

Country Report



"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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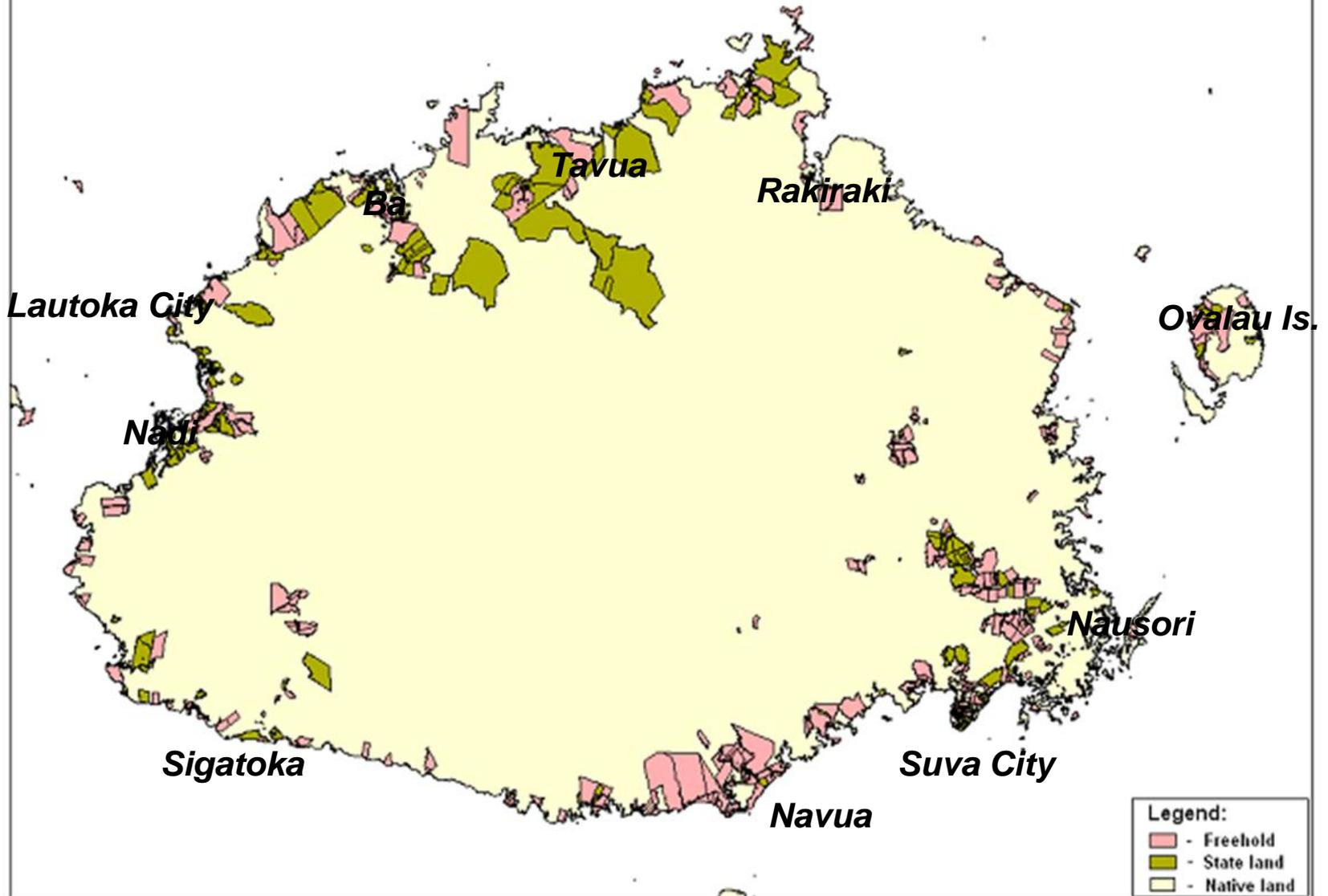


