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**PARLIAMENT OF FIJI  
PARLIAMENTARY DEBATES  
HOUSE OF REPRESENTATIVES  
DAILY HANSARD**

**THURSDAY, 30 SEPTEMBER, 2004**

***AD HOC* SELECT COMMITTEE ON LAND**

HON. L. QARASE.- Mr. Speaker, Sir, I beg to move:

"That this House, relying on the frank and open-minded approach taken by the members of the bi-partisan *Talanoa* Sub-committee in their collective effort to identify and build mutual understanding around the crucial issues on land contained in their progressive report to the Leaders;

Recognising the basic values, principles, and objectives of building trust and confidence, creating fairness and equity, providing best possible security, and giving optimum terms and conditions which underpin the land issues that emerged from the discussions in the *Talanoa* talks;

Acknowledging the efforts made in the past to establish a sound basis for legislating landlord and tenant relationship based on the understanding and appreciation of the significance of land to culture, livelihoods, and the national economy;

Realising the urgent need to arrive at the resolutions to the land issues to meet the overarching vision of fostering the social and economic advancement of the landowner and tenant communities;

Mindful of the values and vision state above:-

Agrees to establish a 15-Member *Ad Hoc* Select Committee comprising eight Government Members, the Leader of the Opposition, six Members of the Fiji Labour Party and also agrees that three nominees of the Bose Levu Vakaturaga in the Senate to be co-opted to the *Ad Hoc* Select Committee, to make recommendations on the land issues with specific reference to the following:-

- (1) The *Ad Hoc* Select Committee shall continue with the frank and open-minded approach of the *Talanoa* talks with a sense of urgency to arrive at the most satisfactory outcome for all, and adopt as its guiding principles the values of building trust and confidence; creating fairness and equity, providing best possible security; and giving optimum terms and conditions with the view to fulfilling the overarching vision of fostering the social and economic advancement of landowner and tenant communities, and shall;
- (2) Scrutinise and consider the important aspects of the issues on land relating to:

- (i) tenure;
  - (ii) rental;
  - (iii) rental fixing mechanisms;
  - (iv) rental assessment mechanisms;
  - (v) premium considerations;
  - (vi) compensation on improvements;
  - (vii) arbitration on disputes;
  - (viii) good husbandry; and
  - (ix) any other related matters.
- (3) Ascertain the practicality and suitability of ALTA or NLTA with possible amendments;
  - (4) Ensure that either option adopted incorporates the needs of landowners and tenants as currently safeguarded in ALTA and NLTA, and also satisfies the values and fulfills the vision stated in the guiding principles;
  - (5) Commission a committee of legal experts to give advice, through a report, on legislative options referred to in (3) above;
  - (6) Report fully on all the above matters and the proposed suitable legislation or amendments designed to achieve the present and future objective as set out in the guiding principles; and
  - (7) Submit their full report and recommendations before the House next prorogues.

HON. M.P. CHAUDHRY.- Mr. Speaker, Sir, I beg to second the motion.

HON. L. QARASE.- Mr. Speaker, Sir, at the April meeting, this august House has passed a motion for the establishment of a Joint Parliamentary Select Committee on Land. The motion before the House is essentially the same but with two variations.

The first is that, instead of establishing a Joint Select Parliamentary Committee on Land, it is now to be an *Ad Hoc* Select Committee of this august House with 15 members comprising eight from the Government side, the Leader of the Opposition and six from the Fiji Labour Party.

The second variation on the motion before the House is the participation of the Senate. In the motion which the House approved in April, the Senate was to have been invited to nominate two members representing the nominees of the GCC.

Sir, that motion approved in April was not considered in the Senate because of the feeling that there ought to be an increase in the number to be drawn from the Senate. Following further consultations, it has been agreed that the three participants are to be drawn from the Senate and these are to be from the nominees of the GCC.

Mr. Speaker, Sir, in the original motion, the Committee was required to submit its report to this august House by September this year. In the motion, the Committee is to submit its report before the prorogation of this House in June next year.

