

INDIGENOUS PEOPLES PLANNING FRAMEWORK

KALINAGO TERRITORY DOMINICA



Repairs to Model Kalinago Village following hurricane damage (photo by author)

Regional Strategic Environmental and Social Assessment (SESA)
OECS Caribbean Regional Oceanscape Project (CROP)

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Prepared by: Valma Jessamy, B.Sc., M.Sc., PhD
Environmental Engineering Scientist/Policy Analyst
JECO Caribbean Inc

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1.0 INTRODUCTION

1.1 Overview of the Project

To promote a common approach to ocean governance (i.e.: pursue a blue economy), the OECS has taken a first step through the adoption of the Eastern Caribbean Regional Ocean Policy (ECROP) and its Strategic Action Plan. Endorsed by the OECS' Heads of Government in 2013, ECROP guides the future use of the region's marine waters and provides a basis for enhanced coordination and management of ocean resources within the Eastern Caribbean. The OECS Commission operates within the regional mandate of ECROP which encourages the collaborative formulation of well-integrated governance frameworks capable of addressing marine user conflicts and protect the fragile legacy of their marine environment. With few spatial planning initiatives of smaller scale adopted so far, ECROP calls for multiple-use ocean planning and integrated management techniques for better decision-making over transboundary marine systems.

In response to the outcomes of the ECROP, the OECS with the World Bank have prepared the Caribbean Regional Oceanscape Project (CROP) that responds to such demand for spatial planning initiatives, through the adoption of coastal and marine spatial plans to coordinate management across sectors and resources and integrate environmental management directly with economic development. CROP is being implemented in five participating OECS Member States (MS): Dominica, Grenada, St. Kitts and Nevis, Saint Lucia, St Vincent and the Grenadines.

As a precursor to the development of Marine and Coastal Spatial Plans to improve ocean governance, a Regional **Strategic Environmental and Social Assessment (SESA)** is required. The SESA will facilitate the incorporation of priority environmental and social considerations into CROP outputs and outcomes particularly as related to indigenous Kalinago community in Dominica, and to concerns associated with natural habitats, especially mangroves, coral reefs and sea grass beds and their associated biodiversity at a Regional level. It is therefore a requirement that an Indigenous People's Planning Framework (IPPF) is embedded into the SESA.

1.2 Priorities for CMSP for Dominica

The national priorities and strategic objectives for coastal and marine spatial planning/ plans for Dominica, as set by Key stakeholders, do not include specific recommendations for action for the Kalinago Territory. The Kalinago Council has legal jurisdiction over the planning and physical development for the Territory. From 2015 the recently formed Ministry of Kalinago Affairs has been playing an active role in direct government led interventions in the area. Following from the devastating impacts of recent hurricanes and extreme weather events national priority has shifted to the need for integrated coastal zone management which is being pursued as a high-level national development agenda from the Ministry of Economic Development and Planning. Priorities include:

- Building resilience of vulnerable coastal communities through improved physical infrastructure;
- Stabilizing expanding coastal flats created from accretion of debris;
- Relocation of coastal communities away from areas of high natural hazard risk exposure;
- Creation of marine protected areas and management zones to reduce user conflicts and improve benefits from development of the marine resources;
- Allocation of space for storage of fishing vessels, landfills, wastewater treatment plans;
- Creation of CMS plans for investment promotion to attract development projects that will contribute to reduce the impacts of socio-economic drivers and pressures.

1.3 Terms of Reference and Objectives of the Indigenous Peoples Planning Framework

The IPPF outlines the measures through which the Project will ensure:

- that the Kalinago community of Dominica are sufficiently engaged in the design and subsequent (eventual) implementation of the coastal and marine spatial plans and related policies stemming from the CROP.

- Likewise, the IPPF will serve as a tool to outline how the Kalinago community will receive culturally appropriate social and economic benefits and compensations in case of eventual Project recommended restrictions to areas where their subsistence is derived.
- The Project however, as it will be discussed in the SESA, will ensure that adverse effects to the Kalinago are fully avoided, minimized, and/or mitigated.

The IPPF embody the following elements (in addition to those part of the SESA):

- i. A short introduction of Kalinago indigenous peoples (ethnicity, demographics, socio economic situation, etc.);
- ii. The potential positive and adverse effects of the Project on the community;
- iii. A discussion of how and when to carry subsequent full social assessments and an Indigenous Peoples Plan (IPP) as relevant;
- iv. A framework to ensure Free, Prior, and Informed Consultations (FPIC) with the Kalinago community at each stage of the Project (FPIC will be an indispensable part of stakeholder consultations for the design of CMSPs);
- v. A mechanism for monitoring and evaluating (M&E) the measures taken to engage the Kalinago community throughout the CROP, paying attention to indicators of indigenous people's livelihoods, social organization, and culture. Also included, a discussion on implementing a participatory M&E strategy for the CROP itself but also for the eventual implementation of the CMSPs;
- vi. Suggested modes of culturally appropriate grievances communication and redress mechanisms;
- vii. A clear description of disclosure arrangements

1.4 Methodology

1.4.1 Literature Review

In keeping with the terms of reference for this consultancy the IPPF is expected to be conducted mostly as a desk review but also informed by the process of preparing the SESA. Key documents utilized to develop the IPPF include:

- World Bank Operational Guidelines OP4.10 Indigenous Peoples
- Constitution of the Commonwealth of Dominica
- Kalinago Territory Act
- Fisheries Act of Commonwealth of Dominica
- Forestry Act of Commonwealth of Dominica
- The Caribbean Region Oceanscape Project (CROP). Assessment of Marine Spatial Planning Feasibility Report. The Nature Conservancy. World Bank Group, 2017

- Indigenous Peoples Plan, Disaster Vulnerability Reduction Programme Commonwealth of Dominica, World Bank March 2014.
- Indigenous Peoples Plan, OECS MSME Guarantee Facility, Commonwealth of Dominica, Final Report February 2018.
- National Physical Development Plan, Commonwealth of Dominica, 2016.
- Ecological Assessment and Biodiversity Inventory of the Carib Territory, Commonwealth of Dominica. OECS 2009
- website: <http://www.charim.net/dominica/maps>

1.4.2 Consultations with Kalinago Community

The TOR required that the Consultant must also work closely with the Kalinago authorities to include the Kalinago Council to ensure that the IPPF encompasses information relating to all settlements of, and resources used by the Kalinago community. As such, consultations were conducted with the Ministry of Kalinago Affairs and the Kalinago Council to understand the present context in the Territory, introduce the project and solicit feedback.

Two consultations were held with Kalinago Council, one in July 2018 and the other in October 2018 to validate the findings on the situation analysis and achieve consensus on the recommendations, potential programs and subprojects. *The views expressed are therefore those of the Kalinago people as articulated by the Kalinago Council and documented by the Consultant.* The participant lists and notes from the consultations with the Kalinago Council are attached in Annex I of this report.

1.5 Report Format and Limitations

This report is presented in five sections including this introduction. The consultant found it necessary to provide more than a brief overview on the Territory as past reports fail to capture the factors operating within the political economy and contribute to the present underdevelopment of the Kalinago people. Section 2 presents the legal and institutional framework for the Kalinago Territory. The Physical and Human Geography of the place is outlined in Section 3. Potential programs and subprojects for consideration during implementation of the CROP project, their likely positive and negative benefits are provided in Section 4. The final section of the report provides recommendations to guide project implementation.

2.0 Legal and Institutional Framework of the Kalinago Territory

2.1 Legal Framework

The rights of the Kalinago Community are not enshrined at the level of the Constitution of the Commonwealth of Dominica (CoDOM). The Carib Reserve Act of 1978 provides the Constitution for the Kalinago Territory. In 2015, the Carib Territory Act was amended by an Act of Parliament and renamed the Kalinago Territory Act consistent with the traditional name of the indigenous people. Section 29 of the Act gives the Council authority to develop By-Laws for the management of the Territory. However in contradiction, according to Section 48 of the same Act, the overall responsibility for development and planning in the Territory is retained by the Government of Dominica (GDOM). The Minister for Kalinago Affairs has the power to review the By-Laws developed by the Council, and these must be approved by Cabinet and gazetted to enter into force.

During consultations (July 2018), members of the Kalinago Council expressed the strong view that the Territory is an autonomous government on the same level as the Government of Dominica and not subservient to the Government and Ministry of Kalinago Affairs. The Council is of the view that the Ministry of Kalinago Affairs serves as a liaison between the Government and the Council. The relationship, as explained by Councilman Hill, is shown in Figure 2.1.

