



## **Table of contents**

---

<b>TABLE OF CONTENTS</b> .....	<b>1</b>
<b>FOREWORD BY THE MINISTER OF PHYSICAL DEVELOPMENT, ENVIRONMENT AND HOUSING</b> .....	<b>2</b>
<b>BACKGROUND AND RATIONALE</b> .....	<b>3</b>
<b>POLICY FRAMEWORK</b> .....	<b>5</b>
<i>VISION</i> .....	5
<i>GOAL</i> .....	5
<i>GUIDING PRINCIPLES</i> .....	5
<i>STRATEGIC OBJECTIVES</i> .....	7
<b>POLICY DIRECTIONS</b> .....	<b>8</b>
<i>DEVELOPMENT PLANNING AND HUMAN SETTLEMENTS</i> .....	8
<i>LAND USE AND DEVELOPMENT IN KEY ECONOMIC SECTORS</i> .....	8
<i>ENVIRONMENT AND NATURAL RESOURCE MANAGEMENT, INCLUDING DISASTER MANAGEMENT</i> .....	9
<i>LEGAL FRAMEWORK, INSTITUTIONAL ARRANGEMENTS AND ORGANISATIONAL CAPACITY</i> .....	9
<b>PRIORITY POLICY INSTRUMENTS AND ACTIONS</b> .....	<b>11</b>
<i>DEVELOPMENT PLANNING AND HUMAN SETTLEMENTS</i> .....	11
<i>LAND USE AND DEVELOPMENT IN KEY ECONOMIC SECTORS</i> .....	12
<i>ENVIRONMENT AND NATURAL RESOURCE MANAGEMENT, INCLUDING HAZARD MITIGATION AND DISASTER MANAGEMENT</i> .....	13
<i>LEGAL FRAMEWORK, INSTITUTIONAL ARRANGEMENTS AND ORGANISATIONAL CAPACITY</i> .....	14
<b>POLICY IMPLEMENTATION</b> .....	<b>18</b>
<i>POLICY LINKAGES AND INTEGRATION</i> .....	18
<i>INSTITUTIONAL ARRANGEMENTS</i> .....	18
<i>FINANCING</i> .....	19
<i>RESEARCH, MONITORING AND EVALUATION</i> .....	19
<i>NEXT STEPS</i> .....	19

## **Foreword by the Minister of Physical Development, Environment and Housing**

Land, as a physical resource, is multi-dimensional. On the one hand, it serves as a substrate that supports human habitation, industry and infrastructure. On the other, it provides a number of essential ecological and related services such as water storage, capture of solar energy and providing a substrate for the growth of forests. Land is also essential for the rearing of crops and livestock for human habitation. Finally, for many, land is a store of wealth.

Saint Lucia, with a total land area of only 616 square kilometres (238 square miles) and a relatively limited marine space, faces an obvious constraint, imposed by nature. The need to strike a balance between meeting the economic and social needs of an increasing population and maintaining environmental integrity becomes, in many ways, more challenging, on a small island. Yet, smallness often offers opportunities to achieve synergy by more easily bringing key stakeholders and institutions together.

This National Land Policy document is the culmination of a process that started in 2000. That process, overseen by a broad-based National Land Policy Committee, involved consultations with, and the involvement of, a wide range of stakeholders. Such a process was considered necessary, given the central role that land plays in every aspect of our existence. Therefore, while the policy formulation process may have taken some time to complete, the final product can be considered to be representative of the needs and concerns expressed by those consulted.

This document is intended to provide policy guidance for the use and management of Saint Lucia's limited, and priceless, land resource, well into the future. It is grounded in the belief that land should be managed in such a manner as to allow Saint Lucians to have access to land, and the services that it provides, on an equitable basis. It also recognizes the need to strengthen and consolidate the institutional and legal framework necessary to ensure that, especially given the wide range of competing demands, land is managed in a fashion that will maximize the economic and environmental benefits to society, on a sustainable basis.

