

## INTRODUCTION

IN 1973 the Government of Papua New Guinea appointed a Commission of Inquiry into Land Matters. In contrast to previous expatriate-dominated advisory bodies on land, all ten members of the Commission were Papua New Guineans. The members travelled to all districts of Papua New Guinea and heard a wide range of opinions on land matters from different sectors of the population. They conducted 141 public hearings and received a total of 258 written submissions. Within eight months of its appointment, the Commission tabled its final report in the House of Assembly.

The Report of the Commission of Inquiry was an impressive document of over two hundred pages. It contained 132 recommendations on all aspects of land policy. These recommendations have provided the basis for much of the country's land policy since self-government. The Report incorporated much of the development philosophy of the early Somare government. The Eight Point programme was quoted as providing guidelines for the type of society that Papua New Guinea wanted. The Commission recognised as one of its basic principles that land policy was 'closely connected to economic, social and political relations' and it was emphasised that 'land policy should be an evolution from a customary base'.

Some of the recommendations were soon incorporated into official land policy and legislation. For example the **Land Disputes Settlement Act** 1975 established the administrative and judicial machinery for dealing with disputes on customary land. The Plantation Redistribution Scheme was developed to deal with problems arising from privately-owned alienated rural land. The **National Land Registration Act** 1977 provided for a National Land Commission to deal with claims by former owners of customary land. In other areas, after ten years the recommendations have still not yet been implemented; this is especially the case with the recommendations on customary land registration.

Ten years after the Commission of Inquiry would seem to be an appropriate time to review the effect of its recommendations on land policy and to determine whether there is a need for new initiatives. If the latter is the case should it be aimed at more individualisation and greater transferability of land as was suggested in a recent report commissioned by the Institute of National Affairs or should it aim towards more collective forms of organisation as several contributors to this journal have suggested.

Contributors to this journal all have experience of land issues and policies in Papua New Guinea. James, Ward and Fingleton were involved as consultants and research officer respectively in the actual work of the Commission of Inquiry and in drafting its report. Fitzpatrick, Colquhoun-Kerr and Haynes have been involved in teaching and research into law and development, and Eaton, Hulme and Lakau in training and education concerned with land management.

The articles cover both the Commission's work, an evaluation of legislation and institutions necessary to implement the Commission's policy and an examination of certain particular issues such as plantation redistribution, land dispute settlement and the lease-leaseback scheme for developing customary land. It is hoped that this edition of the **Melanesian Law Journal** will help to stimulate interest in and discussion on land policies in Papua New Guinea.

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