"Good Governance in Land Tenure and Administration and State/Public Land Management in the Fiji Islands"

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Issues with Land Tenure and Administration in Fiji

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[Map of the South-West Pacific Region with Fiji Islands marked]
LAND AREA AND LAND TENURE

Total Land Area of Fiji...- 18,333 sq km

iTaukei Land...............88%
State Land....................4%
Freehold Land...............8%
iTaukei Land

- 88% - only 16% suitable for agriculture
- Acts & Regulations
  - Native Lands Act
- Owned by iTaukei Indigenous Fijians – Tokatoka, Mataqali, Yavusa
- Administered by TLTB on behalf of landowners
- Cannot be sold (only to Govt. on special circumstances) – leased
State Land

- 4%

- Acts & Regulations
  - Crown Lands Act
  - Rivers and Streams Act
  - Land transfer Act
  - Surveyors Regulations

- Owned by the State

- Administered by the Department of Lands and Surveys

- Cannot be sold (only on special circumstances) – leased.
Freehold Land

- 8% - very best
- CGs & NGs
- Acts & Regulations
- Owned by individuals/group/etc.
- Can be sold (willing seller and willing buyer), leased.
Issues

- Quality of Land Information with Government Agencies (Custodians)
- Sharing of & Access to Land information
- Security of Tenure
- Land Use and Capabilities – specialised information.
- Disputes in Land Boundaries & Land Ownerships
- Lack of Awareness of Landowners & Public
  - Acts & Regulations, Policies, etc.
- Lack of Awareness of Rights in Lease/License Conditions
- Approval processes of Land and Foreshore Developments – too long.
- Illegal Land/Foreshore Developments
- Informal Settlements – Squatters
- Acceptance of Technology
- Lack of Resources
Quality of Land Information with Government Agencies (Custodians)

**Issues:**
- Improve Data quality
- Media of dissemination
- Mode of dissemination

**Remedial Measures:**
- Sharing of resources
- Continuous training
Sharing of & Access to Land Information

Issues:
- Custodianship concept not fully understood
- Incompatible Standards - Data
- Fear – un-certainties of Data qualities.
- Excessive fees and charges – may lead to duplication of work and effort.

Remedial Measures:
- Data/Information belongs to the State
- Introduce Standards eg. tikina, province, etc
- The sense of accountability
- Review of Fees and Charges
Security of Tenure

❖ Issues:
  ▪ Un-surveyed landholdings – cadastral
  ▪ Vulnerability to “Vakavanua” arrangement– informal

❖ Remedial Measures:
  ▪ Cadastral survey - subject to Land Transfer Act
  ▪ Zoning/development lease
  ▪ Certificate of Title/ Lease Titles (NL. CL)
Land Use and Capabilities – specialised information

**Issues:**

- Landowners do not have access to Land information eg. land use, soil types, etc
- Lack of participation by landowners and guidance from responsible agencies, eg. Lands, Agriculture

**Remedial Measures:**

- More participation from responsible government agencies – expert advise, etc.
- Transition from subsistence to economic land-use - best and optimum use of land.
- The need for the Landowners to have access to Land information, eg zoning, land-use, soil types, etc
Disputes in Land Boundaries & Land Ownership

**Issues:**
- Lack of Information / Miss-information
- Hearsay - Insufficient evidences
- Self gain

**Remedial Measures:**
- Sharing of resources
- Readily available & accessible information on Land Ownership to all – graphic & non-graphics
- Regular interview session – radio, TV, newspaper.
Lack of Understanding by Landowners & Public on various Acts, Regulations, Policies, etc.

**Issues:**
- Pre-conceived ideas and misunderstanding of rights – landowners, lessees, public.

**Remedial Measures:**
- More consultation amongst the Interagency Committee on Lands.
- Attendance & Participation in Provincial, District and village meetings
- Partnership approach on all Stakeholders
Approval processes of Land and Foreshore Developments – too long.

**Issues:**
- Incomplete Application form
- Referrals – Environment (EIA), T&CP, Fishing Rights, Local Authorities, etc.

**Remedial Measures:**
- Review of Acts, Regulations & Policies
- Fully Informed customers/clients on requirements by TLTB, Lands, etc.
- “One Stop Shop” concept.
Foreshore Application Referrals

- Dept. Environment
- Ports Authority
- Fisheries, Marine
- Roko Tui/ NLFC
- DTCP Council/ LA
- Div Com’s DOs
- Mineral Resources Dept.
- Fishing Right Owners
Illegal Land/Foreshore Developments

❖ **Issues:**
  ▪ Lack of monitoring land authorities eg. Lands Dept.
  ▪ Isolation of islands
  ▪ Ignorance - stubborn (Momi case)

❖ **Remedial Measures:**
  ▪ Enforced lease conditions
  ▪ Regular field trips and monitoring exercises.
Informal Settlements – Squatters

❖ **Issues:**
  - Increasing – especially on State land.
  - Vacant & un-developed land
  - Un-secured rights
  - Un-healthy living conditions
  - State – humanitarian concern

❖ **Remedial Measures:**
  - Develop vacant land – especially State land
  - Land administration agencies to develop policies/strategies to deter informal settlements with assistance & support of all relevant stakeholders.
Lack of Resources

❖ **Issues:**
  - No funding support
  - Lack of manpower expertise
  - Lack of knowledge of answers to What! Who! Where! How! Whose! When! - lead to duplication of effort, etc.

❖ **Remedial Measures:**
  - Sharing of resources – manpower, technology, data
  - Continuous training – local staff
  - Easy access to Land & Geographic Information Directory – Metadata
  - Information available at marginal cost.
  - UN and donors – funding to sustain projects
Vinaka