Finally, this National Land Policy recognizes that, despite the fact that the pressure on land resources is manifest mainly at a national or local scale, there are a number of external factors that impact on Saint Lucia's land resources and their ability to continue to provide ecological services. In so doing it endeavours to ensure that policy responses are consistent with Saint Lucia's commitments under relevant Multilateral Environmental Agreements,

Minister of Physical Development

## **Background and rationale**<sup>1</sup>

Land, including both terrestrial and marine space, is one of the most important resources in any country, it is a key to economic growth, and it plays a central role in national and community development; the management of land is a critical and essential requirement for sustainable development. Many of the issues that affect land development and management, impact ultimately on economic, financial and environmental sustainability and on the country's social development.

The patterns of land development in Saint Lucia, if allowed to continue, could lead to a crisis of multiple proportions. Consequently, land markets will be inaccessible to the majority of people, and there will be conflicts among uses and users of land, leading to the conversion of prime agricultural lands to other uses. Such could result in the radical transformation and loss of many landscapes and ecosystems, with unavoidable consequences on food security, water supply, agriculture, fisheries, biological diversity and environmental quality, industry and tourism development, social cohesion and quality of life.

In the past three decades, the Government of Saint Lucia has put in place a wide range of legal instruments and institutional arrangements aimed at addressing these issues, and it has implemented a number of programmes designed to rationalise and optimise land use and management in the country. These initiatives have had positive impacts and have remedied many of the problems inherited from the country's colonial history. Yet, current and emerging land development and management issues in Saint Lucia remain pressing. Consequently, there is the need for and urgent decisions and actions to improve coordination and effectiveness in land administration and to take advantage of the opportunities that will ultimately reverse negative trends.

In response to the challenges of globalisation, to the need for economic diversification and growth, to the imperative of environmental sustainability and to the ever expanding demand for social services and infrastructure, there is now a need for a policy framework that integrates all policy instruments and that provides clear direction and guidance to all actors involved in land management, development and administration in the country. It is the ambition of this policy statement to provide such guidance and direction.

This White Paper on a National Land Policy is the principal output of a process that began in February 2000. The then Ministry of Planning, Development, Environment and Housing convened a National Land Policy Symposium that brought together representatives of all institutions, organisations and social actors involved in, or concerned with issues relating to land development and management. Subsequently, a National Land Policy Committee was established to guide the policy process. In addition a number of sub-committees were given responsibility for data collection and analysis and for the formulation of policy recommendations in all sectors.

---

<sup>1</sup> Issues and trends in land use; management, development and administration are presented in the Green Paper on a National Land Policy that was approved by the Cabinet of Ministers in December 2003.

Between March 2000 and February 2002, the Committee and its sub-committees met on several occasions, and a small number of discussion papers were produced. In March 2002, a national workshop was convened where the results obtained were presented and discussed. A draft outline of a draft paper on a land policy was developed. Following this workshop, a number of consultations were held and studies were conducted, leading to the preparation of the Green Paper on a National Land Policy that was approved by the Cabinet of Ministers in December 2003. The Green Paper provided the basis for a new round of consultations, and for the preparation of this White Paper, which was circulated for review in August 2004, and which has benefited from the inputs of a wide range of institutions and individuals.

The policy directions and instruments contained in this White Paper are all consistent with the commitments already made by Saint Lucia under the various bi-lateral and multi-lateral agreements and conventions to which the country is a party and that are directly or indirectly relevant to land management and development.

This White Paper represents a formal statement of policy objectives and directions. Considering the critical importance of land to national development, it is hoped that this White Paper will be endorsed by the Cabinet of Ministers and will eventually be considered and approved by Parliament, and that it will provide the mandate and the basis for a range of programmes, measures and actions aimed at improving and rationalising land use and management in the country, including the review and formulation of specific laws and regulations whenever necessary.

