Land in Vanuatu: Moving Forward, Looking Backward

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Vanuatu is one among many islands in the Pacific where traditional ways of doing things may conflict with development. This is particularly evident in the case of land. Customary land tenure predominates and has become even more important since independence in 1980. However, years of colonial government introduced new and different ideas on land management and use.

Opportunities and pressures to participate in the process of development and the international marketplace create new challenges, while assertions of national identity and cultural uniqueness also exert an influence. This article examines some of the difficulties and challenges and considers what steps are being taken or may need to be taken to move forward while avoiding some of the disasters of neighbouring island countries.

L'Etat de Vanuatu est représentatif des difficultés rencontrées par beaucoup de pays insulaires du Pacifique lorsqu'il s'agit de concilier développement économique et règles coutumières en vigueur notamment en matière foncière. Au Vanuatu, ce phénomène qui trouve, en partie, son origine dans le droit introduit par la France et la Grande Bretagne à l'époque du Condominium, n'a cessé de gagner en ampleur depuis 1980, date de l'accession à l'indépendance.

Cet article examine les fondements identitaires des revendications foncières au Vanuatu et les difficultés que cela a pu engendrer pour le développement économique de cet Etat. L'auteur préconise, à l'aune des expériences des pays voisins, quelques solutions pratiques et juridiques tendant à réduire ces tensions.

I INTRODUCTION

In Vanuatu, as elsewhere in the Pacific region, land and land rights are of crucial significance to social stability and economic security. For many it is the only resource and essential for the supply of daily needs.[1] For some, with access to markets, it provides a source of income. For a few its exploitation opens up the possibility of participating in the

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1 This is not just food – and in this respect land includes reefs and the sea shore – but traditional building materials, the resources for making mats – including mats for wearing, for wrapping new born babies and for shrouding corpses – wood for fires, canoes, and house construction, and leaves and plant products for traditional apparel and medicines.

cash-based economy of development. Land is therefore essential both for survival and for development. It is also a limited resource increasingly subject to conflicting pressures. The use of land whether for more productive agriculture or for infrastructure, commercial leasing or investment faces a number of difficulties, which, if not resolved in the next decade, will inevitably lead to a situation where Vanuatu (like some of its neighbours) will be facing major problems to which the key is land, its use and management. This article examines some of the difficulties and the initial steps being considered to address them.

II BACKGROUND

Vanuatu is an archipelago of over 80 islands running north north-west to south south-east between longitudes 166 and 170 and latitudes 13 and 21. Its nearest neighbours are New Caledonia to the southwest, Fiji to the east and Solomon Islands to the north. The total land mass of the islands is approximately 12,190 square kilometers. The climate is tropical and the people predominantly Melanesian with small numbers of Europeans,[2] Chinese and Vietnamese. The population at the last census was estimated to be just over 186,678.[3] Of this the greatest percentage is under the age of 25.[4] The current population growth is currently 2.6%.[5] The major agricultural products are copra, beef, cocoa and kava.[6] Other income earners are off-shore banking and tourism. There are two major metropolitan areas, the capital Port Vila, located on the island of Efate, and that of Luganville located on the island of Santo. Eighty percent of the population still lives in rural areas. Many rural areas lack infrastructure or utilities, houses are built of traditional material and in some villages traditional dress is still worn – although this is becoming increasingly rare.[7] Even where lifestyles are more sophisticated, adherence to traditions and customs remain strong. Unlike many countries of the region, outward migration from Vanuatu is very small.[8] However, urban drift is increasingly a problem, especially to Port Vila, as is island drift, with people leaving the outer islands, either temporarily or permanently, to live and work on Efate or Santo.[9] Urban area squatter settlements and informal licence arrangements are widespread.

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2 Included in this term are Australians and New Zealanders.

3 *The 1999 Vanuatu National Population and Housing Census, Main Report*, National Statistics Office, December 2000.

4 42.7% of the population in the 1999 census was under the age of 15.

5 This is the calculation of the 1999 census based on population growth between 1989 and 1999.

6 The last will probably now decease in importance as regards export owing to recent widespread bans on kava elsewhere in the world, which will affect its use for pharmaceutical purposes.

7 The 1999 census provides interesting information on the material wealth of people and the amenities available to most of them in their houses including the construction material of homes, the majority of which are still built of traditional materials and have pit latrines and bush kitchens.

8 The 1999 census indicated just 0.7% outward migration for Vanuatu. This means that problems of absentee landowners as are experienced in the Cook Islands and Niue is not a problem.

