

Programme
Law and culture: Meaningful legal pluralism in the Pacific and Beyond,
30 August – 1 September 2010
University of the South Pacific Emalus Campus, Port Vila

Monday 30 August

8: Registration desk opens, Conference room

8.15; 8.30: Campus tours, Leaving from Conference room

Time	Conference room	Moot court
9	Opening remarks: Peter McFarlane Welcoming address: Ralph Regenvanu	
9.40	Plenary 1: Peter Larmour	
10.30	Morning tea	
11	Session 1 A: Concepts Chair: Yoli Tom'tavala 1. Gay Morgan, "Shared Bads": a paradigm for achieving pluralism in fact 2. Dan Coombes, A little less conversation, a little more action 3. Katharina Serrano, International Law in the South Pacific: A third dimension to legal pluralism?	Session 1 B: Land and resources 1 Chair: John Dawson 1. Abby Suszko, Arguments about "rights" in the New Zealand foreshore and seabed debate 2. Valentino Wichman, The Cook Island Tenure System Session 3. Derek Futaiasi, Customary land disputes in Malaita, Solomon Islands
12.30	Lunch	
1.30	Session 2 A: Family matters Chair: Carolyn Penfold 1. Unaisi Narawa-Daurewa, The Family Law Act of Fiji and parental maintenance 2. Devon Latoa, Customary adoption and land rights in Niue 3. Helena Kaho, Culture, Childhood and the Family Group Conference: A Tongan perspective	2 B: Dispute resolution Chair: Don Paterson 1. Matiu Dickson, Pakeha Justice in a Maori Setting 2. Chand & Naidu, A comprehensive analysis of state dispute resolution and customary dispute resolution in Fiji 3. Pappinisseri Balan, Democracy, Rule of Law and Good Governance: The case of the first Litigation Free Local Government in India
3	Afternoon tea	
3.30	Session 3 A: International law and external influence Chair: Paul Mae 1. Justin Rose, He who pays the piper . . . : The rise of project law in the Pacific island region 2. Yoli Tom'tavala, An analysis of judicial decisions relating to customary marine tenure claims in Pacific Island states 3. Tamara Hamilton-Noy, Fijian High Court's interaction with international law expectations when considering issues of pre trial detention and bail pre-trial detention and bail	Session 3 B: Human rights 1 Chair: Abby Suszko 1. Christine Stewart, The development of a PNG jurisprudence in human rights law 2. Sarah van Ballekom, Laws governing assimilation of aboriginal children in Canada and Australia 3. George Iheanacho, Globalization and challenges to rights of indigenous people in the 21st century 4. Julie Walter, The Decriminalisation of Prostitution: Effects on Pasifika Women in New Zealand

5.00: Conference welcoming function, Quadrangle

Tuesday 31 August

Time	Conference room	Moot court
9	Plenary 2: Lamont Lindstrom	
10.00	Morning tea	
10.30	Session 4 A: Human rights Chair: Andrew Geddis 1. Danielle Kelly, Culture in constitutional rights interpretation 2. Jeremy Dorovolomo, Spare the rod 3. Christine Stewart, The Courts, the Churches, the Witches and Their Killers	Session 4 B: Land & resources 2 Chair: Howard Van Trease 1. Siobahn McDonnell, Fracturing the looking glass: How the registration of land in Vanuatu transforms place 2. Patricia Finau, Women's Rights to Own Land in Tonga: Are Cultural Rights Sufficient Protection? 3. Narayan & Reddy, The interplay of Policy Making Landowners and Mahogany in Fiji
12.00	Lunch	
1.00	Session 5 A: Criminal law issues 1 Chair: Kirsten Pavlovic 1. Daniel Tavoia, Community Justice Supervisors – Incorporating Kastom in Vanuatu Probation 2. Reina Va'ai, Legal Approaches to Rape and Incest in Samoa: Detrimental Effects on Samoan Woman 3. Angela Vaa'i, The Ifoga As a Mitigating factor for Criminal Sanction in Samoa	Session 5 B: Public health Chair: John Dawson 1. Genevieve Howse, A Model Public Health law for the Pacific 2. Radha Etheridge, What do Pacific Public Health Workers Think about Their Laws? 3. Anita Jowitt, Custom and public health: methodology for a multi-site study by a multi-person team
2.30	Afternoon tea	
3.00	Session 6 A: Law and politics Chair: Peter Larmour 1. Kirsten Pavlovic, Legal Pluralism in Post-Coup Fiji 2. Ema Piutau, Constitutional Reform In Tonga: The Beginning of a New Era 3. Andrew Geddis, Law, culture and politics in Aotearoa/New Zealand	Session 6 B: Workshop: Globalisation, Governance and Crime Prevention Paradigms in Pacific Island States Presented by Garry Coventry

