

FOREWORD

The Pacific Island Law Officers had their first meeting (PILOM) in Vanuatu in 1981 and have since then met regularly¹ to discuss matters of legal significance relating to individual participant states and the Pacific generally. The meetings have provided a forum for all participants to express views, compare experiences and generally disseminate ideas.

The meetings of Pacific island law officers have been particularly valuable to smaller Pacific island jurisdictions who, for reasons of size, geographical isolation and lack of resources and skilled personnel, face considerable problems administering their legal systems.

Significant papers have been delivered at all conferences and the meetings have heralded very useful initiatives such as the establishment, by the University of the South Pacific, of the Pacific Law Unit to train legal personnel for the South Pacific region.

To date it has not been possible to publish papers from the meetings in one place, though many of them have had wide informal distribution beyond those who attended the meetings. This publication breaks new ground and brings together the texts of a group of papers from the last session of PILOM 1991. The papers and documents are presented here to provide a handy resource volume for continued discussion of rights issues by the peoples and governments of the region.

The last session of the 1991 PILOM had the topic of Rights-in particular, the consideration of property rights and human rights in the Pacific-as its focus. A paper on each aspect was delivered. In addition, two papers relevant to the subject were distributed to the meeting as background papers. One of these was prepared by the Commonwealth Secretariat. A fifth paper in this publication examines Pacific constitutions generally, and was presented originally as a background paper at PILOM 1990.

Finally by way of appendices, the publication contains two significant rights documents. The Law Association for Asia and the Pacific (LAWASIA) draft Pacific Charter of Human Rights was not formally presented or discussed at PILOM, but was distributed to the meeting and referred to in papers delivered at the meeting. The draft Charter is a resource document in its own right and will now, through this publication, be available for consideration by a wide audience. The latest text of the United Nations draft Universal Declaration on the Rights of Indigenous Peoples is the second important document. Like the LAWASIA draft, the draft Declaration was not formally discussed at PILOM. Both the draft Pacific Charter and the draft Declaration on the Rights of Indigenous Peoples are proposals which Pacific island jurisdictions will follow with interest.

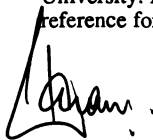
This volume usefully complements two other books recently prepared under the aegis of the Commonwealth. The first of these is *Put Our World to Rights*:

¹ PILOM has met: Port Vila (1981), Apia (1982, 1986), Suva (1983), Madang (1984), Rarotonga (1987), Nukualofa (1988), Canberra (1989), Port Moresby (1990). There was no meeting in 1985. In 1991 PILOM was held in Wellington.

*Towards a Commonwealth Human Rights Policy*¹. The other is *The Protection of Human Rights in the Pacific Region* by Professor Patricia Hyndman².

PILOM has over the years been welcomed and strongly supported by law officers from throughout the Pacific, by the Commonwealth Secretariat and by many institutions of the region. The Law Faculty of the Victoria University of Wellington provided the venue for the final session of PILOM. This publication has, with the willing financial support of the Asia Foundation, grown out of that involvement.

As Minister of the host law officers department, the New Zealand Department of Justice, I am pleased to add my support to this initiative by the University. I warmly welcome the publication and hope it will provide a ready point of reference for all interested in the regional development of human rights.



Minister of Justice

16 April 1992

¹ A report by a non-governmental Advisory Group chaired by the Hon Flora MacDonald, August 1991, published by the Commonwealth Human Rights Initiative.

² Faculty of Law, University of New South Wales, June 1991, published by the Human Rights Unit of the Commonwealth Secretariat.