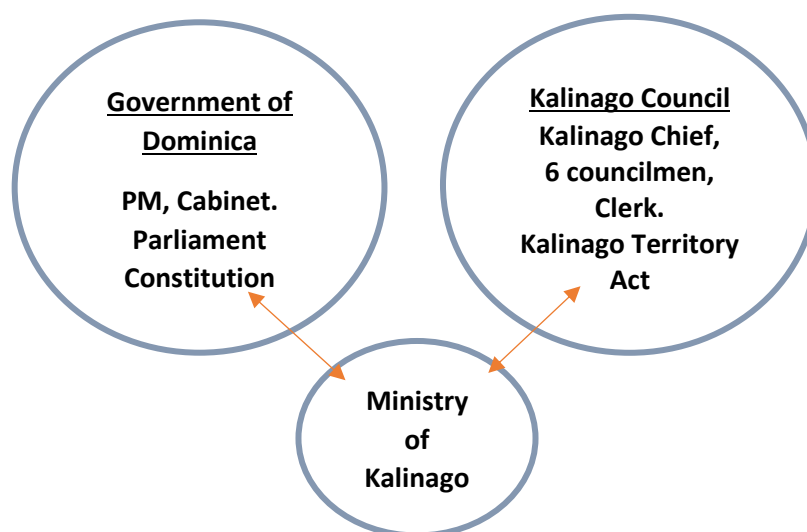


Figure 2.1 Perceived Relationship between the Government and Kalinago Council

In reality, the legal framework for management of the territory is different, a vertical hierarchy of government with power aligned accordingly. According to the Act, the Council shall function as a corporate body or local government with powers under the Village Councils Ordinance.

CONSTITUTION AND POWERS OF COUNCIL

14. (1) There shall be in and for the Reserve a body corporate for the government of the Reserve. It shall be a local government body, and in addition to the powers given in this Act shall have the powers of a Council under the Village Councils Ordinance.

(2) The body corporate shall bear the name of the “Carib Reserve Council” and shall consist of seven persons, that is to say the person elected as Chief and six other persons elected as members thereof: Provided that if a sufficient number of members are not elected, or if no persons offer themselves for election or are elected, the Prime Minister may nominate as many additional members as may be required to constitute the Council.

(3) The body corporate shall have an office in the Reserve and an official seal.

(4) Subject to the provisions of this Act, any powers, authorities, rights, immunities and privileges vested in the Council as constitutes immediately before the commencement of this Act shall be deemed to be vested in the present Council, and all property real and personal, belonging to the former Council is hereby declared to be vested in the present Council.

(5) The Minister shall three days before any general election of members held under the provisions of section 52, or in keeping with the provisions of section 91 by Order published in the Gazette dissolve the Council.

Although the 1978 Act provides for a Minister with responsibility for the Reserve, the Ministry of Kalinago Affairs was established only in 2005. The Ministry is considered by the GDOM as “a specialized organization responsible for the people of the Salybia Constituency and has the responsibility for coordinating the public services provided by the government while being subordinate to the Cabinet and Prime Minister”.

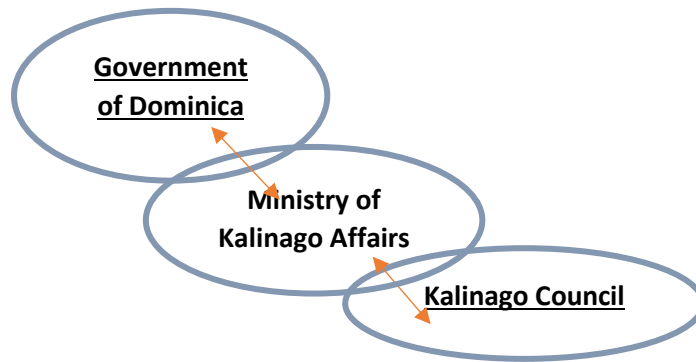


Figure 2.2 Vertical Relationship between Government and Kalinago Council

2.2 Legal Authority of Council for Land Administration

Given that the Council is legally required to operate as a body corporate, all property real and personal is vested in the present Council. In keeping with Section 25 of the Act:

- 1) *The Council shall have sole custody, management and control of the lands of the Reserve, for and on behalf of the residents in the Reserve.*
- 2) *The Council shall provide for the collection and expenditure for the benefit of the Reserve of all moneys authorized by law to be raised for such purpose; to provide for the good government and improvement of the Reserve; and to enforce the provisions of this and any other Act relating thereto, and of all Regulations and By-Laws made under this or any other Act.*
- 3) *The Council may endeavor to settle disputes among persons resident in the Reserve but shall not have the right to try cases or impose fines on persons in the Reserve, other than under Section 29 (4)*

Section 29 (4): The powers conferred by this shall include power to require, impose and charge licences, rates, dues and fees within respect to matters dealt with under any By-Law.

From 1973 to present, the Kalinago Council has not developed a system for land administration and collection of revenue for the good government and improvement of the Territory.

2.3 Environmental Management Framework for the Territory

None of the natural resource management laws of Dominica make specific mention to the rights of the Kalinago Council to manage its Territory. The recently completed National Physical Development Plan (2016) and National Land Use Policy have no demarcation of the Territory. No mention is made of specific plans or mechanisms to provide support for the effective management of the use and development of the Kalinago Territorial lands. This implies that as provided for in Section 29 of the Kalinago Territory Act, the Council must develop By-Laws for the proper management of the natural resources in the Territory. These By-Laws, which according to section 29 (3) of the Act, only have force within the boundaries of the Territory, are as follows:

- 1) *The Council may make By-Laws for the rule and good government of the Reserve generally for the occupation and use of lands in the Reserve and with respect to the following matters:*
 - a. *The naming, cleanliness, regularity and width of streets and the opening, making, repairing, stopping up and diverting thereof;*
 - b. *The erection, removal, demolition, sanitation and closing of buildings, walls, fences and structures of all kinds and the numbering of buildings and lots;*
 - c. *Suppression and abatement of nuisances;*
 - d. *Establishment of markets, slaughter houses, bath houses, latrines and the regulation thereof;*
 - e. *Dogs*
 - f. *The keeping of animals, birds and bees;*
 - g. *The destruction of insects;*
 - h. *Unoccupied land;*
 - i. *Cemeteries and graves;*
 - j. *Protection against fires;*
 - k. *Tanks, wells and cisterns;*
 - l. *Drainage and sewerage;*
 - m. *Scavenging and the removal and disposal of excreta;*
 - n. *The sale and inspection of livestock, meat, fish, vegetables and all other foodstuffs; and of liquids intended for human consumption;*
 - o. *Mortuaries and dead bodies;*
 - p. *Street meetings and processions;*

- q. The cleanliness of hotel, guest houses, cookshops, public baths, coffee-houses, confectioner's pastry shops;*
- r. The storing and sale of petroleum and other inflammable substances and the place or places where the same may be stored, sold or exposed for sale;*
- s. Assistance for tourists and the prevention of annoyance to tourists by idlers and beggars;*
- t. Entry of members, officers and servants of the Council upon premises for the purposed of this Act and By-Laws made thereunder;*
- u. Public entertainments and performances;*
- v. The erection, removal, demolition, sanitation and closing of factories;*
- w. Parks and playing fields.*

There is no specific provision in the Act for the creation of conservation areas and for the protection of natural resources within the Territory. However, it is within the purview of the Council to develop By-Laws to address this limitation if deemed necessary. Any national land management or coastal master plan which seeks to create conservation zones within the Territory must therefore be undertaken in consultation with and approval from the Kalinago Council.

3.0 GEOGRAPHY OF THE KALINAGO TERRITORY

3.1 Location of the Territory

The Kalinago Territory, formerly Carib Reserve, was originally delineated in 1901 in a plan drawn by Arthur Percival Skeate which was certified by W. Miller Surveyor. The plan was later copied by Jerome Robinson Crown Surveyor and Commissioner of Lands in 1975 and referred to as the Carib Reserve in Act 22 of 1978. Section 42 of the Act sets out the boundaries of the Reserve:

42. The Boundaries of the Reserve which have been set out in the Government Notice No. 30 in the Official Gazette, Volume XXVI of July 4th 1903 are as follows:

- (a) Northerly by Big River, by lot 63 and the Balata Ravine;*
- (b) Easterly by the Sea;*
- (c) Southerly by the Raymond River and Crown land; and*
- (d) Westerly by the Pagoua River, Concord Estate and by parts of Lots 61 and 63.*

There are no geo-referenced coordinates or physical demarcation of the Reserve boundaries. In consultation with the GIS staff of the Physical Planning Unit it was noted that there are queries as to where the exact physical boundaries lie, as well as concerns of expansion of the Territory by Kalinago people. As a result, none of the GIS maps in the National Physical Development Plan provide the location of the Carib Territory. The estimated extent of the territory is shown in Figure 3.1. The legally defined area of 3,700 acres (more or less) represents only 2% of the lands in Dominica. The Kalinago people considers this to be an inequitable distribution of land and would like to have the acreage of lands in the Territory increased. Section 44 of the Act makes provision for increasing the area of lands in the 'Reserve. There is no designation of any marine space as part of the Territory. However, it is the desire of the Kalinago people that this must be done.

44. (1) The Minister may from time to time by State grant vest other lands in the Council to form part of the Reserve.

(2) Details of any grants so made shall be given in a notice to be published in the Gazette.

