheless, a sizeable area is affected, particularly on Kolobangara. The WP recommended that Government should retain ownership of all land currently used for forestry (Report G5). If this view prevails, management, planning and control of both activities should not present difficulties, particularly on funds from external aid sources for replanting. The land involved can be used for subsistence crop production or grazing by local people until replanted; the WP recommended against any form of payment to local people for land replanted, but recognized that some of the benefits from sale of timber should be passed on to the local community.

17. The position regarding customary land is more difficult. The SC (8C.2 to 8C.8) recommended a system of timber agreements negotiated directly between timber companies and customary owners, and provisions to this end were included in the Forests and Timber Amendment Bill, which was not passed by the Assembly. I can see no alternative

at the present time to some such arrangement, but the difficulties involved are considerable. Before a timber company can plan logging operations it must conclude agreements with a number of different groups; problems are likely to arise over group boundaries and group representatives despite the machinery envisaged for disposal of such disputes. Some of the groups concerned will stand to gain no financial benefits for many years after conclusion of the agreement, unless payments are averaged out among all the groups affected; this latter arrangement would impose further problems and is inherently dangerous for the companies concerned. Despite agreements with groups, trouble could be experienced with individual customary owners. It is difficult to see how the courts could give effective redress in the event of a group defaulting on its agreement; certainly it would be useful if the Government was involved in some way in the negotiation of agreements, as recommended by the WP; it would be more useful if the Government was a party to the agreement. The proposals do not cover the question of replanting, which it is envisaged would be the responsibility of the Government. The SC recommended that customary land required for replanting should be leased by Government "for rent and for royalties"; if the best use of the land in question is for forestry, the logic of this recommendation is obscure. Frankly, I do not see any future for industrial forestry on customary land unless there are tenurial changes affording more security to timber companies and to the Government insofar as replanting is concerned. The WP seems to hold a somewhat similar view in recommending that "Government devise a special form of timber title to land" to recognize the need for replanting, to allow controlled use of land for subsistence agriculture or cattle under forest, and to provide for a sharing of benefits when the trees are out.

18. Land registration: Responsibility for registration of title is now removed from the Minister of Agriculture and Lands to the Attorney General; the Registrar of Title now heads a general registry and, in addition to land registration, is responsible for registration of companies, trade marks, bills of sale, patents and business names; his office is still located in the Lands Division. This reorganization strengthens the case for early appointment of a Solomon Islander, who need not be legally qualified, empowered to exercise the day to day functions and powers of the Registrar under the Ordinance; such an officer would of course remain under the supervision of the Registrar in charge of the general registry, who would deal with "difficult" cases. Localization of this post has been urged by Land Tenure Advisers since 1964.

19. The SC Report does not envisage any material alteration of the existing system of registration of title, expanded through settlement where there is demand and justification on grounds of development. It does, however, recommend a parallel system of customary land records, "based on maps drawn by the people themselves, not Government Surveyors" and compiled and maintained by area committees. The aim of reducing the cost of first registration is laudable, but all experience elsewhere suggests that records of this kind are likely to be of very restricted use and reliability. The cost and effort of compiling and maintaining such records may, if this opinion is correct, in the long term prove more expensive than compilation of the land register through the existing system of settlement. It should not prove impossible to devise ways of speeding up the settlement process and reducing its cost. The SC Report (5C.5) recommends that "if people want to register their land, more use should be made of group ownership". Group ownership of land has already been registered in a number of cases, even although the Ordinance was not originally drafted with that end in mind. Use has been made of the statutory trust procedure under s.174. The provisions relating to statutory trusts in s.195 are not, however, particularly relevant to group ownership and, as has been recommended since 1964, there would be advantage in legislating for group representatives, defining the manner of their appointment and removal and their duties and powers, as has been done in a number of other countries. I would not have thought that the SC recommendation that district

land registries should be set up was either desirable or feasible in the foreseeable future. The land register is very small and 67% of all private land, including church land, is in Central District. The cost of decentralisation would be considerable and impose a severe staffing problem.

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### New Land Law in Solomon Islands

The Land titles (Amendment) Bill now before the Solomons Legislature deals entirely with alienated land held by non-Solomon Islanders. A Solomon Islander is defined as "a person born in the Solomon Islands who has two grandparents who were members of a group, tribe or line indigenous to the Solomon Islands".