The process of preparing the Saint Lucia National Land Policy was initiated as a result of a directive by the then Prime Minister, Dr. Kenny Anthony. Mrs Jacqueline DaCosta (consultant) then employed with the Government of Jamaica, provided invaluable technical at the first Symposium in 2000. Thereafter, a National Land Policy Committee (NLPC) was established comprising: Mr. Julius Polius-Permanent Secretary (Chair); Mr. Christopher Cox- Ministry of Agriculture, Forestry and Fisheries; Mr. Adrian Dolcy/Mr. Claude Gillaume<sup>2</sup>-Saint Lucia Chamber of Commerce, Ms Glenda Charles/ Mr. Celsus Baptiste-Survey and Mapping Section; Mr. Crispin d’Auvergne-Vice-Chair/Project Coordinator; Mr. Lyndon John/Mrs. Leah Changoo-Sustainable Development and Environment Section; Mrs. Delia Didier-Nicholas- Programme Coordinator, PROUD; Mr. Kentigern Louis- Commissioner of Crown Lands, Mr. Daune Heholt-Physical Planning Section, Mr. Michael Andrew-Forestry Department and Ms. Deborah Bushell Project Coordinator-Water Resource Management Unit. A number of persons also served on the several sub-committees of the NLPC. In 2002, Mr. Yves Renard was hired as a consultant to advance the preparation of what would become a widely-circulated draft version of the Policy document (Green Paper). In the latter stages, Ms. Caroline Eugene, SDE Officer, worked diligently to ensure that the White Paper was finalized for submission to Cabinet. The Ministry takes this opportunity to thank everyone who participated in the process.

---

<sup>2</sup> Replaced Mr. Dolcy due to his untimely passing.

## **Policy framework**

### *Vision*

Land is and will remain a primary asset for national development, performing multiple social, economic, ecological and cultural functions. In our vision, land, including both terrestrial and marine areas, will contribute to economic development in agriculture, fisheries, tourism, trade, manufacturing and other sectors. It will also provide the space for all Saint Lucians to live and shelter, it will contribute to food security for the nation and good nutrition for all its citizens. Additionally, it will play a full role in poverty reduction and elimination, and will be a factor of social cohesion and cultural identity. Ultimately, land will support biological diversity, environmental quality and natural biophysical processes, and it will be used in conformity with its capability and conservation requirements. In this vision, people will show respect for the land as a national resource and together with people and organisations will understand fully the value and importance of land and the extent to which they depend on it. All social actors will assume full responsibility in land management, thanks to a strong political will and a deep popular commitment to tackle all land management issues, however complex or sensitive they may be.

### *Goal*

The National Land Policy is to guide the use, management, development and administration of land resources in Saint Lucia in order to optimise the contribution of land to sustainable development.

### *Guiding principles*

The principles that guide Saint Lucia's National Land Policy are as follows:

- *Equity*: the rights of all citizens must be recognised 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.
- *Rights*: the rights associated with land ownership must be recognised, respected, secured and well defined.
- *Stewardship*: the policy seeks to instil a sense of responsibility in all stakeholders and to lead to a sharing of management costs and responsibility among the State, civil society, individuals and the private sector. All stakeholders must recognise 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 neighbourly practices and to avoid hindering the efficiency of the property market.
- *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.

- *Accountability*: there is a need for fairness, transparency and accountability in the formulation, adoption and implementation of all public policy, including land policy.
- *Collaboration and participation*: the policy seeks to promote the participation of stakeholders, to develop collaboration and partnerships among relevant actors, and to encourage community involvement in management whenever desirable and practical. Voluntary compliance will be promoted and encouraged to the maximum extent possible.
- *Enforcement*: the policy provides for the fair, effective and efficient enforcement of legislation, and for the resolution and arbitration of disputes whenever they arise.
- *Efficiency*: organisations and processes of land management, including those responsible for the management of land markets, should be effective and efficient, with streamlined and integrated systems and procedures.
- *Capacity building*: the policy is committed to building the capacity of all partners to participate in land development and management, and to develop human resource capacity through training and technical assistance.
- *Coordination and integration*: the policy will ensure that there is proper co-ordination among all actors, and that the policy objectives and instruments remain coherent, compatible and mutually reinforcing.
- *Protection of common property*: the policy will serve to secure, manage and enhance the assets that are owned in common property for the benefit of all citizens.
- *Precaution*: whenever necessary, the precautionary principle will be followed, i.e. the decision to act prudently and to avoid significant changes in land use in the absence of an adequate assessment of the potential impacts of these changes.
- *Provision of incentives and disincentives*: sustainable activities and appropriate types of land use will be promoted, using suitable financial and socio-economic instruments.
- *Diversity*: the policy will make use of a wide range of instruments, using them creatively and effectively, and recognising the value of both formal and informal measures and mechanisms. Similarly, the value and benefits of diversity in land rights and management regimes are recognised.

