



ORGANISATION OF EASTERN CARIBBEAN STATES (OECS) SECRETARIAT
SOCIAL AND SUSTAINABLE DEVELOPMENT DIVISION (SSDD)
REDUCING THE RISKS TO HUMAN AND NATURAL ASSETS
RESULTING FROM CLIMATE CHANGE PROJECT

FINAL

LAND POLICY

CARRIACOU AND PETIT MARTINIQUE





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DRAFT
LAND POLICY
CARRIACOU AND PETIT MARTINIQUE

PREPARED FOR OECS

BY

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REVISED JULY 2013



This activity is funded by the United States Agency for International Development (USAID). The views expressed herein are those of the author(s) and do not necessarily reflect the views of the donor agencies supporting the activity or of the OECS Secretariat

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Final: Land Policy for Carriacou and Petit Martinique

Forward

(to be edited/signed by Minister of Carriacou and Petite Martinique Affairs)

Our Land like our People is an invaluable asset, the foundation upon which all of our aspirations for a progressive society is built. Our Land resources which are intricately connected to our marine resources are limited.

Given the unique socio-economic and cultural circumstances that influence the use and management of lands in Carriacou and Petite Martinique, a Land Policy is both an ambitious and required tool for ensuring sustainable development. Further the overwhelming influence of external factors of environmental change such as the impacts of natural hazards and climate change means that urgent action is needed to arrest damage that has already occurred and to prevent further land degradation.

This land policy which was developed through a broad based consultative process provides a framework for all stakeholders to work together to ensure that our limited Island resources are utilized wisely and protected for future generations. It is hoped that the commitments made by community members through participation in the policy formulation process is sustained in support for implementation of this land policy.

We recognise that a policy must be consistent with the current socio-economic development needs of the people of Carriacou and Petite Martinique and that it must be flexible to address changing demands and pressures particularly in light of the challenges posed by a climate changing environment. As such the Government of Grenada is committed to review and update this policy using lessons learnt from implementation.

I am pleased that this seminal work has started a process of dialogue and provides an approach for all stakeholders to contribute to shared goal of a sustainable green Carriacou and Petite Martinique. My sincere gratitude to the Organization of Eastern Caribbean States (OECS) and the United States Agency for International Department (USAID) for funding this initiative. Also the consultant Dr. Valma Jessamy, Permanent Secretary in the Ministry of Carriacou and Petite Martinique, the National Project Steering Committee, Ms Siona De Coteau and Mr. Norland Cox must be thanked for their contributions to the outcomes of the policy formulation process. The responsibility for implementation remains that of all stakeholders and I add my own commitment in ensuring its success.

Honourable Elvin Nimrod
Minister for Carriacou and Petite Martinique Affairs

1.0 BACKGROUND AND RATIONALE

Land is the foundation upon which all human existence and development activities are played out and as such the quality and quantity of the resource is the target of management initiatives. For Carriacou and Petit Martinique the demand for land is high due to a combination of physical/environmental constraints and factors operating in the political economy. On the Island of Carriacou over 70 percent of land suitable for development are privately owned. The central ridges and high peaks are designated as forest reserves and the largest coastal mangroves as marine protected areas. For Petit Martinique all lands are privately owned with limited parcels acquired by the State for public uses.

Following on practice dated 1904, Government has continued the Land Settlement Scheme to redistribute small holdings to persons who wish to own land and cannot afford to meet the high prices on the open market. This practice is intended to provide equality and a rights based approach to land management.

The islands of Grenada, along with Carriacou and Petit Martinique, like many of the other islands in the region, have indicated that land development and management continues to be one of the main issues of concern and priority. At present there is a legal framework that provides guidance on how land is to be developed but no formal adopted policy on land use. Past trends in Land Management reveal that where they do exist regulations and codes of best practice are not widely enforced and in many cases need to be updated to reflect current socio-economic and environmental conditions.