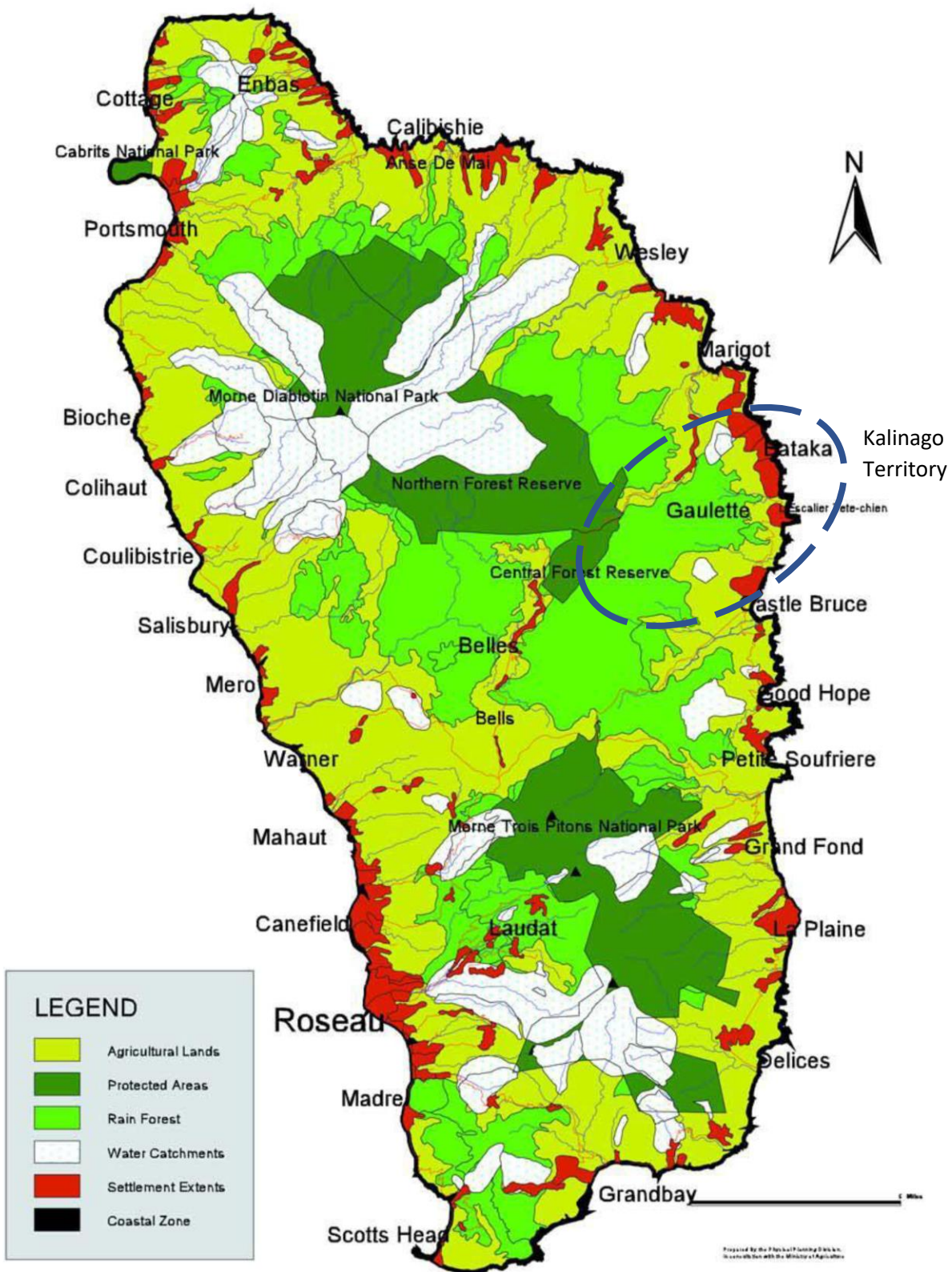


Figure 3.1 Source: Dominica National Physical Development Plan, 2016

3.2 Human and Social Geography of the Kalinago Territory

The Territory is divided into 8 Hamlets (Figure 3.2) however most of the settlements are concentrated along the coastal boundaries of the area (Figure 3.1). According to the 2011 population census the Territory has a population of 2,145 persons with 56% (1,212) males and 43.5% (933) females. Given the land area of 3,700 acres, the Territory, when compared to size and population of other parishes of Dominica, has the highest population density (see Figure 3.3). As a result, there is a high degree of land degradation due to clearing of lands for settlements, agriculture and social infrastructure (trails, roads, schools, etc)

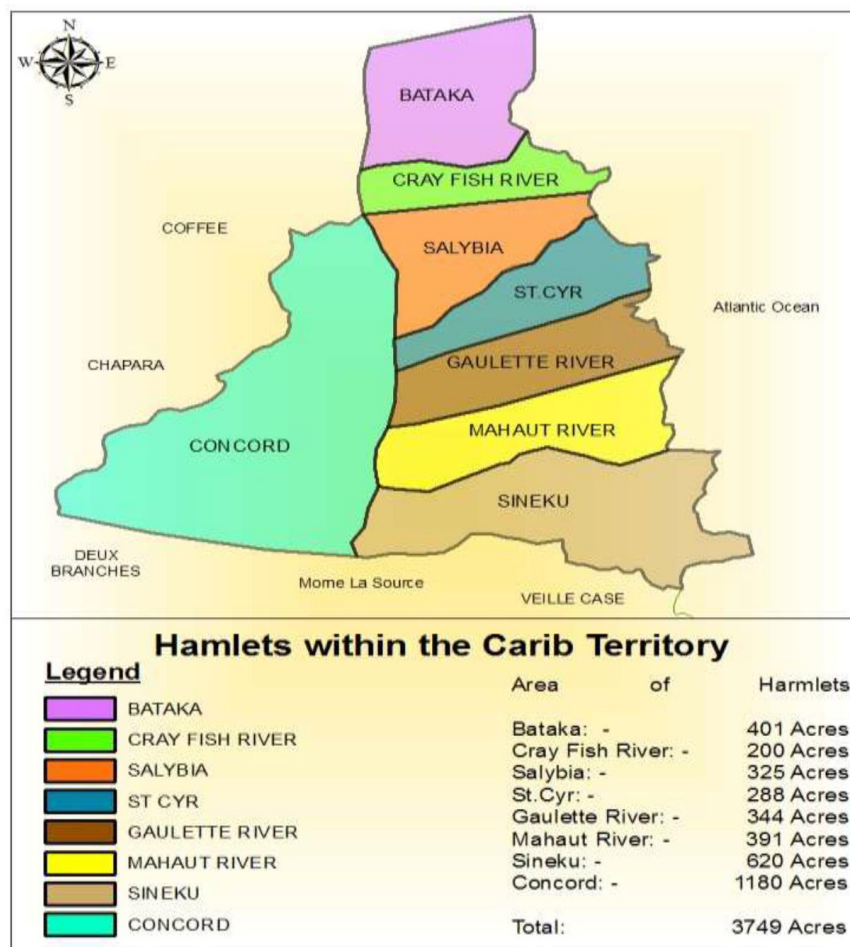


Figure 3.2 Hamlets within the Territory (Source: OECS 2009)



Date created : 13.10.2017 Data source: Dominica Population and Housing Census 2011

3.2.1 Employment and Poverty

Residents of the Territory find employment throughout the Island as there are limited employment opportunities within the Territory. The main types of employment within the Kalinago Territory are:

- Craft Production
- Agriculture (banana cultivation and subsistence farming)
- Fishing
- Boat Making
- Government (schools, medical centre, road gangs –repair and maintenance)
- Tourism (tour guiding, bus driving)

Reports from consultations held during the Feasibility Study for the project confirms:

- *“Fishing is considered a priority because the Kalinago people have historically been a fishing people, and preservation of this fishing culture and tradition is extremely important to them.*
- *The Kalinago indicated that they fish sustainably and are aware of the risks of unsustainable fishing. They would like their fish resources to last into perpetuity. They indicated that proper enforcement measures are needed to deal with illegal fishing within the waters of Dominica.*
- *Fisherfolk from the Kalinago community travel north to Marigot or south to Castle Bruce to use the fishing facilities there since there is no landing site or proper boat launching facilities in the community. Many fishers use more modern boats, not just traditional canoes.”*

The most recent Country Poverty Assessment Survey (CDB, 2008) reports that one out of every 2 persons in the Territory is poor, that is 49.8%. The Kalinago Territory was the last community in Dominica to be connected to the electricity grid, which began to be installed in 1986. It is also reported that this community (along with Roseau Central) has the highest number of institutions and organizations providing services, resources and support to its residents. This implies that the community has a high reliance on social services. Members of the Kalinago Council believe that there is the need to “empower people and then they can help themselves” (Consultation July 2018)

3.2.2 Social and Economic Infrastructure

1. **Schools:** There are pre-primary and primary schools in the Territory but no secondary and tertiary schools.
 - a. The Go DOM provides transportation for secondary students to attend schools outside of the Territory.
 - b. Currently there is a belief by members of the community that in the process of education outside of the Territory youth are desensitized to Kalinago cultural values.
2. **Churches:** Traditionally the Kalinago people are nature worshippers. There are many religious denominations of Christian beliefs represented in the Territory.
3. **Health Services:** There are 2 clinics in the Territory but no commercial pharmacy to provide basic non- prescription medication and health supplies.
 - a. The Go DOM operates the clinics and pay the wages of the doctors and staff. An ambulance is available for emergency purposes as there is no resident doctor in the Territory. The ambulance and dental equipment were donated by an international NGO to the Council.
4. **Tourism:** There is a model Kalinago village featuring the traditional architecture, craft, food and lifestyle in the Territory. It is marketed as a major tourist attraction for the island of Dominica. The village is small and there is scope for improvement and increase of the services and products offered to visitors. As the cover photo shows, the Ministry of Tourism is currently involved in repairing the facilities which was damaged after the passage of Hurricane Irma in 2017.