- *Public awareness:* the policy recognises that effective land administration and management requires an educated public, aware of issues and their causes, and informed of needs and requirements.
- *Knowledge:* land use and management must be based on sound scientific research and information, local knowledge with a national system of data management and appropriate monitoring of issues, trends and impacts.

### Strategic objectives

The strategic objectives of the National Land Policy are to:

- Enhance the contribution of land to economic development, including poverty reduction, food security, and employment and revenue generation opportunities for all citizens.
- Facilitate the provision of adequate public services to all, notably in health, education, public utilities, recreation and transportation.
- Provide opportunities for all citizens to have access to adequate shelter.
- Minimise the risk of loss of life, degradation of land resources and other assets from the impacts of hazards and disasters.
- Establish and maintain patterns of land use and development that are responsible and sustainable, and that maintain options for future uses.
- Encourage the development and functioning of efficient land markets.
- Conserve the country's biological diversity.
- Support the rehabilitation, restoration and management of degraded lands.
- Maximize the effectiveness and efficiency of land management institutions, systems and procedures.
- Provide a framework for the management, resolution or avoidance of conflicts related to land and its uses.
- Develop and promote a positive cultural relationship between people and the land.

To achieve these strategic objectives, specific policies, measures and actions will be needed in four complementary areas:

- Development planning and human settlements.
- Land use and development in key economic sectors.



- Environment and natural resource management, including hazard mitigation and disaster management.
- Legal framework, institutional arrangements and organisational capacity.

## **Policy directions**

### *Development planning and human settlements*

The Government of Saint Lucia, working in collaboration with all its social partners will:

- a. Use proactive and integrated approaches to development planning and land management.
- b. Revitalise urban centres (notably Castries and Vieux Fort) through the rationalisation and maintenance of residential uses and the development of commercial and touristic enterprises in city centres.
- c. Decentralise urban, commercial and industrial development, to avoid further congestion in the northwest corridor.
- d. Improve the efficiency of space utilisation, increase residential densities in urban and peri-urban areas, and encourage the efficient distribution of land among competing uses.
- e. Discourage and reduce squatting, be it for agricultural or residential purposes.
- f. Mitigate and, whenever possible, prevent the negative social and environmental impacts of all forms of land development.
- g. Integrate land management and development issues into all relevant policies and programmes.

### *Land use and development in key economic sectors*

The Government of Saint Lucia, working in collaboration with all its social partners, will:

- a. Protect and enhance the productive potential of agricultural lands, and, whenever possible, avoid undesirable changes in land uses in order to preserve future options. In particular, it will discourage further conversion of agricultural lands to other uses and forms of development.
- b. Enhance the security of land tenure in support of agricultural production.
- c. Improve agricultural practices, farming techniques and infrastructure to minimise land degradation and enhance soil productivity.

- d. Maintain and enhance the overall quality of the landscape and seascape for the benefit of all citizens, and as a critical component of the tourism product.
- e. Diversify the tourism product and ensure a more even geographic distribution of tourism-related activities.
- f. Promote industrial and commercial development in appropriate areas.
- g. Meet demands for coastal space for critical uses, notably public recreation, public access to beaches, transportation, tourism and fisheries infrastructure and related activities, including berthing of fishing boats and access to nearshore fishing areas, as well as the particular demands for space for the development of aquaculture.

*Environment and natural resource management, including disaster management*

The Government of Saint Lucia, working in collaboration with all stakeholders will:

- a. Conserve important ecosystems and wildlife habitats, sustain and enhance the productive potential of all natural habitats.
- b. Reduce, minimize and mitigate the impacts of developments on land and other natural resources.
- c. Minimise coastal and marine pollution derived from run-off and contamination from human settlements, agriculture, tourism, recreation and industry.
- d. Improve the quality of the environment in urban areas, and provide universal access to water and sanitation.
- e. Promote integrated water resources and watershed management, encourage water conservation and water storage, protect rivers, buffers and critical watershed areas, and establish riparian buffer zones.
- f. Promote integrated coastal zone management, more specifically with regards to regulating coastal developments, zoning, setbacks, and limits on infrastructural development, buffer zones and special areas.
- g. Preserve land use options and promote sustainable uses in all areas, especially those where land uses are diverse and intensive, including the coastal zone.