9 The movement of people around the islands is not a new phenomenon. Natural disasters, food and water shortages and power struggles have historically compelled people to move from certain islands and take up residence on other islands, sometimes peacefully and permissively, and sometimes not.

From the early twentieth century until independence in 1980 the country, then called the New Hebrides, was governed, unusually and inefficiently, by a Condominium government of France and England.[10] Prior to the Condominium period a small percentage of land had already been alienated to missionaries, traders and planters. As more white people came to the islands more land was alienated.[11] The legal significance of most of the transactions was probably poorly understood by local people and certainly the purchase price was often trivial compared to the value of the land. A number of transactions were not evidenced by any legal documents, a matter which was to cause a number of problems during the Condominium period. Ultimately efforts were made to determine who the owners of land were but the procedures followed did little to reduce land tensions. Land became the political cornerstone of parties seeking independence, particularly the Nagriamel movement and the New Hebrides National Party.[12] Although some efforts were made to return some tracts of land to indigenous owners prior to independence, nevertheless in 1980 vast tracts of land were still in the hands of non-indigenous people.

The 1980 Constitution of the newly independent Vanuatu fulfilled the political wish to redress the land grabbing of foreigners in the past by giving all land to the indigenous Ni-Vanuatu owners and their descendants. Disputes as to who these might be were to be determined by custom. Those outsiders to whom the land had been alienated were given the chance to take out leases of the land provided they were in occupation, and they had a right to remain in occupation until compensated. Where land was neglected or there were disputes over who were the rightful custom owners, the Minister – of Lands or Lands and Natural Resources – had the power to manage the land, including the power to grant leases over it. In the 21 years since independence the number of disputes over land have increased. There is a huge backlog of cases pending before the courts. Title to customary land is not registered, nor is there a register of those who might be in a position to decide customary disputes – the chiefs. Claims to land and rights to land are established by oral history and the claims of kinship links. Little land is accurately surveyed, and boundary markers tend to be natural features of the land such as trees, stones and streams.

While customary land cannot be alienated, leasing is permitted, and legislation allows for the granting of leases of up to 75 years. Leasing is common in the urban areas of Port Vila and Luganville, and is on the increase in the urban and coastal areas.[13] Freehold was abolished on independence but has recently been re-introduced for Ni-Vanuatu in limited circumstances.[14] There seems to have been virtually no use of the new freehold legislation. Consequently most land in Vanuatu is still held under systems of customary land tenure.

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10 Vanuatu and Sudan appear to have been the only countries with this unique form of government.

11 By the early 1970s over half of the country was owned by foreigners.

12 The Nagriamel Movement started in 1960 under the leadership of Jimmy Stevens. Its platform was independence and the return of land to the people. The New Hebrides National Party was originally called the New Hebrides Culture Association and started in 1971.

13 For example, recent research undertaken in the USP School of Law indicates that approximately 25% of the island of Efate – where Port Vila, the capital, is located – is leased.

14 Freehold Titles Act, Cap. 13, 1994.

There is no single system of customary land tenure in Vanuatu, and matters have become increasingly complicated by the movement of people, by intermarriage and by changes in custom itself. In some parts of Vanuatu land rights pass patrilineally; elsewhere they pass matrilineally. At the same time individual ownership is not unknown, even in custom, although generally ownership is communal. However, the unit of communal ownership can vary. Claims of adopted children – who may be adopted in law or custom or both – further confuse the picture, as do changes in custom to suit contemporary pressures.[15] For example, in Gaua, an island in the northern part of the country, due to a shortage of men at one stage in the island's history, land tenure was changed to a matrilineal system for a period.[16] Once the male population was regenerated a patrilinial system was re-established and there has consequently been considerable confusion and conflicting claims ever since.[17] Differences in land tenure systems exist within the same island. One part may observe patrilineal claims to land, one part matrilineal and another part allow the claim of land to pass though both parents or even more distant relatives. Claims to customary land rights not only remain important but are becoming increasingly so for a number of reasons. As the population grows, there is more pressure on land. Mobility on to uncultivated land is more restricted today than in the past. The need to seek employment in urban centres and the desire for urban migration for reasons of education, health care and opportunity mean that the retention of land rights in home islands as a fall-back are increasingly important especially in an uncertain economy. Island identity as opposed to national identity remains important even within urban areas and settlements. It is not at all unusual to hear persons who have spent most of their lives in the capital describe themselves as being from a particular island rather than from Port Vila. There is also a groundswell of determination to assert customs and traditions against the 'contamination' of Western ideas and fashions.[18] For example, there have been a number of representations made to the Constitutional Review Committee in 2002 that the power of chiefs should be strengthened, and certainly under the Customary Lands Tribunal Act chiefs will have an enhanced role in determining land title disputes.[19] There are also proposals to train chiefs and village leaders to be probation officers for law offenders sent back to the islands to undertake community work.