LAND AREA AND LAND TENURE

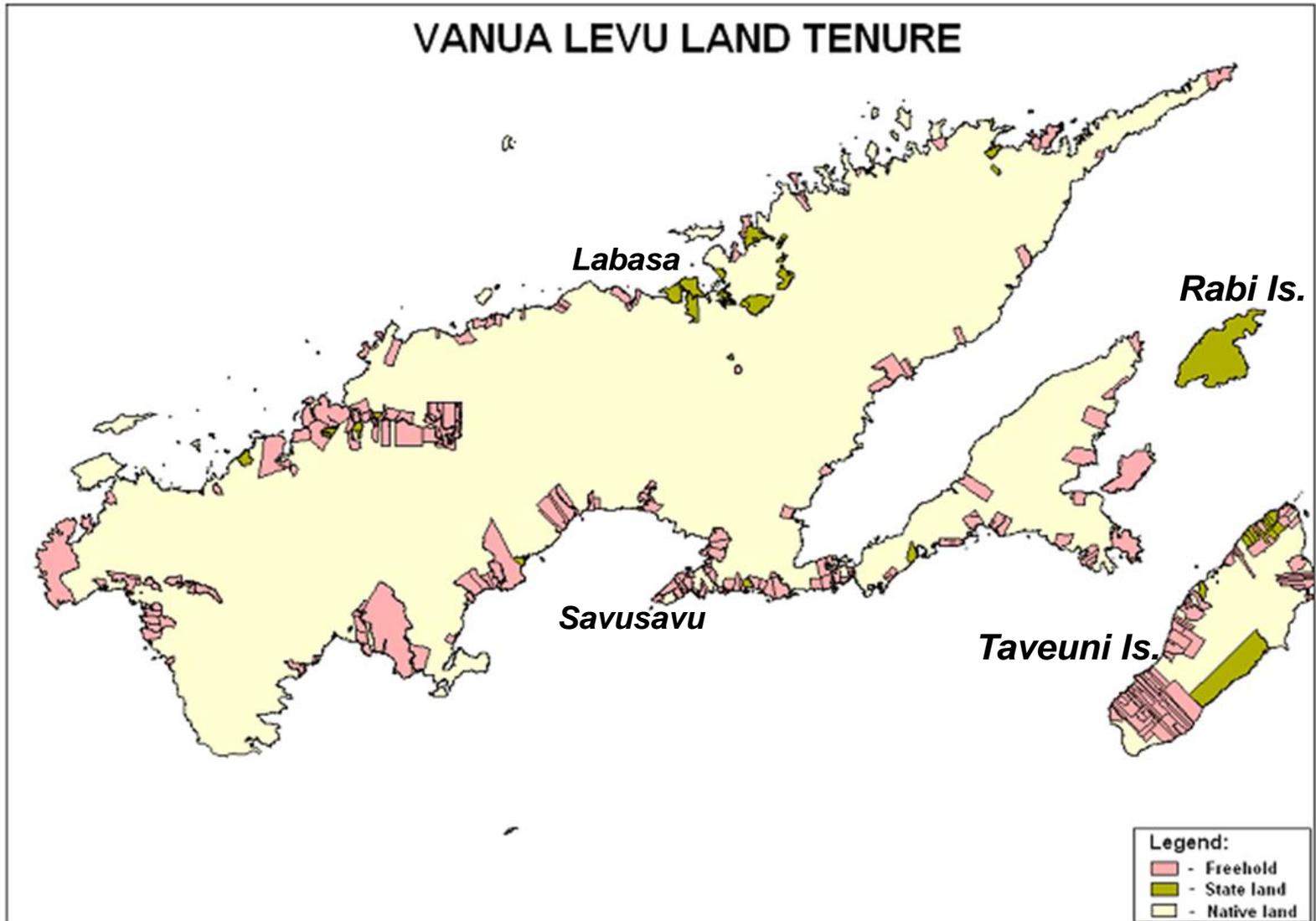
Total Land Area of Fiji...- 18,333 sq km

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

VITI LEVU LAND TENURE



VANUA LEVU LAND TENURE



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 Ownerships

❖ 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:

- Lack of knowledge of Acts, Regulations and Policies.
- Pre-conceived ideas and misunderstanding of rights – landowners, lessees, public.