Council views on tourism:

- a. The view expressed by the Councillors is that Dominica needs to see the Kalinago community as an attraction for tourism, but NOT as a commodity to put on a show for tourists. Councilman Hill expressed the view that *“people need to see the way we live not something that is put on show i.e. not Disney World Style”*.

- b. There is also the belief by the Council that the benefits of Tourism do not trickle down into the community as there are no tourist associations and tour companies from the Territory. The need for Kalinago people to do marketing is one of the issues to be considered by the Council.



- c. There is no signage only the main roads leading into the Territory, so it is not possible for a visitor to ascertain when he/she enters or leave the space. A landscaped gateway with information and toll booth can be developed.



Figure 3.4 Drying of locally sourced vetiver grass to repair buildings in Model Village (photo by Author)



Figure 3.5 PV Solar system used to power model Village destroyed by Hurricane Irma (photo by author)

5. **Craft-making:** The Kalinago people have a strong tradition of being skilled artisan with a unique and distinctive cultural style of basket weaving and wood craft. The raw material and natural resources used in their craft is in scarce supply due to unmanaged use and degradation of the habitat by natural hazards. Formerly persons had their own plantation where raw materials were sourced. The Council expressed the need for conservation zones for production of raw materials for craft and boat making. This should be guided by an inventory of the stock of resources and a program for replanting and restoration of the biodiversity.
- a. Another challenge to the Kalinago craft is the situation where persons on the Island of Dominica who are not Kalinago also make and sell craft with claims that it is authentic and from the Territory.
 - b. Through the Caribbean Export Agency, support is being provided to the Kalinago people to develop geographic indication, branding and/or trademarks for their craft. This will help to increase and protect the value of their cultural heritage. The Council noted that the licenses, registration of styles, management of intellectual property (IP) etc should be owned by the Kalinago people and not the Government of Dominica.
 - c. The support being provided includes a comprehensive study on the methods of protection.
 - d. There is recognition of the need to build the capacity of the Kalinago people to manage their IP, training of young persons to retain institutional memory in the Territory, reviving the Kalinago Craft Association and certification of craftsmen.
 - e. This view on the management of IP extended towards the use of visual cultural images of the Kalinago people in marketing Dominica without their permission or input on the form, content and context, and without tangible benefits returning to the community.

6. **Agriculture:** There is the need to develop new sustainable approaches for farming as the traditional slash and burn methods have resulted in land degradation. (It was learnt from a councilman that 8 persons in territory are trained agronomists).
- a. Farmers in the Territory have contracts with the Dominica Export Import Agency (DEIA) to supply crops for export such as plantain, peppers, yams, dasheen, sweet potatoes. The target area under pepper cultivation in the Territory is 16 acres.
 - b. In consultation with the Kalinago Council and the Head of the export promotion department of DEIA it was learnt that the farmers often break their supply contracts and sell the produce to other wholesales.
 - c. DEIA personnel noted that there are challenges with farm management techniques, access to credit and labour as there is low interest in the sector.
 - d. The Council is of the view that there is need for expansion of the lands within the Territory for agriculture and to reduce land degradation and pressures on the current limited acreage (3,700 which means about 1 acre per person).
7. **Construction:** It is the view of the community that the best builders on Island come from the Territory. The Kalinago architecture has a distinct aesthetic and hurricane resistant risk profile which must be protected. However, it is a recurrent complain that builders from the Territory have no capital or collateral to start their own construction businesses.
- a. For example, it was reported that under a project implemented in the Territory and funded by a development agency, local builders were not able to qualify to do the project due to a lack of assets/capital/collateral. Only 4 persons were hired by the contractor who was not from the Territory. They were paid minimum wages at \$40 per day.
8. **Trade:** Council members expressed the view that the territory should be made a tax and duty-free zone. They noted that this issue has been raised with the Government.

Persons living in the Territory would like to see the construction of a marina/jetty facility to attract marine tourism to the Kalinago Village. At present there is no jetty facility in the Territory for the fishermen.

3.3 Capacity of Kalinago Council to undertake development planning

With regards to the socio-economic development and environmental management of the Territory, there is no evidence that the Council has functioned as provided for by the Act:

- The Kalinago Council does not have its own resources to undertake development projects within the Territory. The Government provides a subvention to the Council under the local government budget to pay salaries to the Council Chief, Clerk and \$150XCD per month to each councilman. Administrative expenses for the running of the Council's office is also covered under the subvention. No money is given to the Council to undertake projects or for discretionary spending.
- The Kalinago Territory Act provides for the Council to develop an annual work plan and budget for central government's approval and funding. This does not happen, and no annual plans are submitted to the Government by the Council. The current practice is for the Ministry of Kalinago Affairs to meet with the Council, ask questions about what is needed in the Territory, and the decision-making on which initiatives to implement are made by the Ministry and the Cabinet.
- The Kalinago Council has expressed concern about the low human, technical and financial capacity within the Territory for proper resource management and the need for external support to assist with capacity building. A registry of the skills sets, education and training of Kalinago people needs to be developed.
- Although Section 30 of the Act provides the legal authority for the Council to raise financial capital for the development of the Territory there is the widely held belief that communal property cannot be used as collateral to finance development. An appropriate framework and lending mechanism or credit union must be created

for the Council to secure development finance which can be lent to persons within the Territory.

30. Subject to the provisions of this Act, it shall be with the power of the Council

(a) to borrow, with the sanction of and subject to such terms and conditions as may be imposed by the Prime Minister, any sum or sums of money on the security of the immovable estate, rent, rates, and other income or assets of the Council, for the purpose of carrying out any work of public utility within municipal limits, or any work which the Council is authorised to execute under this Act; but-

(i) the total annual charges for interest and sinking fund in respect of any loans in existence at any one time shall not exceed one-fourth of the total yearly income of the Council; and

- Collaborations should be encouraged between the Kalinago Council and line ministries with responsibility for natural resources management (including forestry, fisheries, environment etc.) to leverage the knowledge-base and resources of these Ministries. This may also include administrative and technical support for seeking grant funding for implementation of natural resources management projects developed for the Territory.

3.4 Community based Organizations

There is need for a comprehensive household survey of the Kalinago Territory to determine the exact population size, age/class structure and skills sets of persons. This need was expressed by the Council based on the observation that there are conflicting reports on the actual number of persons living in the Territory, with number 3,000 being quoted for more than 20 years. Data obtained from World Bank IPPF reports put the number at 2, 145 based on 2011 Dominica Population and Housing Census.

The Councillors note that the most active community organization is the Kalinago Sports Club which maintains the sports field. Other organizations which are not as active include:

- Farmers Association
- Disaster Preparedness Committee
- Kalinago Craft Association
- Churches/religious denominations
- Community Development organizations in each Hamlet (not very functional)
- Non-profit organizations:
 - Salybia Heritage & Restoration Project (SHARP) – restoration of Salybia the first settlement or “town” in the Territory
 - Waikade Group – undertake projects in community

4.0 RECOMMENDATIONS, PROGRAMS & SUBPROJECTS FOR THE KALINAGO TERRITORY

4.1 Aspirations of the Kalinago People

The national plans, subprojects and programs to be developed under the CROP have yet to be clearly articulated for the Island of Dominica. The Kalinago Council (KC) considers Marine Spatial Planning (MSP) as an important initiative for their people. The Council hopes the CROP will create opportunities for many important discussions for the benefit and social and economic improvement of the lives of their people. The Community believes that the development of coastal and marine spatial plans (CMSP) and policies under the CROP will contribute to meeting their aspirations for the Territory. The Kalinago Council has a clear vision and aspirations (goals) for social and economic development of the Territory, therefore programs or sub-projects must seek to contribute to these goals:

1. To maintain the integrity of lands and tribe as a distinct territory in the country
2. To develop an education system; curriculum, that is appropriate traditionally, culturally; with physical infrastructure in the territory (that is secondary schools)
3. To improve delivery of Health Services to the community
4. To foster better protection of forest, rivers, water, catchment areas (territorial lands), as well as fisheries;
5. To develop an active economic base where commerce can be generated

4.2 Community views and recommendations on the potential benefits of CMSP:

The observations below are from consultations with the Council from the Feasibility Study

- The Kalinago Council (KC) considers Marine Spatial Planning (MSP) as an important initiative for their people. The Council hopes the CROP will create opportunities for many important discussions for the benefit and socio-economic development of their people.
- The KC thinks that MSP should happen between high tide mark and the marine area under the jurisdiction of Dominica.
- Although there is no legally designation of marine space as part of the Territory, the Council is interested in creating marine conservation areas in the marine

space off the territory to protect fish nurseries and ensure sustainable fisheries but recognize that they would need scientific data to inform the design of these areas.