However, from my point of view, it would be ideal if the Committee submitted its report to the House of Representatives by March next year at the very latest. I again underline the basic principles that must lie at the very centre of our search for an amicable and long term solution to the future of agricultural leases on native land. We must treat it as an economic issue and not a political or racial issue. The solution must be one that is just and fair both to the landowners and tenants.

Sir, for far too long, because of its politicisation as a racial issue between Fijians and Indians, and the two predominantly Indian political parties, we have procrastinated and filibustered, meanwhile, more than 4,000 leases have expired and many former tenants have joined the ranks of squatters in our urban and peri-urban centres.

With the establishment of this Select Committee, I appeal to all political parties to join Government in treating this issue with the utmost urgency. The Government, with the backing of the Native Land Trust Board (NLTB) and the GCC, is ready for a solution. We have publicly announced the details of our proposals on many occasions. But many a time, I am left with the feeling that the two predominantly Indian political parties, the Fiji Labour Party and the National Federation Party are afraid of a solution, or do not even want a solution, lest it weakens their political support among the farmers. In asking you to support this motion, I again reiterate that we must treat this issue as essentially an economic issue, capable of a permanent solution within the next six months. The basic guideline is that we ought to ensure arrangements that are just and fair to both the landowners and the tenants. The landowners need a fair return in leasing out their land. The tenants want security of tenure.

Mr. Speaker, Sir, I commend the motion before the House.

HON. M.P. CHAUDHRY.- Mr. Speaker, Sir, I welcome the resolution to appoint a Committee on Land and I do hope that this time we will see the Committee become operational shortly after its Members have been appointed. We were hamstrung the last time from doing so because of the problems we had with some Members of the Upper House. This is why it had come back for consideration a second time by this House.

I would like at this point in time to express my thanks and gratitude to the Government of the United States, to the East-West

Centre, particularly, its President, Dr. Charles Morrison and the Director of the Pacific Islands Development Programme, Dr. Sitiveni Halafua for facilitating discussions on this particular issue of significant importance to the nation through the medium of *Talanoa* Talks. Sir, what we are doing today is actioning an agreement on this particular subject that we had reached in the *Talanoa* Talks.

The remarks made by the honourable Prime Minister are unfortunate, I thought we are going into this exercise in an amicable fashion without hurling accusations at each other as to who is responsible for the long delay in resolving this land issue. I would also like to correct him that the Fiji Labour Party is not an Indian Party. It is a multi-racial political Party and has always been so. It is acknowledged and recognised as such not only by the people of this country but also by those abroad.

I do not think much good will come out of engaging in criticisms of what has happened in the past. We all know what has brought this calamity on us and inside our hearts, we all know who is responsible for it and that person is no more with us. We should let the sleeping dogs lie. We on our part are committed to finding a solution to this, but let me say that a lot will depend on the deliberations in the Select Committee as we progress to deal with this rather sensitive matter in some detail. There are enough reports and other submissions on the issue, which will be of assistance to the *Ad Hoc* Select Committee in its deliberations and I think all these should be widely read by Members who are to be appointed in this very important Committee of the House.

With those remarks, Mr. Speaker, Sir, we look forward to participating in the deliberations of this Committee. Let us hope that we will be able to reach some measure of success in dealing with this problem and resolving it for the good of the nation.

HON. L. QARASE.- Mr. Speaker, Sir, I have nothing further to add, but to thank the leader of the Fiji Labour Party for

his very helpful remarks and also for the support that his Party has given to the motion before the House.

This side of the House too looks forward to fruitful discussions within the Select Committee and we express the hope that at the end of it, we will arrive at a solution that will be satisfactory to all and in particular, it will be based on the basic principle that I have tried to explain and that is, any arrangements between the tenants and the landlord must ensure equity. In other words, we would like an arrangement that is fair to both the landlord and the tenants in the way that I have explained. With those few words, Mr. Speaker, Sir, I commend the motion to the House.

Question put.

Motion agreed to.