

**Sue Farran & Don Paterson**

# South Pacific Property Law



# South Pacific Property Law

**Line-Noue Memea Kruse**



## **South Pacific Property Law:**

South Pacific Property Law Sue Farran, Donald Paterson, 2013-03-04 Encompassing the legal systems of over a dozen independent countries the authors of this book bring together a wealth of diverse sources to present a coherent picture of the law of property as it exists today and offer some thoughts on the challenges and legal difficulties facing the region

**Human Rights in the South Pacific** Sue Farran, 2009-01-15 The region of the Pacific Rights and the laws that give effect to them Theories and approaches to human rights Fundamental rights and questions of property Social ordering custom and equality Freedom from discrimination Rights advocacy and enforcement Taking rights forward

**Commercial Law in the South Pacific** Mohammed L. Ahmadu, Bridget Fa'amatuainu, 2024-09-25 This book provides a detailed examination of the core areas of commercial law in common law jurisdictions across a range of South Pacific countries Cook Islands Fiji Islands Kiribati Marshall Islands Niue Nauru Samoa Solomon Islands Tonga Tuvalu and Vanuatu Commerce is an area of central importance to the South Pacific region Although the countries in question are small it is widely acknowledged that their need to promote and develop commercial enterprise is crucial for their future sustainability With a focus on case law and legislative provisions in individual jurisdictions it sets out the framework of legal principles that regulate commercial activity within the South Pacific region highlighting the common patterns and principal differences between countries of the region It includes a discussion of PACER Plus post Cotonou discussions and the EU OACPS Partnership Agreement as well as key amendments and challenges to commercial law in the region It explores the legal structures of commerce control and management of commercial entities banking and transactions and termination Importantly the book has two new chapters on digital currency and e commerce in the South Pacific reflecting the increasing use of technology in financial and commercial transactions Offering a detailed analysis of the legal principles that regulate commercial activity within the South Pacific region this book will be a useful resource for students academics and practitioners working on commercial law in the South Pacific region

*Gender, Property and Politics in the Pacific* Rebecca Monson, 2023-01-26 Outlines how land disputes are entangled with gender ethnicity and territoriality shaping public authority and state formation

**Environmental Law and Governance in the Pacific** Margaretha Wewerinke-Singh, Evan Hamman, 2020-08-26 This volume examines environmental law and governance in the Pacific focusing on the emerging challenges this region faces The Pacific is home to some of the world's most astonishing biological and cultural diversity At the same time Pacific Island nations are economically and technically under resourced in the face of tremendous environmental challenges Destructive weather events ocean acidification mining logging overfishing and pollution increasingly degrade ecosystems and affect fishing farming and other cultural practices of Pacific Islanders Accordingly there is an urgent need to understand and analyse the role of law and governance in responding to these pressures in the Pacific Drawing on academic and practitioner expertise from the Pacific region as well as Europe and the United States this unique collection navigates the major environmental law and governance

challenges of the present and future of the Pacific Environmental Law and Governance in the Pacific discusses 21 Pacific Island countries and territories including Cook Islands Fiji Papua New Guinea Solomon Islands Vanuatu and Samoa and a broad range of themes such as deep sea mining wetlands and mangroves heritage endangered species human rights and access to justice are addressed thus providing a comprehensive and state of the art overview of environmental law and governance within specific jurisdictions as well as across the Pacific region as a whole This volume will be essential reading for students and scholars interested in environmental law and governance in the Pacific region as well as policy makers practitioners and NGOs involved in the development and implementation of environmental law and policy Land, Indigenous Peoples and Conflict Alan C. Tidwell, Barry Scott Zellen, 2015-10-05 Land Indigenous Peoples and Conflict presents an original comparative study of indigenous land and property rights worldwide The book explores how the ongoing constitutional legal and political integration of indigenous peoples into contemporary society has impacted on indigenous institutions and structures for managing land and property This book details some of the common problems experienced by indigenous peoples throughout the world providing lessons and insights from conflict resolution that may find application in other conflicts including inter state and civil and sectarian conflicts An interdisciplinary group of contributors present specific case material from indigenous land conflicts from the South Pacific Australasia South East Asia Africa North and South America and northern Eurasia These regional cases discuss issues such as modernization the evolution of systems and institutions regulating land use access and management and the resolution of indigenous land conflicts drawing out common problems and solutions The lessons learnt from the book will be of value to students researchers legal professionals and policy makers with an interest in land and property rights worldwide *A Business Directory of the Missouri Pacific, Kansas Pacific, South Pacific, Boonville Branch Missouri Pacific; Missouri River, Fort Scott & Gulf; Leavenworth Branch Kansas Pacific; Leavenworth, Lawrence & Galveston, and Other Railways, Entitled St. Louis to Denver ...*, 1870 *Sustainable Resource Use* Alex Smajgl, Silva Larson, 2012-06-25 The way that humans organize both resource access and resource use is vital to the management of natural resources Within different contexts institutional arrangements such as the rules of common and private property rights become levers by which human behaviours can be modified and steered towards the goals of sustainable natural resource management Featuring contributions from leading thinkers in the field this groundbreaking volume examines institutional dynamics from the perspective of natural resource management The book is organized into four parts The first discusses institutional diversity and contextual change Following this institutional misfit is analysed with a strong focus on the long term impacts of colonial structures in the Asia Pacific region The book then discusses experiences with institutional dynamics in order to ease the tension of such misfits before examining future research needs Ultimately through careful argument and by deploying original research the authors make the case that institutional arrangements cannot be perceived as a set of parameters that can be optimized and locked in for the most