5.00: Moot competition 1: Auckland v USP Laucala

Venue: Moot court

Theme: Customary banishment vs constitutional human rights

Wednesday 1 September

Time	Conference room	Moot court
9	Plenary 3: Patrick Nunn	
10.00	Morning tea	
10.30	Session 7 A: Land and resources 3 Chair: Justin Rose 1. Alex Herman, Whose Manganese Nodules Are they Anyway? The tension between traditional customary law and the state 2. Glen Finau, Achieving sustainability while respecting aspects of Fijian Culture 3. Steve Ratuva, Traditional knowledge and intellectual property 4. Tui Fa'asili, Can Intellectual Property Law Protect Traditional Samoan Tattoos?	Session 7 B: Customary groups and the formal economy Chair: Patrick Nunn 1. Milena Stefanova, Overview of Justice for the Poor program 2. Brigitte Olul, Wan Lis Fulap Stori: Leasing on Epi Island, Vanuatu 3. Morgan Wairiu and Gordon Nanau, Logging and Conflict in Birao Ward of Guadalcanal, Solomon Islands 4. Carlos Alves, Community- Investor Relationships in Agricultural Production in Timor-Leste
12.00	Lunch Conference room: Informal session on future of conference/moot for all interested	
1.00	Session 8 A: Criminal law issues 2 Chair: Yoli Tom'tavala 1. Chris King, Sexual Offending in Vanuatu - Reality, Perception and Policy 2. Sofia Shah, A Comparative Study between Statutory and Customary Approaches to Sexual Offences in Vanuatu 3. Akesa Motuliki, Kava: Is Legal Regulation Necessary?	Session 8 B: Evolutions in land, law and industry in Solomon Islands (IKI panel) Chair: Joseph Foukona 1. Paul Roughan, Beyond land tenure and rights 2. Morgan Wairiu, Knowledge and law in logging-ignited disputes in customary spaces 3. Philip Tagini, From trees to rocks in Solomon Islands: patterns and paradigms of customary and engagement in the shift from logging to mining 4. Gordon Nanau, Local Kastom and Conventional Law Muddles in a Melanesian Mining Environment
2.30	Afternoon tea	
3.00	Session 9 A: Law making & reform Chair: Joseph Foukona 1. Kathleen Kohata, Creating space for meaningful Legal Pluralism in Solomon Islands through reform 2. Lalotoa Mulitalo, The practice of legislative drafting in Samoa, a plural society of the South Pacific 3. John Dawson, The role of the courts in determining the proper representatives of Maori customary groups	Session 9 B: Studying law as a Pacific Islander in New Zealand Convened by Auckland Pacific Island Law Students Association
4.30	Conference closing session	

5.30: Moot competition 2 Otago v USP Emalus

Venue: Moot court

Theme: Customary land ownership vs gender equality

Posters

All posters will be displayed in the conference room throughout the conference.

1. Christine Stewart, The development of a PNG Jurisprudence in human rights law
2. Dan Coombes, Juvenile Justice in Vanuatu
3. Chand and Naidu, Analysis of Dispute Resolution Mechanism under the Employment Relations Promulgation (2007) and Similarities with Traditional System in Fiji
4. Valentino Wichman, Customary Sustainable Management and Legislation: The case of Rau'i in the Cook Islands
5. Philip Tagini and Paul Roughan, Modern adaptations of customary groups to the formal land system
6. Paul Roughan and Philip Tagini, Land law and notions of alienation
7. Paul Roughan and Joseph Foukona, Conceptualising the state in contemporary Melanesian society: a survey of approaches
8. Nilesh Bilimoria, Mapping Customary Law with Human Rights
9. Peter Kanaparo, Performance of the Government Machineries of Papua New Guinea in Implementing Human Resource Management Law and Policies: The Case of the Ramu Nickel Mine's Occupational Health and Safety Management
10. Lynda Tabuya, Fiji: introduction of standard village by-laws, theory and practical implications
11. Karlyn Tekulu, Beyond restorative justice: Rethinking the criminal justice system using indigenous knowledge of conflict resolution
12. Rebecca Wendt, Protecting freehold land from customary interference in Samoa
13. Jennifer Corrin, negotiating the perils of legal pluralism in the South Pacific