In light of the external environmental pressures that are predicted due to climate change and sea level rise, the need for a policy to guide sustainable use and development of limited land resources is timely. This Land Policy for Carriacou and Petit Martinique reflects the aspirations of the people and is informed by a series of public consultations and workshops held from April to July 2013. It also builds upon the existing framework for land management and provides a mechanism for review and updating every five years in keeping with emergent development needs and environmental changes.



Map of Grenada Carriacou and Petit Martinique
(http://www.intute.ac.uk/worldguide/html/897_map.html)

2.0 POLICY FRAMEWORK

2.1 Vision

It is useful for there to be a common vision for how the limited land resources should be managed which can help provide a consistent framework for local communities, managers and for policy makers within Government. Drawing on the responses from the series of consultations and from the situational analyses involved in the policy formulation process there was an agreed vision for integrated land management:

- Sustainably managed areas, where land capabilities, competing demands and pressures have been taken into account and the social and economic needs of society have been reconciled with the need for conservation of the natural and historic environment.
- A clear policy and regulatory framework into which the principles of a holistic and coordinated approach are embedded that builds on existing structures and responsibilities whilst encouraging organizations to work better together.
- A new strategic management approach in the marine environment which is effectively integrated with the management of the land based on consistent application of best management practices and principles.
- Sustainable communities that preserve environmental health, aesthetic, heritage and bequest values and that are resilient to natural hazards and environmental change.
- A flexible management approach which supports local initiatives and solutions to address local circumstances within an overall regulatory framework.
- Appropriate and effective stakeholder and local community involvement throughout management processes.

2.2 Goal

The goal of the Policy is to guide the use of Land resources to achieve integrated development that is environmentally sustainable

2.3 Guiding Principles

It is our aspiration that the strategy be guided by the following principles of sustainability:

- a) Land management is administered in the context of established property rights: sovereignty of private property on the one hand and public or crown lands as custodial property on the other hand.
- b) Marine management was and is administered in the context of established property rights: coastal (marine) land as mostly private property on the one hand while the sea bed (as land, according to law), is administered as common property (custodial property). In practice, custodial sea-land is considerably more freely accessible and useable than terrestrial crown lands apart from some small leased sea zones.

- c) Given the short distance and rapid transition from the mountains to the sea, the concept of “Island Systems Management” where the catchment-coastal continuum is managed as a single interactive system, must be employed in decision analysis and selection of best practical environmental management options.
- d) Land use and development is in accordance with land capability to preserve environmental quality and to prevent land degradation
- e) Application of the “precautionary principle”.
- f) Consideration of the “polluter pay principle”.
- g) Recognition of the principle that the “land determines the sea” (access/use).
- h) Rights: Recognition of the critical issues concerning user groups sharing both private and common property resources and the conflicts resulting even in the context of existing law and administration.
- i) Equity: the rights of all citizens must be recognized the opportunities to access land resources and to derive benefits from these resources must be equitable. In addition, patterns of land use and land management must provide opportunities for the equitable access to goods and services.
- j) Stewardship: All stakeholders must recognize that land ownership also comes with the responsibility to keep the land in adequate and productive condition, to pay taxes in order to receive services, to keep good neighborly practices and to avoid hindering the efficiency of the property market.
- k) Leadership: it is the responsibility of the State to establish and manage a policy framework for land management and development, and government must therefore assume and retain the leadership role in formulating and facilitating implementation by all actors.
- l) Accountability: that there is fairness, transparency and accountability in the formulation, adoption and implementation of all public policy, including the land policy
- m) Consideration of resource utilization in terms of -
 - Valuation of goods and services provided by ecosystems under alternative management scenarios and degradation profiles;
 - Bio-stocks/biodiversity as private and common property;
 - Extractive (exhaustive) and non-renewable resources used for economic reasons;
 - Biological renewable resources in forestry/wild life and in fisheries;
 - Non-consumptive and reserve values for biodiversity and its conservation; and
 - Economic/commercial biodiversity for agricultural stocks.