efficient functioning of a system nor can institutions be evaluated outside the context in which they were developed This is powerful thought provoking and important reading for academics researchers policy makers and professionals in resource institutional and environmental economics and land use planning and policy across the full range of natural resource sectors from forestry to agriculture Published with CSIRO Cover image Blue Flower of Life c Theresa J Richardson 2006      **The Pacific Insular Case of American Sāmoa** Line-Neue Memea Kruse,2018-02-06 This book is a researched study of land issues in American S moa that analyzes the impact of U S colonialism and empire building in the nineteenth and twentieth centuries Carefully tracing changes in land laws up to the present this volume also draws on a careful examination of legal traditions administrative decisions court cases and rising tensions between indigenous customary land tenure practices in American S moa and Western notions of individual private ownership It also highlights how unusual the status of American S moa is in its relationship with the U S namely as the only unincorporated and unorganized overseas territory and aims to expand the U S empire building scholarship to include and recognize American S moa into the vernacular of Americanization projects      Mixed Legal Systems, East and West Vernon Valentine Palmer,Mohamed Y. Mattar,2016-07-22 Advancing legal scholarship in the area of mixed legal systems as well as comparative law more generally this book expands the comparative study of the world s legal families to those of jurisdictions containing not only mixtures of common and civil law but also to those mixing Islamic and or traditional legal systems with those derived from common and or civil law traditions With contributions from leading experts in their fields the book takes us far beyond the usual focus of comparative law with analysis of a broad range of countries including relatively neglected and under researched areas The discussion is situated within the broader context of the ongoing development and evolution of mixed legal systems against the continuing tides of globalization on the one hand and on the other hand the emergence of Islamic governments in some parts of the Middle East the calls for a legal status for Islamic law in some European countries and the increasing focus on traditional and customary norms of governance in post colonial contexts This book will be an invaluable source for students and researchers working in the areas of comparative law legal pluralism the evolution of mixed legal systems and the impact of colonialism on contemporary legal systems It will also be an important resource for policy makers and analysts      **The Journal of Legal Pluralism and Unofficial Law 58/2008** Gordon R. Woodman,2009-12-09 Jon Unruh examines the role of a disordered and dysfunctional legal pluralism in Liberia s descent into internal armed conflict Thoko Khaime considers the concepts of children s universal rights and their relationship to the social reality of living law in an African society Abdulmumuni Oba discusses the jurisdiction and functioning of Area Courts in the state of Ilorin in the Federal Republic of Nigeria Sue Farran examines the land law in the Pacific state of Vanuatu      *The Journal of Legal Pluralism and Unofficial Law 64/2011* ,  
*Integration and International Dispute Resolution in Small States* Petra Butler,Eva Lein,Rhonson Salim,2018-06-11 This book provides an insight into commercial relations between large economies and Small States the benefits of regional

integration the role of Small States as financial centres as well as B2B and State to State dispute resolution involving Small States Several contributions allow the reader to familiarise themselves with the general subject matter others scrutinise the particular issues Small States face when confronted with an international dispute and discuss new and innovative solutions These solutions range from inventive ideas to help economic growth to appropriate mechanisms of dispute resolution including inter State dispute resolution and specific areas of arbitration such as tax arbitration Researchers policy advisors and practitioners will find a wealth of insights information and practical ideas in this book