- To their knowledge, Dominica does not have maps of fishing areas. The maps of the fishing areas produced during the MSP process will be a useful output that is valuable to them. Approved and restricted fishing areas should be highlighted on these zoning maps and thus, should lead to better enforcement.
- The Council thought undertaking a regional MSP would be good especially since the Panama Canal has recently currently been expanded. This expansion will result in more and larger ships containing potentially dangerous cargo passing through the region. The OECS countries should be mindful of this and strengthen their position on what is allowed through their waters as a group.
- The Kalinago stated the importance of involving France in the regional MSP process so that agreements could be made to regulate their activities since Martinique and Guadeloupe are so close to Dominica.
- Allocation of additional lands to the Territory during the process of development of the coastal master plans should be considered.
 - The Council express the need for technical and financial support to develop a zoning plan for the Territory and to demarcate conservation zones to restore the local forestry. This is important to reduce natural hazard risk exposure and to supply raw materials used by the medicine men/women, for craft making and boat building.
 - Conservation zones for protection of the indigenous raw materials should take place on a national scale and not only within the boundaries of the Territory.

4.3 Community Views and recommendations on the Potential Adverse Impacts of the Project

Several potential conflicts are to be resolved or given due consideration to ensure equity and fairness during participation in the coastal and marine spatial planning (CMSP)

process. ***The observations below are from consultations with the Council during both the Feasibility Study and the SESA:***

1. The exact physical boundaries of the Territory have not been formalized and there are long-standing disputes on same. This is important to facilitate spatial mapping and planning for the Territory;
2. The marine (land as below sea) boundaries of the Territory have not be identified and it is a desire of the Kalinago people that it is demarcated; however, there is concern that this may not fit within national priorities and objectives for national marine spatial plans;
3. If separate CMS plans are developed for the Territory, this must be done in keeping with the legal framework and in consultation with the Kalinago people, and should be subsumed into the national CMSP;
4. During the development of CMSP for Dominica separate consultations and project planning will have to conducted to ensure that plans are developed based on the aspirations and *needs of the community* and not based on national socio-economic drivers and pressures;
5. Members of the Council are of the strong opinion that they are consulted only because of international project funding requirements and that their real priorities and actions which are transformative are not adopted into project implementation plans. It is therefore critical that the project addresses the needs of the community as it relates to zoning and allocation resources for use.
6. Declaration of areas within the reserve as protected may result in conflicts with long-standing traditional practice of unregulated access to community lands. As such, it is important that there is active consultation and buy-in from Kalinago people very early in the planning process.
7. The council contends that historical inequity in the allocation and distribution of resources and investments in the territory by governments and institutions in Dominica have in no small measure affected development in the territory. The Council argues that even the allotment of land which comprises the territory

(3,700+/- acres) allocated in perpetuity to the last surviving Kalinagos in the OECS, amounts to only two percent (2% of the total land acreage of Dominica (185,300 acres). The Council perceives this is an ongoing inequity in resource allocation and distribution which when positioned against the historical ruin of the Kalinago inhabitants across the region, is justifiable grounds for continuing to put this inequity in the public domain and enough grounds for disquiet and calls for redress.

8. The Kalinago expressed the desire to have more authority on issues relating to marine governance. Dominica is guided by UNCLOS, which does not regard the Kalinago as having sovereignty over any of the island's ocean space, while the Kalinago feel, as the indigenous people of the island, they have been there long before the establishment of the Commonwealth of Dominica and should have the right to and should be given their own allocation of marine space.
9. This was felt to be especially so in the case of territorial disputes with Venezuela over Bird Island (Aves Island). Bird Island is located 160 miles west of Dominica, but more than 200 miles from the north of Venezuela. Venezuela has not signed UNCLOS, and as such cannot be held accountable under that agreement. However, the Kalinago Council believes that the first claim on Bird Island should not be for either the state or Venezuela, but rather for the Kalinago, who have been in the region for over 6,000 years. The Government of Dominica has neglected their claim and is considering conceding Bird Island, but the Kalinago do not agree. They speculate that Venezuela wants Bird Island because it has oil, natural gas and abundant fish stocks.

4.4 Recommended Programs and Subprojects for Kalinago Territory

From the foregoing there are two types of programs and subprojects that can be considered for implementation in the Kalinago Territory as part of the CMSP in Dominica. These are outlined in the Table 4.1 which follows:

Table 4.1 Programs and Subprojects for the Kalinago Territory

Program 1 – Building Resilience and Adaptive Capacity This program of activities addresses the legal framework and institutional capacity gaps discussed in sections 2 and 3 of this report which are critical to successful implementation of the CROP CMSP. They are based on the recognition that policy responses must address factors operating at the level of the political economy so that the socio-economic drivers that led to environmental pressures can be reduced. The suggested actions are directly related to the provisions of the Kalinago Territory Act, aspirations of the people and recommendations provided by the Kalinago Council:			
Governance Framework	Suggested Projects	Positive Impacts	Negative Impacts/Mitigation
Institutional Strengthening	Establish Body Corporate for the management of the social and economic development of the Territory	The Body Corporate has legal authority to generate revenue and borrow monies for capital development projects; Progression along path for self-determination and attainment of the aspirations for socio-economic development of the Territory	Potential conflicts with Ministry of Kalinago Affairs and Government national economic development agenda; There is legal basis for independent management of the Territory and these can be resolved
Legal Framework	<ul style="list-style-type: none"> • Demarcate boundaries of territory; • Develop bylaws for land use and management; • Increase size of Kalinago Territory in consultation with Government of Dominica and provisions of Kalinago Territory Act; 	Improved management of territorial lands; Inequality in allocation of land resources corrected; Reduced population density land degradation and population pressures in Territory;	Potential to restrict access to natural resources in surrounding areas which are critical for maintenance of cultural identity; Resistance from Government of Dominica; Negotiation of terms between the GDOM and the KC to reduce conflict and disquiet
Land Tenure and administration	<ul style="list-style-type: none"> • Develop land tax regime • Phased implementation of taxation with variable rates in keeping with socio-economics 	Generate revenues for development of social and economic infrastructure; Reduced dependence on the Government for financial assistance	Conflict with traditional practices; Need support from Ministry of Kalinago Affairs, consultation, education program and communication strategy;

Program 1 – Building Resilience and Adaptive Capacity

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Governance Framework	Suggested Actions	Positive Impacts	Negative Impacts/Mitigation
Economic instruments	Implement system of user fees and quotas for natural resource extraction as provided for in the Kalinago Constitution	Generation of revenue; Improve environmental quality of Territory; Reduction in exploitation of natural resources;	Conflict with traditional use system; Increased technical human resource needed for management of Territory; Education program and communication strategy needed
Collaboration and Cooperation	Participation on national ocean governance committee and other natural resources management initiatives;	Protect rights of Kalinago peoples; Increase technical capacity to manage Territory;	
Stakeholder Capacity	Environmental Education and conservation programs for all stakeholders;	Increased knowledge on the local environment; Participation in activities to reverse past damage and restore watersheds; Empowerment of Kalinago people	

Program 2 – Mitigation Measures to Reduce Vulnerability

This program of activities addresses implementation of measures to correct past actions and impacts, reduce environmental, social and economic vulnerability. Natural resources needed for sustainable livelihoods will be protected as well as conserved through wise use; degraded watersheds restored and protected to restore both ecological functions and long-term/future use for sustainable livelihoods, medicinal and cultural uses.

Governance Framework	Suggested Actions	Positive Impacts	Negative Impacts/Mitigation
Land Management	Coastal and marine spatial plans developed for territory; Demarcation of marine zones and construction of marine access to Territory; Signage to mark entrance to Territory, demarcate zones; Expand model Kalinago Village	Zoning of areas for conservation, reforestation rehabilitation and managed use; Increased visitors to Territory and model village; Marine tourism, trade and commerce developed in the Territory; Increased economic benefits to community	Conflict with traditional nomadic use system; Potential to restrict access to resources outside of territorial boundaries; Increased technical human resource needed for management of Territory; education program needed
Administration of coastal and marine resources	Conduct ecosystem survey and natural resources stock assessment; Reforestation projects for degraded watersheds; Environmental education and conservation programs;	State of the Territory environmental report; Protect and increase biological diversity in Territorial lands; Managed use of natural resource assets utilized for sustainable livelihoods;	Illegal logging and resource extraction in restricted areas; Increased human resources needed for monitoring;
Monitoring, Compliance	Project data capture, voluntary compliance and reporting by resource users; Community neighbourhood watch	Kalinago Council already has mechanism in place to address community conflicts; Voluntary compliance by resource users; Resource use conflicts reduced due to zoning;	Conflict with traditional practices; Kalinago Council need to build capacity to monitor and ensure compliance with bylaws (to be developed)

5.0 RECOMMENDATIONS FOR PROJECT IMPLEMENTATION

5.1 The National Oceans Governance Committee

This committee is vital to the successful implementation of the project however it has not been formally constituted to date. The Kalinago Council must have representation on the Committee to ensure that the rights and freedoms of the Kalinago people are protected and that any national spatial plans do not negatively impact the Territorial lands. All maps produced under the CROP must include the demarcation of the Kalinago Territory.