❖ Remedial Measures:

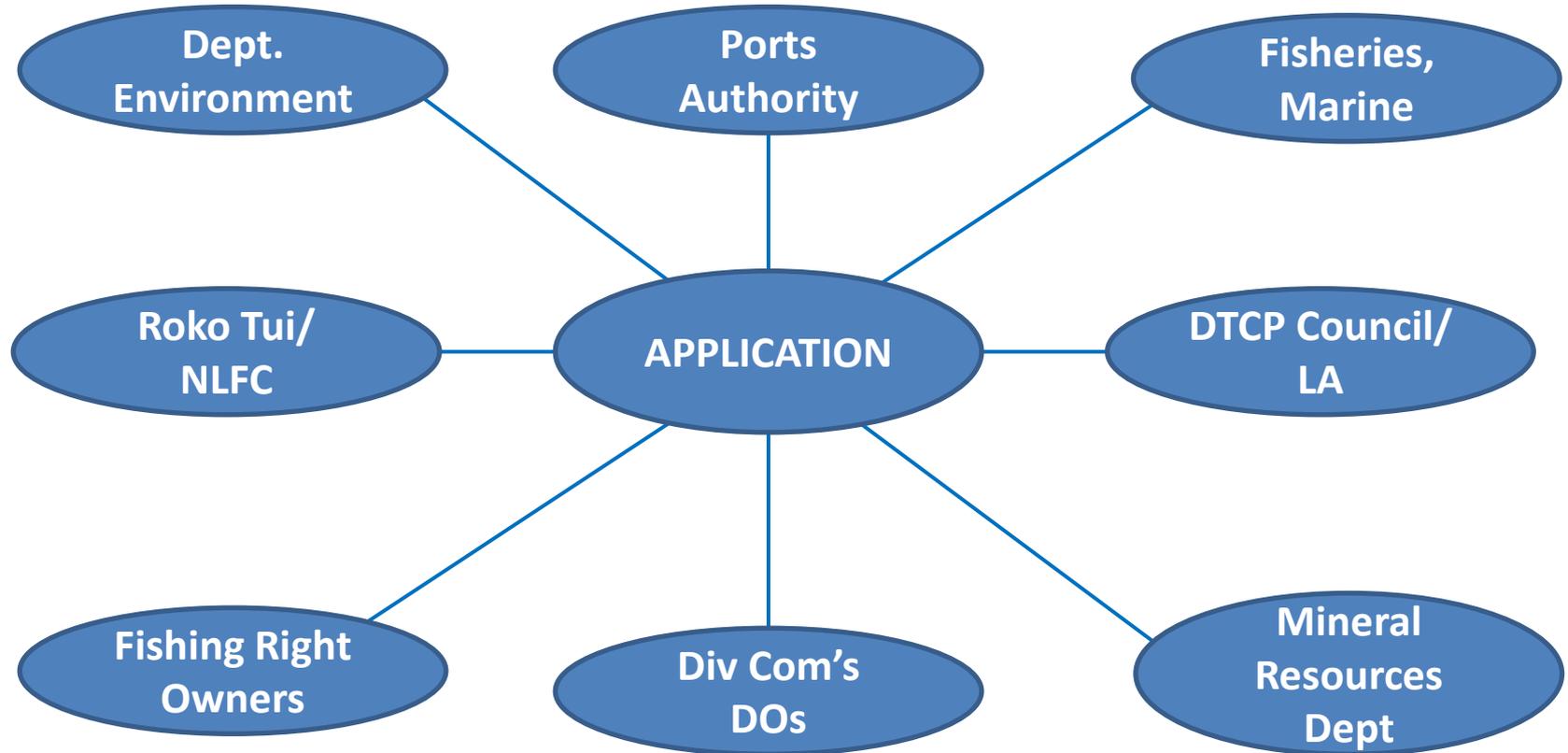
- Capacity building workshops on Land Issues – Ministry of Indigenous Affairs.
- More consultation amongst the Interagency Committee on Lands.
- Attendance & Participation in Provincial, District and village meetings
- Partnership approach on all Stakeholders

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



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