

Landowners' Advocacy and Legal Support Unit

Solomon Islands



Douglas Hou, Public Solicitor

Public Solicitor's Office

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Outline

1. The Solomon Islands
2. The Public Solicitor's Office
3. Introduction to LALSU
4. The work of LALSU
5. LALSU and EDO

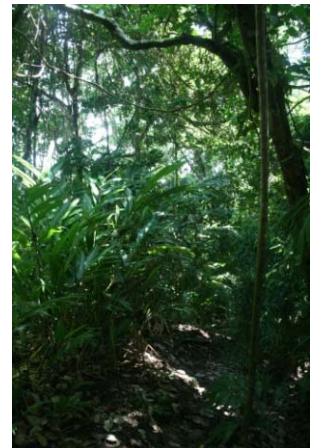
1. The Solomon Islands



1. The Solomon Islands

Environmental and legal issues for landowners in the Solomon Islands

- Landownership disputes
- Unsustainable logging (resources gone by 2015)
- Mining (prospecting, Gold Ridge Mine -Guadalcanal)
- Oil palm plantations
- Forest conservation and marine protected areas
- Climate change, sea level rise, and REDD





2. The Public Solicitor's Office

Established under s92, Constitution (1978)

- Mirrors principle underpinning introduction of legal aid in England in 1949:
 - No person should be 'financially unable to prosecute a just and reasonable claim or defend a legal right'
- Public Solicitor to provide legal aid, advice and assistance to persons in need: s92(4)
- Public Solicitor's independence protected under Constitution: s92(7)

Three PSO units

- Civil and Criminal Units
- Landowners' Advocacy and Legal Support Unit (**LALSU**)
 - launched last year

3. Introduction to LALSU

LALSU team

- Jacob Kinai (Lawyer, Honiara)
- Julie Fakaia (Finance & Administration, Honiara)
- Brian Hiele (Lawyer, Gizo)
- Elaine Johnson (AYAD Volunteer Lawyer, Gizo) – EDO is Australian Partner Organisation

Funded by EU Sustainable Forestry and Conservation Project to Sept '10

- Project purpose: increase conservation and sustainable management of natural forest resources by customary forest owners





3. Introduction to LALSU

Tasks of LALSU under EU Project

1. To hold **workshops** for forest owning landowners raising awareness of the *legal system*, their *rights*, requirements of *forestry legislation*, how to access *legal remedies*
2. To hold **provincial clinics** at which landowners can seek information and assistance regarding forestry and conservation issues



3. Introduction to LALSU

3. To develop readily accessible **sources of information** regarding commonly asked questions
4. To assist forest owning communities to set up **community organisations** to represent them
5. To provide **legal assistance**, and if necessary lead legal cases with wider public interest component re forestry and conservation issues



4. The work of LALSU

Key components of LALSU activities

1. Legal education
2. Casework (advice & representation)
3. Policy and law reform

Focus in the first year has been on

- Provincial workshops and legal education
- Advice in provincial legal clinics, and through Honiara and Gizo offices
- Building relationships with landowner groups and stakeholders (eg NGOs)

4. The work of LALSU

Provincial workshops at Choiseul and Malaita





4. The work of LALSU

Topics in education and advice work

- Landownership
- Courts process for landowners (civil and criminal)
- Forestry and mining laws
- Environmental Impact Assessment (**EIA**)
- Climate change and REDD
- Law on ownership of foreshores and reefs
- Case studies for sustainable resource management
- Forming community associations
- Registration of customary land
- Contracts and agreements for landowners



4. The work of LALSU

Achievements to date ...

- Provincial workshops and legal training
- Development of legal resources for LOs
- Provision of legal advice and representation – access to justice for landowners

Future directions?

- Continuation of external funding support
- Increased focus on casework – need professional support for strategic litigation
- Increased focus on policy/law reform
- Focus on specific client groups



5. LALSU and EDO

EDO works with LALSU by

- conducting training to establish LALSU (Apr 2009)
- acting as partner organisation for Australian volunteer lawyer (2009 to date)
- conducting legal training on policy and law reform and climate change (REDD) (Feb 2010)
- capacity building in environmental law for PSO and LALSU lawyers (ongoing)
- providing regional training opportunities (ongoing)
- helping to build legal professional networks (ongoing)

5. LALSU and EDO

EDO training for LALSU clients on climate change and REDD





Contact PSO and LALSU

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Questions?