5.2 Conditions for CMSP in the Kalinago Territory

Based on the current legal framework, the Council has the responsibility to develop by-laws and plans for the management and administration of its territorial land resources. If national priority is given to the development of separate area coastal and marine spatial plans for the Kalinago Territory, this must be done in keeping with the existing legal framework and based on the priorities of the Council. From consultations with the Kalinago Council it was revealed that there are structural adjustments which the councillors would like to make with regards the way in which the Territory is managed. The following critical factors must be considered for successful project implementation:

- Capacity of the Kalinago Council to develop By-Laws for management of the lands in the Territory must be developed;
- A corporate social and economic management framework must be developed to build the capacity for self-governance;
- This will require among other factors, the creation of a financial system to generate revenue from taxation, licenses, user fees and quota system for resource extraction and management of the Territory (as provided for in the Kalinago Constitution);
- Improvement and expansion of the model Kalinago Village to increase the potential economic benefits to the community. [Cognizant of the national profile given to the Kalinago people in the marketing of Dominica as a tourist destination]

5.3 Social Assessments and Indigenous Peoples Plan

It is recommended that a full Social Assessment (SA) be conducted should the decision be taken to develop spatial plans for the Territory or if the national plan proposes any action which will negatively impact on the Territory. This is important for several reasons:

- The impacts of the recent Hurricanes would have significantly affected the local natural resource base as well as physical infrastructure in the Territory. There is no data on the situation with regard marine resources and surveys must be conducted to facilitate CMSP in Dominica.
- Information on resource use and allocation, socio-economic trends and the recovery process is needed to guide plans;
- The Kalinago Council needs robust data on the community to develop capacity for planning.
- The Kalinago Territory is an important feature of Dominica's Tourism Product.

The SA should be conducted with active participation of the people within the Kalinago Territory in coordination with the Council and Ministry of Kalinago Affairs taking advantage of opportunities for:

- Capacity building and training of youth and employed persons to conduct surveys;
- Identification of natural assets that require protection or conservation status during development of coastal spatial master plans;
- Identification of marine resources and heritage that must be protected.
- Identification of sustainable livelihoods and new economic activities.
- Building linkages with relevant departments/ministries of Government and the Kalinago Council by actively involving them in the SA process.

The SA should be guided by World Bank procedures and include the following elements (as needed):

- (a) "A review, on a scale appropriate to the project, of the legal and institutional framework applicable to Indigenous Peoples.
- (b) Gathering of baseline information on the demographic, social, cultural, and political characteristics of the affected Indigenous Peoples' communities, the land and territories that they have traditionally owned or customarily used or occupied, and the natural resources on which they depend.
- (c) Taking the review and baseline information into account, the identification of key project stakeholders and the elaboration of a culturally appropriate process for consulting with the Indigenous Peoples at each stage of project preparation and implementation.
- The Kalinago Council is the primary body through which the consultative process should originate;
 - Traditionally, all councilors are men with the council clerk being female. Women, however, manage households and play a dynamic role in community life. They must be engaged in the consultative process so that their views are represented;
 - Recognition must be given of the overall policy and legislative role of the Ministry of Kalinago Affairs and the Government of Commonwealth of Dominica.
- (d) An assessment, based on free, prior, and informed consultation, with the affected Indigenous Peoples' communities, of the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is an analysis of the relative vulnerability of, and risks to, the affected Indigenous Peoples' communities given their distinct circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to other social groups in the communities, regions, or national societies in which they live.
- (e) The identification and evaluation, based on free, prior, and informed consultation with the affected Indigenous Peoples' communities, of measures necessary to avoid adverse effects, or if such measures are not feasible, the identification of measures to

minimize, mitigate, or compensate for such effects, and to ensure that the Indigenous Peoples receive culturally appropriate benefits under the project”.

5.1.1 Indigenous Peoples Plan

As part of the planning process an Indigenous Peoples Plan (IPP) will need to be developed following the completion of the social assessment and should include the following elements, as needed (World Bank guidelines):

- (a) A summary of the information paragraphs (a) and (b) above.
- (b) A summary of the social assessment
- (c) A summary of results of the free, prior, and informed consultation with the affected Indigenous Peoples' communities that was carried out during project preparation and that led to broad community support for the project.
- (d) A framework for ensuring free, prior, and informed consultation with the affected Indigenous Peoples' communities during project implementation (see paragraph 10 of World Bank policy).
- (e) An action plan of measures to ensure that the Indigenous Peoples receive social and economic benefits that are culturally appropriate, including, if necessary, measures to enhance the capacity of the project implementing agencies.
- (f) When potential adverse effects on Indigenous Peoples are identified, an appropriate action plan of measures to avoid, minimize, mitigate, or compensate for these adverse effects.
- (g) The cost estimates and financing plan for the IPP.
- (h) Accessible procedures appropriate to the project to address grievances by the affected Indigenous Peoples' communities arising from project implementation. When designing the grievance procedures, the borrower considers the availability of judicial recourse and customary dispute settlement mechanisms among the Indigenous Peoples.
- (i) Mechanisms and benchmarks appropriate to the project for monitoring, evaluating, and reporting on the implementation of the IPP. The monitoring and evaluation

mechanisms should include arrangements for the free, prior, and informed consultation with the affected Indigenous Peoples' communities.

5.2 Framework for Free, Prior and Informed Consultations (FPIC)

During the Feasibility Study and initial consultation in July 2018 inquiry was made into the best approach for FPIC during project implementation.

- It was agreed during consultations that all communications with the Kalinago community be channeled through the Kalinago Chief who will serve as the champion of the project.
- The Territory will be represented on the National Oceans Governance Committee by the Chief and thus have timely access to project information and outputs.
- The Chief will consult with the Council and community stakeholders as necessary and allow for the consultants to have access to the do work in the Territory. In the absence of the Chief a councilman will be designated to act on his behalf.
- Consultations should be conducted at each stage of the planning and design process with the Council and community members. Meetings will be organized in collaboration with the Council.
- Given that the Council comprises only men, special attention must be made to ensure that women and youth are engaged in community meetings, discussion groups and project activities. This issue was raised with Councilmen and it was noted that traditionally the Council comprise of men and the Council Clerk is a woman. Traditionally the role of women is highly regarded, they are actively involved in all aspects of life in the Territory and have dominant roles in management of the home, education, health care and social services as well as small businesses.

5.3 Mechanism for Monitoring and Evaluation

Overall monitoring and evaluation (M&E) of the Indigenous Peoples Plan and the CMSP should be undertaken by the National Oceans Governance Committee in active collaboration with the Kalinago Council (KC). The Implementing Ministry (IE) and KC will

have the direct responsibility for monitoring and evaluating the implementation of the IPP. Reports must be prepared in keeping with contract requirements for the consultants and shared in meetings with the NOGC, Ministry of Kalinago Affairs and the Kalinago Council.

The Kalinago Council will be able to address concerns with constraints and problems encountered during project implementation. The principles for public participation and guidelines for development of public participation plans presented in the SESA should be considered in development of a participatory M&E Strategy.

**Figure 5.1 Guiding Principles for Implementation of
Agreement on Access to Information, Public Participation and Justice in
Environmental Matters in Latin America and the Caribbean**

Principle of equality	Principle of non-discrimination
Principle of Transparency	Principle of Accountability
Principle of Non-regression	Principle of Progressive Realization
Principle of Good Faith	Prevention Principle
Precautionary Principle	Principle of Maximum Disclosure
Principle of Pro Persona	Principle of Sovereign Equal States
Principle of Permanent Sovereignty of States over their natural resources	

Regardless of whether detailed coastal and marine spatial planning is undertaken for the Kalinago Territory or not, indicators that should be monitored in development of national plans can include:

- Participation of community members in project implementation;
- Change in resource use/livelihoods in the Territory;
- Changes in procedure for allocation of lands;
- Protection of habitat and natural resources needed for Kalinago traditional cultural activities;

- Overall increase in national conservation zones for indigenous materials used for craft, boat making and traditional medicines

A detailed M&E Strategy must be developed to guide project implementation.

5.4 Grievance Redress Mechanism

It is important to bear in mind that the Commonwealth of Dominica has not enacted an Environmental Management Act, Freedom of Information Act or other legal mechanism for justice in environmental matters. There is no formal national grievance redress mechanism (GRM) therefore it will be necessary to develop an appropriate framework for the project to address legitimate concerns of affected individuals. The Kalinago Council must be able to access the project's GRM. Section 25 (3) of the Kalinago Territory Act provides a formal mechanism for settling grievances in the community. The GRM is well established and the Chief and Kalinago Council handle all disputes between individuals in the Territory. As appropriate a fee is charged for providing the dispute resolution service however the Council is not authorized to try cases or impose fines on persons.

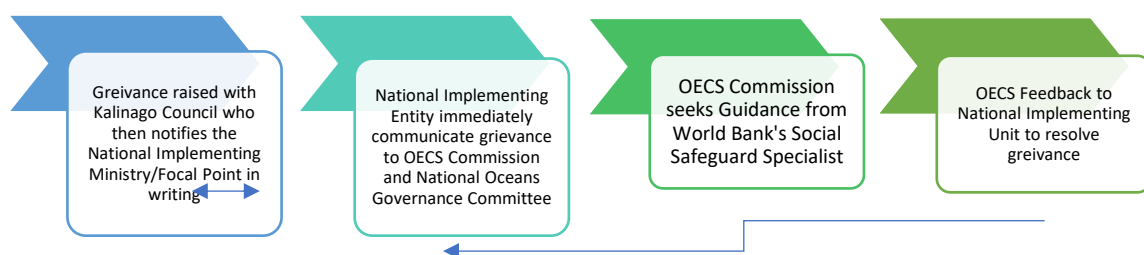
The mechanism, to be developed by the National Oceans Governance Committee in consultation with the project implementing entity (Ministry of Fisheries/Ministry of Environment) and the consultants for the project should include:

- a. A system for recording and reporting grievances filed both verbally and in writing;
- b. An information officer or designated staff with responsibility for communicating with the public; and
- c. A timeframe to address the filed grievances.