If approved, after December 31 this year only Solomon Islanders will be able to hold "perpetual estates" - that is registered freehold land. There will be an exception for government, cooperatives and councils.

Non-Solomon Islanders having freehold land will have to change their titles to 75 year leases - the maximum period allowed in future. Non-Solomon Islander who want to hold land on new terms will have to meet development conditions.

If their land is not yet registered they will have to apply for registration by 1 December 1977 or surrender the land.

Rent will not be charged for the first 7 years, but will then be payable as for other leased land at not more than 8% of unimproved value.

People can go to the High Court if they dispute the loss of the freehold and for compensation if they are not satisfied.

The same report (Solomon Islands News Drum 5 August, 1977 page 1) says the Government is anxious to encourage genuine investors in forestry agriculture and mining and long leases will guarantee them the

right for this purpose.

About 60,000 hectares are affected by the bill, half of this belongs to ~~leavers~~ Pacific plantations, 3,600 to R.C. Symes and 9,000 hectares to the churches. The rest belongs to individuals and companies.

Much of the land ~~is~~ owned by expatriates has never been developed and some plantations are now run down or derilict and there has been little recent replanting.

# LANDOWNERS HAMPER ECONOMIC DEV.

By George Atkin.

TRADITIONAL landowners in Solomon Islands are hampering economic development.

Solomon Islands Prime Minister Ezekiel Alebua made this statement in his 10th independence anniversary address to the nation in Honiara, which was packed with about 70,000 people who arrived from the provinces and overseas to take part in the one-week long celebrations.

Mr Alebua said that while the government must improve its management performance, landowners who own natural resources must cooperate with "us" so that we can plan for the diversification of the nation's

economic base can produce desirable results".

"We must work together and work on our resources quickly if we are to help ease the economic crisis we are in. There is not much point talking about economic competitiveness or survival in the international setting if we

cannot first survive on our own products generated from our own resources", Mr Alebua pleaded.

Landowners in Solomon Islands own most of the land, reefs and forests. Mr Alebua said that as the government does not own much land, reefs and forests, all it has

been doing is to provide the necessary guidance, legal framework, policies and incentives to investors and the people so that potential benefits of the resources are tapped through cooperation in development.

Mr Alebua said that during the next ten years, the country must

develop the attitude that it should survive on its own efforts and resources. It must grow and eat its own food and make its own clothes and must reduce dependence on other countries' products.

Solomon Islands imports most of its food from Australia.

## Taiyo float the best

By Amyl Lloyd Sanau

SOLOMON Taiyo Limited - the fishermen to the nation - the country's number one export earner, has done it again.

And this time it was at the 10th Independence Anniversary float on July 9. It was awarded the first place in the float competition.

And that was because Solomon Taiyo Limited's float comprised a model of its most modern fishing boat and flag ship, the Soltai No.7, a blown

up tuna fish measuring 5 m x 7 m high and a large Solomon Blue tin measuring 2 m x 1 m high.

The second runner-up was the National Provident Fund led by Leslie Teama and the third prize getter was the Solomon Islands Telecommunications.

Members of the Solomon Taiyo Float later commented that although they were surprised to win the first prize, they

were also happy that the competition turned out in their favor. Their prize was a \$600 trophy and \$200.00 cash.

The models were constructed at Tulagi, Central Province and the seven metre tuna has been at display outside Solomon Taiyo's office in Honiara.

In 1978, Solomon Taiyo was the runner-up in the stalls display but did not participate in the float.

More than fifteen Companies took part in the float and they included the Banks, Lever Solomons Limited, Honiara Consumers Co-operative Society and the Sup Sup Garden.

For balancing reporting of your events, please do contact Toktok on Ph 22839 or write to PO Box 222, Honiara.

# EVACUATION

ABOUT 150 refugees from the Guadalcanal landslides have now been moved by ship, with their belongings and animals, to the island's north coast, where permanent new villages are being built. Another 350 people are expected to be moved next month when negotiations for land are completed. Here is the story in pictures by IMO TAASI.



WILLING hands help to push the boat out.

ITS sad to be saying goodbye to friends and relatives.



REFUGEES at Biti on the weathercoast load their possessions aboard a dinghy, to be taken to M.V. Leili, anchored offshore.



ABOVE: Everyone cheers up as the Leili sets off from the weathercoast. Some celebrate, and some sleep.

BELOW: The refugees found temporary accommodation at the National Youth Council Centre at ARULIGO before going to their new villages.