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15 It is also not unusual for men to have several illegitimate children who generally will stay in the village of the mother. Whether they can assert land claims will depend on whether they belong to a matrilineal or patrilineal descent group, whether their father acknowledges them, and whether they are later adopted.

16 The reason for this was, I have been told, witchcraft and cannibalism. While the latter may no longer be practiced, there is still considerable belief in the former.

17 Given that the total population in the 1930s dropped to less than 42,000, and in some areas was decimated due to diseases introduced with white people, it is unsurprising that land tenure patterns had to adapt.

18 Evidence of this includes initiatives to teach young children in their local language rather than one of the three official languages.

19 Customary Lands Tribunal Act 2001, No. 7.

III DIFFICULTIES

Vanuatu stands at the crossroads of development. It has little choice but to move forward, but it clings tenaciously and with some pride to long held traditions and practices. It is under a number of pressures both from within the country and from international organizations, such as the World Trade Organisation, to foster development and participate in the global economy. At the same time it is a young country with strong traditions and cultural beliefs, many of which are essential for the survival of its people.[20] The main difficulties are: the impact of constitutional rights to land, the importance of custom as a determinant of land rights, the role and determination of chiefs, problems in accepting finality in dispute resolution, communal land interests, factors inhibiting individual enterprise, and the leasehold regime available.

The first major difficulty lies within the Constitution itself. The Constitution states that: 'All land in the Republic of Vanuatu belongs to the indigenous custom owners and their descendants'.[21] In order to give effect to this, all land title vests in custom owners. Where land had been transferred to foreigners the latter were given the opportunity to apply for leases of up to 75 years – the maximum period permissible.[22] Consequently all freeholds vested in either foreigners or indigenous people were abolished. The difficultly in giving effect to this constitutional provision is that while all Ni-Vanuatu believe they have a right to land, finding the true custom owners of any particular piece of land is very contentious. This means that there is a problem as to whom the land should be returned if it has been formerly alienated, and also who should reap the benefits if former freehold titles are turned to leases and rents paid. The Constitution envisaged the probability of disputes by providing in section 78 that in the case of dispute 'the Government shall hold such land until the dispute is resolved'. The result has been that the relevant government department – the Department of Lands – administers considerable areas of land still under dispute and there is a huge backlog of land disputes dating back to 1980 still pending before the courts.

Secondly, section 75 of the Constitution provides that: 'the rules of custom shall form the basis of ownership and use of land'. Unfortunately there is no mechanism in the Constitution to determine what custom will prevail or indeed how it will be ascertained. Unlike some Pacific countries which have fairly homogenous customary laws, Vanuatu, besides having over 100 different languages, has a wide range of different customs and customary laws with distinctions existing within the same island. There is no codification of the customary laws of Vanuatu and most can only be established through oral evidence passed down over generations. The Constitution does make provision for an assembly of chiefs,[23] the *Malvatamauri* or National Council of Chiefs, to advise on custom, and indeed it does so from

20 For example, the extended family provides a network of support that the country could never hope to replace with a social security system. Similarly, the tradition of gardening provides food to many people who have no opportunity for paid employment.

21 Section 73 of the Constitution of the Republic of Vanuatu, Act 10 of 1980.

22 Under the Land Reform Act, CAP. 123, section 3.

23 Section 29 of the Constitution.

time to time, and could perhaps be a tribunal or point of reference for a code of customary land tenure. However, the council of chiefs is itself faced with a number of difficulties, which takes us to the third point. Who are the chiefs?

As with land tenure, Vanuatu is characterised by diversity when it comes to the appointment of chiefs. Historically there are clear bloodlines which establish who the paramount chiefs should be. However, the clear lineal descent of paramount chiefs is clouded by claims by illegitimate but recognised children, adopted children and confused oral histories. Moreover, not everyone accepts that chiefs are only determined by blood. It is possible to become a chief by election, by birth, by bearing the name of a chief, on the grounds of merit, or by acquiring the status of a chief through certain rituals. The intervention of missionaries often meant that converts were recognised as chiefs over other claimants. More recently there are self-appointed chiefs and the confusion of chiefly powers with political powers and favours. The question of who the chiefs are is important because in the absence of a sufficient law enforcement body or a widespread court system, together with limited access to the formal system of justice, chiefs have extensive powers over their local communities, including the power to determine disputes relating to land, especially where these relate to the maintenance of law, order and harmony within the community. It is the local chief who will hear disputes and try to negotiate settlements or levy fines for disruptive behaviour. The first step in this process will be to arrive at some consensus as to who is entitled to be a chief.