*Legal framework, institutional arrangements and organisational capacity*

The Government of Saint Lucia, working in collaboration with all its social partners will:

- a. Strengthen the role and capacity of the State and its agencies with mandates related to land management, and improve the efficiency, effectiveness and co-ordination of the overall land management and administration system.
- b. Ensure the full accountability of all persons and institutions vested with land management authority.
- c. Involve all relevant stakeholders in policy-formulation and planning processes related to land use and development.
- d. Ensure cost recovery of public sector investment projects and initiatives whenever desirable and feasible.
- e. Reduce the costs involved in land transactions.
- f. Facilitate equitable access to land.
- g. Diversify land ownership and management regimes, provide opportunities for co-management and partnerships, and encourage leaseholds on both private and public lands.
- h. Guarantee the inalienable rights (except in very special circumstances) of lands vested to national and local agencies for the specific purpose of conservation, except when a change in land use is fully justified and is decided through a fair, transparent and rigorous process.
- i. Build local-level and community-based jurisdiction over locally important land assets.
- j. Provide fair and efficient mechanisms for settling land-related disputes.
- k. Encourage investments, and remove possible barriers to desirable and legitimate investments in land development.
- l. Promote fairness in speculative land investments.
- m. Increase the contribution of land taxes to public sector revenue.
- n. Use land taxation as a mechanism to influence land use and land markets,
- o. Promote strategic ownership (acquisition and divestment) of public lands, in ways that maximise the benefits generated by the State in the short, medium and long terms.

## **Priority policy instruments and actions**

### *Development planning and human settlements*

In this area, the Government of Saint Lucia, working in collaboration with all its social partners, will use the following instruments and will take the following actions:

- a. Use the Integrated Development Planning approach, to guide all forms of development.
- b. Preparation of regional and local development plans, statutorily approved and regularly updated, in accordance with the provisions of the Physical Planning and Development Act.
- c. Formulation of urban development plans and urban design projects in towns and villages.
- d. Effective enforcement of existing legislation to prevent the establishment of new squatter settlements on public and private lands, and continued implementation of programmes aimed at regularising existing squatter settlements.
- e. Development and adoption of a policy on housing and resettlements, on the basis of a detailed and up-to-date assessment of needs and demand, and expansion of social and low-income housing programmes.
- f. Development of regulations under the Physical Planning and Development Act, to include or strengthen specific provisions such as;
  - the establishment and maintenance of green spaces in subdivisions and other types of developments;
  - Provide adequate public recreational space (parks, trails) to promote healthy lifestyles and wellness;
  - the increase of housing densities where desirable;
  - the allocation of lands for multi-storied buildings and amalgamated lots;
  - the inclusion of water storage capacity in new buildings; and
  - the provision of adequate access.
- g. Creation of nodes of development to optimise the delivery of services, to reduce traffic and congestion in the north- western corridor, and to provide more affordable access to housing areas and commercial centres.
- h. Redevelopment of mature housing areas which are presently showing signs of economic and physical obsolescence to allow for more intensive development, and transformation of public sector housing initiatives into more complete and integrated communities
- i. Integration of land use and management issues, to include land valuation and options for land use, into the process of rationalisation of air and sea- port facilities.

- j. Adoption of a policy on cemeteries that integrates spatial issues and gives full consideration to land management considerations.
- k. Full implementation of relevant national policies, plans and programmes. These include the Coastal Zone Management Policy, the National Water Policy and the Plan for Managing the Fisheries of Saint Lucia.
- l. Provide all new educational facilities with associated recreational and playing facilities to encourage and promote holistic development of students.