**Cultural Heritage Rights** Anthony J. Connolly, 2017-05-15 This collection brings together selected articles on key areas in the field of cultural heritage rights discourse Contributed by an international group of scholars the papers address conceptual and political issues and explore themes in contemporary literature on cultural heritage such as repatriation looting and illicit trade the effects of armed conflict and the relationship between tourism economic development and cultural heritage The legal regulation of cultural heritage is also discussed with articles on regulatory challenges current practices around the world and issues and challenges in common Topics which are likely to become increasingly important in the future such as climate change cultural globalisation human genomic science and the shift to a post liberal post rights politics and law of cultural heritage are also explored This volume which presents the most up to date scholarship in an area of increasing interest and relevance is an indispensable reference resource for libraries lecturers and students

Comparative Perspectives on Communal Lands and Individual Ownership Lee Godden, Maureen Tehan, 2010-02-26 A collection of critical debates analyses and evaluations of changing models of property as the vehicle governing access to land and resources

**The Pacific Islands** Brij V. Lal, Kate Fortune, 2000-01-01 An encyclopaedia of information on major aspects of Pacific life including the physical environment peoples history politics economy society and culture The CD ROM contains hyperlinks between section titles and sections a library of all the maps in the encyclopaedia and a photo library

*The Governance of Common Property in the Pacific Region* Peter Larmour, 2013-03-01 With the inevitable lessening of the importance of traditional forms of management of land and water resources in Pacific island countries accompanying the development of the state and the internationalisation of these economies common property problems have arisen in many natural resource areas This publication covers many of the problem areas which have arisen and discusses various approaches to better management Foreword

*The Plural Practice of Adoption in Pacific Island States* Jennifer Corrin, Sue Farran, 2018-12-11 This book deals with adoption laws and practices in small island developing states in the Pacific It commences with an introductory chapter giving an overview of relevant laws and practices and pulling together the common themes and issues raised in the book Each of the following chapters deals with adoption law and practice in a small South Pacific country The countries in question all have plural legal systems with systems of adoption and its closest customary law equivalent operating side by side In most cases there is an insufficiently developed relationship between the two systems which has resulted in a number of problems Additionally international law

adds another layer of complexity Size and remoteness in the small states under discussion have a profound impact on local practices

Traditional Knowledge, Traditional Cultural Expressions, and Intellectual Property Law in the Asia-Pacific Region Christoph Antons, 2009-01-01 Among the many contentious matters thrown up by the relentless march of economic globalization those forms of knowledge variously known as indigenous or traditional remain seriously threatened despite numerous transnational initiatives and highly publicized debate It is not proving easy to bring these holistic worldviews into accordance with the technical terms and classifications of intellectual property law The contributions in this volume contrast efforts to find solutions and workable models at the international and regional level with experiences on the ground Legal policies related to indigenous knowledge in settler societies such as Australia and New Zealand are compared with those in densely populated neighbouring countries in Asia where traditional knowledge is often regarded as national heritage While many of the chapters are written by lawyers using an interdisciplinary approach other chapters introduce the reader to perspectives from disciplines such as legal sociology and anthropology on controversial issues such as the understandings of art culture tradition customary law and the opportunities for traditional cultural knowledge and traditional cultural expressions in an Internet environment Experienced observers of the international debate and regional experts discuss international model laws as well as legislation at regional and national level and the role of customary law Topics covered include the following and much more the concept of farmers rights biodiversity and bioprospecting traditional knowledge as a commodity encounters between different legalities geographical indications registration requirements sanctions remedies and dispute resolution mechanisms the ongoing fragmentation and loss of traditional knowledge and systems of data collection

*Modern Studies in Property Law - Volume 5* Martin Dixon, 2009-11-03 This book is a collection of papers given at the seventh biennial conference held at the University of Cambridge in March 2008 and is the fifth in the series Modern Studies in Property Law The Property Law conference has become well known as a unique opportunity for property lawyers to meet and confer both formally and informally This volume is a refereed and revised selection of the papers given there It covers a broad range of topics of immediate importance not only in domestic law but also on a worldwide scale

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