Proposed structure of the mechanism is detailed in the Table below. The functioning of the grievance redress mechanism will be regularly monitored and evaluated by the OECS Project Coordinating Unit as well as the National Oceans Governance Committee during project implementation.

Grievance Redress Procedure	
Access Point	<p>For the Kalinago Territory, the access point for filing grievances must be the Kalinago Council. This is consistent with the traditional arrangements which currently exists in the Territory.</p> <p>The grievances submission can be made verbally or in writing in any of the local languages and/or English. Where grievances are made orally they must be transferred into writing by the Council Clerk who is the person charged with this responsibility at the access point.</p>
Grievance Procedure <i>(The project should not seek to replace the GRM that already works in the Kalinago community. Instead it should strengthen and seek to build capacity)</i>	<p>The Kalinago Council through the Clerk will immediately file the grievance with the Implementing Entity/Ministry (IE) and the Ministry of Kalinago Affairs.</p> <p>Once a grievance is filed, the OECS Commission, through the CROP Implementing Unit must be informed. The Unit will then seek guidance from the World Bank's Social Safeguards Specialist and guide the NOGC accordingly.</p> <p>The OECS Commission will maintain the log and should give access to the NOGC and Kalinago Council. This log should constitute a data base containing the origin of the grievances and associated issues, number of complaints received, resolved, and gone to mediation. This log will be captured in quarterly project progress reports prepared by the IE and Consultant.</p>
Investigation Procedure	<p>The OECS Commission, through CROP, must be made aware of the grievance so that they can seek guidance from the Bank and then guide the Council, Ministry, or NOGC accordingly. The entity addressing the grievance would depend on the grievance.</p> <p>From consultation with the Kalinago Council the following procedure which is based on the existing GRM is recommended. The time frames can be adjusted but should be elongated and result in undue delays in providing relief to the aggrieved:</p> <ul style="list-style-type: none"> • Within 2 days of receiving a complaint, the Kalinago Council (KC) will complete a preliminary review of the grievance, gather additional information and provide

	<p>an estimate of the period necessary to address the grievance to the aggrieved person.</p> <ul style="list-style-type: none"> • The information is then forwarded to the Ministry of Kalinago Affairs and the IE to further investigate the claim within 10 days. This includes interviewing all involved parties and reviewing any documents associated with the grievance. After all information has been collected and analyzed, the IE/KC and Ministry of Kalinago Affairs will make a decision as to the steps to address the matter. • If the aggrieved person does not receive a response within the agreed time or is not satisfied with the outcome, he/she can refer the matter to the second level of the Grievance Redress Mechanism which is the National Oceans Governance Committee, to appeal the decision and for redress. The NOGC will consult with the OECS if deemed necessary. <p>The GRM Appeal should acknowledge within 10 working days, receipt of the letter of appeal and should include notification of the period necessary to address the appeal. If the aggrieved person is not satisfied with the outcome he/she can refer the matter to the Court of Law for redress.</p>
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5.2 Suggested Pathway for GRM

5.5 Disclosure Arrangements

The Kalinago Council was instrumental in providing information for this report as well as commenting on an approving this IPPF. Drafts of the social assessment and IPP must be provided to the Council for their review and approval before these documents are finalized. Following approval of the OECS and World Bank the documents can be made available to the public via websites and appropriate media.

ANNEX I – Consultation Notes July 17th 2018

[Persons consulted had previous knowledge of the project from participation in the Feasibility Study]

Meeting with Cozier Frederick, Kalinago Development Officer, Ministry of Kalinago Affairs

Introduction by David Robin, Head OECS Oceans Governance Unit

- Intersectoral approach to ocean governance
Government sanctioned process
 1. Identify the users
 2. What are the uses
 3. Optimize benefits for this and future generations

Comments from Kalinago Officer

- Familiar with World Bank process for development of indigenous people's plan.
- Key issues to be considered:
 - geographical designed spaces
 - marine space of territory not mapped out
 - We see foreign traffic and fishing in their space

Note: at least 50% of fish at largest landing site come from Kalinago fishers

- Kalinago fisherfolk land greater than 250,000 lbs per year
- what are the areas of the Kalinago fishing; needs to be mapped
- under water artefacts – heritage; needs to be mapped

Points of Interest of Kalinago Council

- Trade across borders “coastal seaborne empire”
- Kalinago Mariner document from chief has permission to trade with other territory
- 40 years ago, affected by independence viz sovereign state; crushed the Kalinago spirit
- international borders with navigational rights
- 92% of households impacted
- “vernacular” architecture; Kalinago model designs survived hurricane Maria

Observation by David Robin:

- CERMES, CLME+, OECS - part of inter-governmental governance framework]

- ECROP – international best practice for regional ocean governance]
- EC ocean governance team; has national committees; need representation from Kalinago people

Meeting with Kalinago Council – July 17th 2018

Chaired by Councilman Hill (in absence of the Chief Mr Charles Williams)

Comments from Councilman Hill

Effects of Hurricane Maria

- housing damage
- farming
- fisheries
- livelihoods
- housing stock less damage for David →
More relief after David than post-Maria
Dissatisfied with relief
e.g. family of 6 with one day supply of food

Persons still in Shelter

Not self-motivated/dependent on government for relief

High Level of Dependency on Government

- Council needs to sit down and develop a plan of action; positive action
- The right assistance needed for community to be productive
- Services in Community
 - schools
 - resource centre
- Activities engaged in: farming, tourism, fishing not on a commercial basis

Comments from David Robin

Intro on project → *overview on OECS Ocean governance project*

Questions from consultant:

1) What is the Institutional Framework for the Kalinago Territory

Answer from Councilman Hill: (see diagrammatic representation)

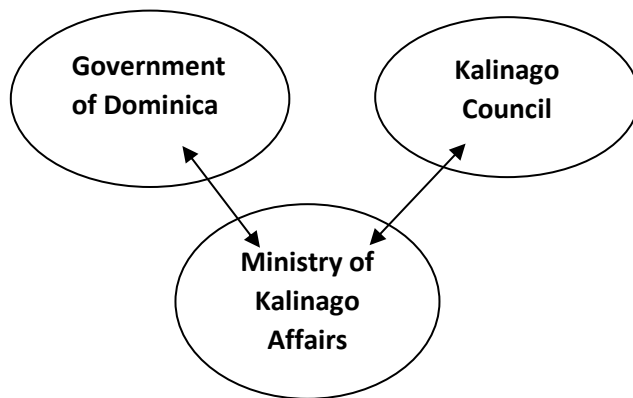
- The Kalinago Council is separate from the Government of Dominica; not below but autonomous

Government of Dominica

- Now have a Ministry of Kalinago Affairs (MKA) which serves as a link to the government
- The ministry is fulfilling all the responsibility of the Council;
- MKA has parliamentary representative and staff
- Kalinago Development Officer/ Govt Employee
- Develop programs & initiatives from a government level to be implemented in the territory

Kalinago Council

- Local governance for the territory
- 6 Councillors
- Chief
- Clerk



2) Resources, policies, plans strategies?

Answer from Councilman Hill:

- We know the challenges in the community but have not done anything about it;
- Nothing is in writing
- **Two-way process of development (with Gov't) does not always work**
- Any Ministry has an annual budget but MKA has no annual budget and has not developed [plans/projects] in consultation with the Council
- Ministry answer will be “yes programs policies and strategies for the territory but NO involvement of Council”
- Council has no financial resources to develop, research any plans for the Community

This project (CROP) will be 3rd WB executed project in territory

- plans written;
- done only to satisfy UN objective
- numerous suggestions we must do projects in community

- we must do their project instead; WB project not want to change people's lives- in a real way; no transformation

3) What are the aspirations for Territory?