2.4 Policy Objectives

The Objectives of the Land Policy are to:

1. Strengthen the legal framework and institutional capacity for effective and efficient land administration
2. Provide a framework for the management, resolution or avoidance of conflicts related to land ownership and its uses;
3. Maintain productive land use systems and watersheds to enhance the contribution of land to socio economic development in a sustainable manner
4. Build sustainable communities where environmental health, aesthetic, heritage and bequest values are preserved
5. Restore and rehabilitate damaged lands, prevent and mitigate the negative impacts of environmental change and natural disasters to build resilient communities.
6. Conserve the biological diversity of Carriacou and Petit Martinique

3.0 POLICY INTERVENTIONS

3.1 ***Strengthen the Legal Framework and Institutional Capacity for effective and efficient land administration***

There already exist several laws, regulations and policies for land management which need to be revised to reflect present socio-economic and environmental conditions. Also the capacity of the organizations involved in land administration must be strengthened. The main interventions required to meet this objective are:

- Formulate a National Land Development Code and best practices for land development with specific considerations for Carriacou & Petite Martinique as regulations under the Physical Planning and Development Control Act.
- Develop national regulations for undertaking environmental assessments and audits of development projects.
- Establish a Physical Planning Desk to serve the needs of the Ministry of Carriacou and Petit Martinique
- Under the Forest, Water and Soil Conservation Act develop regulations and best practices for silviculture and development of forested areas
- Implement the Grenada Land Agency project

3.2 ***Provide a framework for the management, resolution or avoidance of conflicts related to land ownership and its uses;***

- Simplify the processes and standardize legal and surveying costs involved in land transactions, particularly those related to undivided family lands.
- Facilitate equitable access to land
- Use land taxation as a mechanism to influence land use and land markets
- Improve the system to record land rights. Notably with the inclusion of information on land rights (e.g. rights of way) in the land registration system and in deeds prepared by attorneys.

- Promote the formal registration of leases and of their use as financing instruments
- Identify mechanism through which family lands could be used as collateral for financing

3.3 ***Maintain productive land use systems and watersheds to enhance the contribution of land to socio economic development in a sustainable manner***

- Develop Land Use zones for Carriacou and Petit Martinique consistent with land capabilities and make into Law under the Physical Planning and Development Control Act.
- Establish zones and best management practices for quarrying of stones
- Zone water catchment areas as protected lands and protect from expansion of development activities.
- Establish an integrated solid waste management system to reduce the negative impacts on limited land resources
- Implement provisions of the Waste Management Bill and conduct environmental site assessment to ensure that landfills and other facilities required for effective solid waste management, including toxic and hazardous waste are adequately located and managed
- Maintain use of productive agricultural lands and restrict subdivision into small unproductive holdings.

3.4 ***Restore and Rehabilitate damaged lands, prevent and mitigate the negative impacts of environmental change and natural disasters to build resilient communities***

- Revise and Update Beach Protection Act to include consideration for climate change and the impacts of Sea Level Rise on vulnerable and damaged coastlines.
- Develop Natural Hazard Risk Maps and Mitigation Plan for Carriacou and Petit Martinique
- Identify critical habitats and infrastructure that are vulnerable and implement climate change adaptation, disaster prevention and risk mitigation measures to protect them
- Full Implementation of the Specific Policy and Response Measures from the National Communication on Climate Change, the National Hazard Mitigation Policy and Plan and the National Disaster Management Plan.
- Implement the Coastal Restoration Plan for Carriacou and Petite Martinique developed under the RRACC project which is intended to mitigate current coastal erosion issues.