The adjudication of disputes raises a fourth issue. Although disputes may be resolved between parties for a period of time, a strong likelihood persists that the conflict will erupt again. The reason for this is that succeeding generations do not feel themselves bound by the decisions of a previous generation. Because land is communal not just for present generations but for future ones, no one group of people has the right to deal with the land to the detriment of succeeding generations. All landowners are custodians of the past and for the future. This presents a real difficulty. People do not feel bound either by the decisions of chiefs, or by courts, or by the restraints of contracts. Everything is up for renegotiation, whether it is a question of rent, or a decision relating to a boundary, or who can cultivate the land. The difficulty of accepting fixed limits is apparent in cases where leases have been granted or where compensation payments have been made for land used for public utilities. The consequence is that leasehold titles are insecure, or at the very least the details of lease arrangements are: for example, the exact boundaries, the annual premiums and who can come on to the land to exercise certain rights such as easements. There are provisions for rents and premiums to be reviewed at five year intervals or for the value of land to be reviewed in the case of development. These reviews provide opportunities for re-negotiation sometimes to the detriment of investors and developers.

Fifthly, the nature of communal ownership not only presents temporal difficulties but also creates immediate problems for developing the land. Communal ownership of land presents management and use problems. Banks are not interested in lending against communally owned land. The security risks are too great. Often it is unclear who the owners are or who has authority to mortgage the land. If there is a default on the loan then the land may be unsellable because of family disputes affecting it. No potential buyer wants to take

on a hornet's nest of family claims and recriminations. Where there is agreement as to title then a lease may be created over the land in favour of the head of a nuclear family. The granting of a lease will enable that leaseholder to raise a mortgage, perhaps to finance a business or build a stone house. This individualistic behaviour leads to further problems, including jealousy, envy and cultural disproval. The accumulation of individual wealth is contrary to communal norms.

Continuing advocacy of the communal model – in a country where there is no social security – has its advantages and disadvantages. This leads to a sixth difficulty. From the point of view of land development, the communal model is largely disadvantageous. It prevents the successful implementation of co-operative models, individual initiative and risk-taking. The person who starts to develop the land so as to make a profit or generate money, perhaps by introducing better farming methods, competitive pricing, or applying for sub-division in order to lease part of the land, is regarded as being selfish, going against tradition and ignoring the expectation that he will divide the profits among his extended family – whether they are deserving or not. On death the right of an individual to alienate his land as he wishes will be severely curtailed.[24] It is difficult therefore for an individual to build up capital for improvements or necessary plant or machinery, or even to use land as a deposit to secure finance.

Finally, where land is leased, the structures for leasing are not attractive to investors or developers. The maximum period of lease is 75 years but in many agricultural and commercial leases it is less.[25] There is no statutory provision for compensation to be paid to leaseholders for improvements in the land or its development. In this respect the final years of a lease are very much a diminishing asset for which there is no market either among purchasers or lenders. Although the Lands Referee Act provides for rent reviews and the fair assessment of values, there has not been a Lands Referee in position for at least a decade. The result is that when leases come up for review, renewal or extension to the maximum period of 75 years, customary land owners are well placed to make exorbitant demands. Land then starts to acquire unrealistic values and prices itself out of the market. Moreover, the process of leasing is poorly understood, both in terms of the procedures which have to be followed for approval and the nature of a lease. It is not unusual for a leaseholder to find custom owners still coming on to the land to take things from it, or disputing its very existence once the grantor is dead. Although all leases have to be registered – unlike customary land claims – indefeasibility of registered title is not a concept well-understood in Vanuatu. Boundaries may still be disputed, as may the title, name or competence of the custom owner who granted the lease.

In a number of cases leases are granted by chiefs or village councils purporting to act of behalf of the custom land owners. If subsequently their status is in doubt then the foundation of the lease is at best shaky. In other cases – and this is common in the urban area of Port Vila

24 The use of the male pronoun here is deliberate. Few women have land rights. Even where rights to land pass matrilineally, the control and management of land will rest with uncles and brothers. Women act as a conduit to heirs.