Answer from Councilmen (Hill and Frederick):

- "lands" owned by Council; title for lands in the name of Council
- Seascape not demarcated

Five major aspirations:

9. Want to maintain the integrity of lands & tribe as a distinct territory in the country
10. Want to develop an education system; curriculum, that is appropriate traditionally, culturally; with physical infrastructure in the territory (that is schools)
 - a. No high schools in territory
 - b. Youth are desensitized in process of education out of territory/assimilation
11. Health Services – 2 clinics in territory
 - a. Territory categorized as its own health district –doctor; ambulance
12. Better protect forest, rivers, water, catchment areas (territorial lands)
13. Active economic base where commerce can be generated
 - a. See community as attraction for tourism but NOT as a commodity to put on show for tourists; *people see the way "we live not something that is put on show" i.e. not Disney World Style*
 - b. Agriculture (8 persons in territory are trained agronomist)
 - c. Construction company/best builders on island in territory; no capital or collateral to start business; empower people and then they can help themselves
e.g. project funded by development agency in Kalinago territory; local builders were not able to qualify to do project; only 4 per were hired paid @ minimum wage at \$40 per day (by contractor not from territory)
 - d. Make territory a tax- & duty-free zone/raising issue

Councilmen highlighted major Issues/challenges for Kalinago Territory:

- institutional arrangement needed to access credit → communal lands
- In Dominica /Public workers once appointed can go to financial institution and obtain a loan; not so for Kalinago people working in the public service
- Banks & none of financial/institutional agencies will not give a loan to a Kalinago person
- *Government can amend Act to give commercial application (for land)*
- Health Services in Territory is [under resourced]
Clinic has potential /built for full primary health care
- Clinic built by private NGO funds space for pharmacy /private

[building leased to government for \$1 per year; for 10 years; need to re-negotiate]

→ government pharmacy → prescription drugs only

→ room for private pharmacy vacant government stop use for private pharmacy

- Entrepreneur to operate/ business person from community
 - People must travel to Roseau for basic over the counter medication such as cough medicine; none sold in territory
- Kalinago people do not have the capacity to negotiate terms of engagement with external agencies;
- NGO Donated two dental chairs to facility took 3 yrs. to set up and have a dentist in territory
- Government has a forestry department for policing forest reserves and **protected** areas
 - No rules for forest use in territory; indiscriminate use of forest cutting lumber etc
 - Furniture makers; joiners etc
 - most of water catchment areas deforested for agriculture
 - Need for serious reforestation of watersheds
 - Bios revier; balata, gommier, lowea (*VJ check spelling/scientific names*)
 - No resources to enforce protection of forest
- Gommier tree → used for boat building → bleed for gum incense
 - Sold to Guadeloupe and subsistence revenue;
 - no protection of those trees and they will disappear in 20 years unless they are protected
- Wrote GEF grant \$25,000
 - propagate Gommier plants [4,000] but destroyed by Maria

Tourism

- Visual only
- government recognized there is a benefit to market Dominica with image of Kalinago people
- economic benefits from tourism not felt in territory
- Government make investments that allow for overnight in territory
- agriculture always subsistence farming never on a commercial basis
- massive deforestation most of the trees cleared from the area
- Slash & burn practice of agriculture with negative impacts
 - need to move away from subsistence farming to applying technology and science in farming
- Kalinago tradition more a seafaring people

*not a traditional farming people → normally performed by women

Became a necessity of life (in the name of development must move away, deviate from certain things)

- 8 agronomists within the territory (degreed/qualified)
 - →unemployed
 - →working fields
 - with government
- no database on community
- 3,000 people more than 20 years ago
- No real census on the number of persons
- Approximately 800 houses in territory [**Mr Frederick** Kalinago Development Officer should have better information]


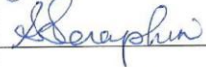



2 primary schools (one destroyed by Maria)

1 of which is outside territory that serves children

- Kindergarten to Grade 6
- Secondary School is out of territory [200 students government pays for buses]
- Several Churches in territory; main religions:
 - Catholic,
 - SDA, Adventist
 - Muslim,
 - Church of Jesus Christ Nazarene
 - Christian church of SDA
 - Jehovah Witnesses,
 - Bahia.
- Kalinago people are traditionally nature worshippers: Sun, Moon, Earth, Winds (1600+)
- Parliamentary Representative is Kalinago: for both Atkinson (nearby community) and Kalinago Territory (people in territory vote for parliamentarian in national elections)
- Opposition Candidate is not Kalinago
- Kalinago Minister “comes in and does what he wants”
 - Building 10 concrete houses without consulting the Kalinago Council; desecrated sacred site; tourism site
 - Fishing complex built in Marigot; Majority of fishing fleet more than 70% of fishermen come from Kalinago territory (no facility in territory).
 - Process of engagement lacking

- **Hurricane Maria has exacerbated relationship between Government and Council**

List of Kalinago Councilmen at consultation July 17th 2018

Name	Title/Department	Telephone	E-mail	Signature
Louis P. Hill	KALINAGO Council	767-275-7958	louispatrickhill@gmail.com	
Shernia Seraphin	Administrative Assistant M.K.A	225-8158	SherniaSeraphin1@hotmail.com	
* Jacqueline Corbette	Clerk, Kalinago Council	225-7946	Kalinago Council@gmail.com jacjac10@yahoo.com	
Jumadine, Frederick	Kalinago Council	295-7660	frederickjumadine@gmail.com	
Remy Anguiste	Kalinago Council	276/4710/3166/49	rauguiste@gmail.com	
Charles Williams	Kalinago Chief	225-7035		

Annex II – Meeting with Kalinago Council October 16th 2018

Date: October 16, 2018

Time: 6pm to 10:30pm

- The purpose of the meeting with to present the findings from the previous consultation, validate the information, fill gaps and solicit feedback on the recommendations emanating from the exercise.
- Four of the Six Councilmen attended the meeting which was held at the Chief's residence.
- Hard copies of the draft report were provided to the Council by the Consultant making it easy to read and comment on the key issues.
- The meeting included discussions with the Head of the Export Promotion & Development Department of the Dominica Export Import Agency. Useful information was gathered on the farming community and the capacity of food production in the Territory.
- More than 10 farmers have contracts with the DEIA to produce:
 - Territory has 16 acres growing peppers (impacted by Hurricane Maria)
 - Plantains
 - Dasheen
 - Yams
 - Sweet potatoes
- Assistance is provided with planting materials from
 - Nurseries
 - Ministry of Agriculture
- Before Banana provided a steady market with consistent demand and price
 - Present market is not organized; no consistency
 - Farmers break contract terms and sell produce to other dealers
- There are challenges with:
 - Yield, management technique
 - Access to credit
 - Labour/low interest in the sector

- The purpose of the visit of the DEIA official was to solicit a no-objection from the Council for implementation of a project for development of the Kalinago craft with support from the Caribbean Export Agency.
- Funding in the amount 50,000 Euros was already approved part of which is intended to hire the services of a consultant to develop geographic indication for branding of the Kalinago craft. The Councilmen were in approval of the project which will address:
 - A comprehensive assessment of industry;
 - Tools for protection of craft, trademarks etc;
 - Certification of craft persons;
 - Licensing, registration of styles
 - IP management
 - Training
- Concerns and issues raised by the Council included:
 - Need for the Council to manage the outcomes of the project intervention with DEIA;
 - People from Dominica who are not from the Territory are selling craft and claiming that it is authentic Kalinago craft from the Territory;
 - IP, registration, licenses etc to be owned by the Kalinago people and not the Government of Dominica or some other entity;
 - Kalinago Craft Association not functional and needs to be revived;
 - Traditional craft disappearing – need elder folks to teach craft;
 - Low interest of young persons in pursuing craft making as a career or skill for business;
 - Raw material in scarce supply; need production of raw materials
 - Cruise tourists do not spend much money;
 - There are no tourist associations or tour guide businesses in the community;
 - Marketing of the Territory as not undertaken by the Kalinago people;
 - Conservation zones needed for raw materials for craft and boat making. Formerly persons had their own plantations;

- Expansion of the Territory is needed for agriculture to reduce land degradation
- Deforestation of forests to supply key materials used for craft; need to undertake:
 - Inventory of stock of resources
 - Restoration of biodiversity
 - Program for replanting
- Kalinago people were migratory ocean/sea people so the idea of staying in one place and managing it is new; need to develop capacity for sustainable land management;
 - Banana industry resulted in large scale land clearing and farming in the Territory resulting in deforestation and land degradation;
 - Before Kalinago people were mainly sustainable home farmers to meet their needs.
- Discussions on the Kalinago Territory Act, legal framework and capacity for development:
 - The reading of sections of the Act in the draft report provided new information for the Councilmen;
 - Considerations will be given for collection of household and land taxes to generate income for specific development projects in the community. There are 800 households so a suggested annual house fee/tax of EC\$10/year will generate EC\$8,000. This can be used for development of entry signs at the beginning of the Territory;
 - By-laws for setting up conservation zones will be considered however technical assistance will be needed from CROP to undertake the spatial mapping exercise;
 - At present small income is generated from rental income of Territory assets. This is used to support scholarship program for secondary school students from the community;
 - One Councilman was of the view that a salary should be paid to the councilmen as EC\$150/month is insufficient when compared to the amount of work that is undertaken in the community;

- The Council had a credit union before with 100 members however the reasons given for its failure were:
 - Capacity to operate;
 - Lack of transparency, accountability and trust;
 - External audits/managers had hand in failure
 - Lack of strong leadership
- For the first time the Council became aware that it is within their legal framework to form a body corporate to manage the affairs of the Territory. Also, the corporation and council have the power to borrow and raise finance for development projects in the Territory;
- The Council was appreciative of the new insights on their legal framework and powers to undertake development provided by the project assessment. They invited the consultant to return to address a larger audience of community members on the outcomes of the assessment.

Meeting at Kalinago Territory

October 16, 2018

Name	Title/Organization	Telephone	E-mail	Signature
Louis Hill	TRIBAL COUNCIL	767-275-7958	louispatrickhille@gmail.com	<i>[Signature]</i>
Charles Williams	Kalinago Chief	767-225-7035	charlototel@yahoo.com	<i>[Signature]</i>
Sumadine Frederick	Kalinago Council	767-295-7660	fredericksumadine.02@gmail.com	<i>[Signature]</i>
*Auguste	(left early)			