3.5 ***Conserve the biological diversity of Carriacou and Petit Martinique***

- Implement the National Biodiversity Strategy and Action Plan; National Environmental Policy and Management Strategy; Forest Policy, Strategy and Action Plan
- Create and maintain protected areas in keeping with the Plan for a System of National Parks and Protected Areas for Grenada.
- Protect remaining mangrove ecosystems for their value as habitat for economic species, wildlife and the land's defense against coastal erosion and sea level rise.
- Integrate heritage conservation and landscape management into local development plans as recommended in the integrated Physical Development and Environmental Management Plan for Carriacou and Petite Martinique
- Establish and provide incentives and disincentives to encourage and support conservation activities on private lands

4.0 **POLICY IMPLEMENTATION**

4.1 **Policy linkages and integration**

The implementation of this Land Policy for Carriacou and Petit Martinique will require the strengthening of the national policy framework. This will ensure the coherence and consistency of all policy initiatives. Additionally, it will help integrate land management and development issues into the policy processes for other sectors. Policy integration will be strengthened through a number of mechanisms, including:

- The formal adoption of the Land Policy by the Ministry of Carriacou and Petit Martinique Affairs and by Parliament.
- The use of Integrated Development Planning as the primary approach to and instrument of development planning for the Islands.

4.2 **Institutional arrangements**

The following principles and directions will guide institutional arrangements:

- The overall responsibility for the implementation and monitoring of land policy and for the coordination of the various inputs in land management and administration rests with Physical Planning Unit (Grenada Land Agency);
- The Land Development and Control Board and the Environmental Review Committee (as provided for in the Act) will include representatives from Ministry of Carriacou and Petit Martinique;
- The responsibility for the overall coordination of use and management interventions on State lands rests with the Lands and Survey Unit. The capacity of the Department will therefore be strengthened through the creation of the Grenada Land Agency;

The actual management responsibility for lands that are under State property are delegated to individual ministries and agencies in specific sectors and for specific purposes, but this should happen on the basis of explicit mandates and legal instruments.

- Current legislation will be reviewed, and new instruments will be developed whenever necessary, in order to provide for the effective and rational allocation of mandates and portfolios to the respective agencies;
- Plans for the establishment of a land bank system and of suitable institutional arrangements to manage the system will be actively pursued;
- For Carriacou and Petit Martinique management responsibility for State-owned properties could also be delegated, for specific purposes, to Local Government Agencies and civil society organizations. This will require that:
 - All Local Government Agencies be provided with a complete inventory of the properties placed under their jurisdictions
 - All delegations of authority to civil society organizations be governed by detailed and specific management agreements covering all relevant aspects (roles and responsibilities, costs and benefits, conditions of access and use, monitoring and evaluation) and be subject to periodic reviews and evaluations under the auspices of the Ministry of Carriacou and Petit Martinique Affairs and the Lands and Survey Unit
 - Management agreements should also follow standard procedures and guidelines that provide clear terms of reference and avoid potential conflicts.

4.3 Financing

The implementation of this National Land Policy will rest on a diverse financing strategy that incorporates a range of sources and mechanisms, including revenue from land taxes, budget allocations, grants and user fees.

4.4 Research, monitoring and evaluation

The implementation of this National Land Policy will be coordinated and monitored by the Ministry of Works through its Physical Planning and Development Control Unit (or the Grenada Land Agency), working in collaboration with the Ministry of Agriculture, Finance and all relevant agencies. Specific areas to be monitored will include:

- Land prices and land transactions
- Planning applications and permissions
- Land disputes and legal settlements
- Land use and vegetation cover
- Taxation rates and revenue

In support of the implementation of this Policy, a research programme will be undertaken. It will focus *inter alia* on:

- Options for the management of abandoned family lands
- Markets for natural grass fed meat to address pressures with livestock populations

4.5 Required Next steps

Following the adoption of the Carriacou and Petit Martinique Land Policy, priority will be given to the following:

- Public awareness program to disseminate information of the policy and its provisions.
- Review and update of the Integrated Physical Development and Environmental Management Plan for Carriacou and Petit Martinique and finalize local physical development and zoning plans.
- Develop a project aimed specifically at settling land titling disputes whenever feasible.
- Integrate land management considerations into the review of taxation systems and procedures and design new institutional arrangements for revenue collection.
- Formulate work plans by agencies concerned with the implementation of this Land Policy, and integrate these work plans into their corporate plans and budgets
- Update relevant legislation and policies to effective this Land Policy.