25 Section 32, Land Leases Act, Cap. 163.

– leases are granted by trustees and trust companies purporting to represent certain clans of people drawn from distinct areas. In a number of cases these trusts generate considerable sums of money through the annual rentals levied on leases, as well as the initial premiums paid for such leases. These trusts and trust companies operate within a very lax legal framework. There is no standard statutory trust established for the management of customary land, and mismanagement and misappropriation of trust funds is certainly not unknown. The transparency and accountability of these trusts to their beneficiaries, and indeed clarity about who the entitled beneficiaries are, is poor.

IV ADDRESSING DIFFICULTIES

Resolving the difficulties of customary land tenure faced with the demands of development is not a matter simply of tackling land issues. Many wider concerns also have to be addressed including population control, education and skills training for employment, and conservation of natural resources. Nevertheless many of these matters are interrelated and may come back to the question of land management and use. If the economy of the country is to develop so as to sustain its people then there must be investor confidence – whether those investors are foreigners attracted by the tax haven status of Vanuatu, or local people. One of the keys to investor confidence is security of investment. Where this investment involves land – whether for commercial development or agriculture – then if capital is to be expended on the land the investor needs to feel that title is secure and that contractual arrangements are not likely to be subject to constant dispute or blackmail, and the land or premises themselves not subject to attack or self-help by disgruntled claimants. To address these issues there needs to be certainty as to who can grant interests in land. Vanuatu is currently addressing this problem through the establishment of a new title dispute forum, the Customary Lands Tribunals. Established under legislation in 2001 these new tribunals have the primary responsibility of determining title to land.[26]

Once title is determined parties have to abide by the decision of the tribunal or, if appealed, by the higher courts. This of course requires respect for the procedure itself and an efficient enforcement machinery. The first may be achieved by careful selection of those who sit on the tribunals in the first place. The second will probably require more investment in law enforcement agencies, which at present are woefully inadequate for the size of the population.

Next there must be respect for contractual arrangements. This is largely a matter of education, especially enhanced legal literacy on the part of ordinary people. Written contracts based on introduced notions of law are not always familiar to customary land owners. Similarly the effect and consequences of registered leases is not always accepted or apparent to customary land owners or their successors in title. This is a matter which needs to be addressed at a number of different levels and there are initiatives presently taking place. Local radio is used extensively for educational and informative programmes and has a more

26 These tribunals are at three levels – village, area and island – with appeal from the village level upward. They are to be staffed by chiefs or elders – male or female – who are knowledgeable about the custom of the area where the land is located. Those selected to sit on the panel must be independent and disinterested in the outcome. How successful they will be is yet to be seen.

extensive reach than the press or television. The Lands Department is beginning to become involved in this process and has recently indicated its willingness to advise people on the process of applying for and registering leases. The Law School at the University of the South Pacific has recently opened a Community Law Centre in Port Vila to distribute information on a range of legal issues and provide advice to people referred from the Public Solicitors Office. It has also been suggested that there should be more publicity where applications for leases are made, especially if the application relates to the development of land by investors. This could be done by the posting of public notices and a call for objections within a stipulated time period. Where disgruntled custom owners take the law into their own hands by destroying gardens, burning buildings or removing fences, then there needs to be firm legal action. At present self-help is resorted to too frequently. This is a law and order problem. In some cases it is also a political problem. Land and political favours or support are often intrinsically linked. If is not unknown for a political candidate currying votes to make promises of land or alternatively to threaten the removal of people from land if they choose to exercise their vote freely.[27]

Once there is less uncertainty as to who can grant leases or make decisions relating to land, investors may be more willing to consider agricultural, commercial or industrial development. This in turn will need careful and well thought out strategies relating to zoning and planning which needs to be done at a national as well as provincial or island level. Different ministries such as agriculture, forestry and trade as well as lands will need to work together. If the benefit of development is to be felt by the country as a whole and if steps are to be taken to arrest urban drift or at least contain it, then development must be throughout the country and not just in Port Vila and Luganville. Similarly, if development is to include small-scale as well as large-scale enterprises, models must be found to encourage and facilitate such developments both in terms of management of resources and access to resources. This will require more consideration of small loan schemes, lease-back arrangements, and the development of organisations such as co-operatives, mutual societies or joint enterprises. There will need to be communication and close co-operation between public and private sectors. If investors are to be prepared to borrow money and make commitments, the leasehold regime may need to become more favourable.

Questions of lease length and compensation for improvements and development will also need to be considered. At present the maximum period permitted of a lease is 75 years.[28] In some cases the lease granted is shorter but it may be extended to this maximum period. At the outset of the grant this does not look so bad, but half way into a lease its attraction starts to wane, especially in the case of commercial development. The question of renewability of leases needs to be addressed, or the maximum permissible period for a lease could be extended. This would need amending legislation but could be done through enlarging the

27 The 2002 elections were monitored by an organisation, Transparency International, which produced a report on the elections. Whether these practices – which occurred during the 2002 elections – are included in the report is not known.

28 It is understood that this is based on the productive life of a coconut tree.

powers of the Lands Referee,[29] or by transferring these powers to a development board. Certainly there needs to be consideration not only of the individual lease in question but also of the wider local and national picture as regards development policy, particularly the future aspirations of the country.

On the question of compensation there is confusion. The Alienated Land Act makes provision for the payment of compensation to alienators by custom owners for improvements to land.[30] Whether this Act applies to alienation under leases post-independence is not clear. In some cases contracts state that a land developer must leave any fixtures on the land at the end of the lease and receives no compensation for these unless there are specific provisions in the contract of lease. Again this will mean that as a lease runs to its end there is little incentive to spend money on the investment. One way of dealing with this problem would be to use the annual rentals generated by the lease to provide a compensation fund in cases where the lease is not renewed. This might require rentals to be recalculated, a possibility which already exists on a five yearly basis for leases. Clearly the management of such a fund would need to be efficient and capable of growth.

This leads to another possible way of dealing with some of the issues raised, and that is to centralise the management of land development – particularly in the case of commercial land, although a separate body could exist for agricultural land. This has been done in Fiji with the Native Lands Trust Board.[31] In order to work, there would have to be a very clear idea of who was entitled to benefit from the land and who was competent to sit on such a management body. The first hurdle might eventually be resolved through the work of the Customary Lands Tribunals and a gradual register of all customary land owners. The second hurdle would need greater safeguards of accountability and transparency than those which currently exist as well as a very strong statutory framework.[32] Land is a political weapon. Those who manage it can hold power over those who need to live on it. It would be essential that the management of such land was not used to intimidate voters, punish dissenters or discriminate against certain sectors of society.[33] To create and maintain an effective and impartial management body in Vanuatu would indeed be a challenge, but perhaps one which could be achieved. The Fiji experience also indicates that the management machinery should not be so expensive as to disillusion land beneficiaries and drive them to seek informal and alternative land management structures.

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29 Created under the Land Referee Act, Cap. 148. The Land Referee has power to calculate a fair rate and to consider other terms and conditions of leases. Unfortunately the post has had no incumbent for the last decade.

30 Cap. 145, section 17.

31 Established in 1940 under colonial administration under the Native Lands Trust Act, Cap. 134, s. 3.

32 Vanuatu is party to an extensive Comprehensive Reform Programme which focuses, among other things, on transparency and accountability in government – not without some opposition. It also has a Leadership Code Act, Act No. 2 of 1998.

33 The Ombudsman in Vanuatu has already produced reports on maladministration of land by persons in high office – see reports 98-10, 099-9, and 99-06: http://www.vanuatu.usp.ac.fj/ombudsman/Vanuatu.

Above all there needs to be a national development policy and plan rather than the ad hoc process which is currently occurring. The question of land development needs to be considered in conjunction with population growth, the provision of services, the protection of the environment and natural resources, and the social and cultural context of the Ni-Vanuatu people. This requires the co-operation and participation of a number of government ministries as well as the private and civic sector.

It is very easy to destroy Pacific Islands. Look at Nauru, wasted by phosphate greed; the Solomon Islands, denuded of timber and now subject to civil conflict over land claims; Tuvalu, threatened by global warming and rising water levels. Consider Fiji, bonded to a falling sugar market and unsure whether to go backward and restore all land to native Fijians or to strive to go forward in harmony with the many Indo-Fijians who have worked on and developed the land and commerce of the country. Think of Papua New Guinea and the devastating impact of mining on vast tracts of the country. Take into account Niue and the Cook Islands, where there is not enough land for all the people and many live abroad; or Tonga, where those left on the island may be dependant on remittances from absentees. Remember the loss of culture, language and tradition in the Marshall Islands, in Hawaii and in parts of French Polynesia. Vanuatu has a chance to avoid some of the pitfalls and problems of its neighbours. There are options open to it and routes it could take. It remains to be seen if it has the will, the leadership and the human resources to move forward without falling over its own feet.