*Land use and development in key economic sectors*

In this area, the Government of Saint Lucia, working in collaboration with all stakeholders, will use the following instruments and will take the following actions:

- a. Promotion of integrated approaches to rural development and development of statutory urban and rural land zoning and coastal zone management plans, within an integrated development planning framework, and with the formulation of regional and local development plans.
- b. Continued promotion and adoption of good agricultural practices, rehabilitation of degraded agricultural lands, and promotion of more intensive use of land where appropriate, through extension, market access, fiscal incentives and continued education and training of key groups of resource users, including farmers.
- c. Facilitation of access to credit for appropriate and sustainable land development, especially for low and middle-income persons and households willing to establish or expand businesses in areas such as agriculture, tourism and manufacturing.
- d. Establishment and management of fishing priority areas and provision of security of tenure for all established coastal aquaculture farms, through the provisions of the Fisheries Act.
- e. Formulation and implementation of a National Tourism Investment Strategy that incorporates physical development and land management issues and ensures that the geographic distribution and types of tourism developments and recreational facilities are consistent with the vision and objectives of this land policy.
- f. Integration of land use, management and development considerations in policies, programmes and interventions in all other relevant sectors, notably transportation, energy and telecommunications.
- g. Full implementation of relevant national policies, plans and programmes. This should include the National Tourism Policy, the Policy and Strategy for the Development of the Agricultural Sector, the National Energy Policy, the Coastal Zone Management Policy, the National Water Policy and the Plan for Managing the Fisheries of Saint Lucia.

*Environment and natural resource management, including hazard mitigation and disaster management*

In this area, the Government of Saint Lucia, working in collaboration with all stakeholders, will use the following instruments and will take the following actions:

- a. Review and revise the plan for a System of Protected Areas, and prepare an indicative list of areas, which require statutory protection and a work programme for the establishment of such protected areas.
- b. Effective management of existing protected areas, with their full demarcation and with the implementation of management programmes in research, conservation, sustainable use, monitoring and evaluation, and public awareness.
- c. Use of integrated approaches to the management of watersheds, assessment of critical watershed areas, and establishment of protected status for such areas. Establishment of special conservation areas for rivers, e.g. buffer zones and water catchments.
- d. Integration of landscape management and heritage conservation considerations and tools in regional and local development plans.
- e. Development and enforcement of guidelines and standards for beach use and coastal water quality.
- f. Development of local coastal zone development and use plans, based on the national vision for coastal zone management and development.
- g. Establishment and provision of fiscal and other incentives and disincentives to encourage and support conservation activities on private lands.
- h. Systematic conduct and use of environmental impact assessments and statements in projects, including those designed and implemented by public sector agencies. In addition it is essential to create an effective system to monitor, evaluate and enforce the application of impact mitigation measures.
- i. Continued education of developers, contractors and other key actors in land development, and provision of technical assistance to all planning and construction professionals, including engineers, architects and contractors, in aspects of project design.
- j. Adoption of measures ensuring that landfills and other sites and facilities required for solid waste management, including toxic and hazardous waste, are adequately located and managed.
- k. Adoption of guidelines for the location and management of wastewater treatment facilities.

- l. Integrated and effective management of green spaces in urban areas.
- m. Inclusion of landscaping considerations and tree planting requirements in planning regulations.
- n. Provision of fiscal incentives towards increased use of water storage, including roof catches and cisterns, while encouraging resource conservation.
- o. Conduct on-going public education and awareness programmes on land management, conservation and development issues. Emphasis should be placed on the provisions of existing legislation and on the roles of all stakeholders, including individual citizens and land developers.
- p. Full implementation of relevant national policies, plans and programmes, including the National Environmental Policy and National Environmental Management Strategy, the Policy and Strategy for the Development of the Agricultural Sector, the National Biodiversity Strategy and Action Plan, the National Climate Change Policy and Adaptation Plan, the Coastal Zone Management Policy, the National Water Policy, the National Hazard Mitigation Plan and the Plan for Managing the Fisheries of Saint Lucia.

*Legal framework, institutional arrangements and organisational capacity*

In this area, the Government of Saint Lucia, working in collaboration with all stakeholders, will use the following instruments and will take the following actions:

- a. Undertake a comprehensive process of institutional reform and organisational development for land management and administration, involving:
  - o Review, streamlining and harmonisation of the mandates, roles and responsibilities of the various agencies involved in land management at the national and local levels.
  - o Completion of the current process of local government reform, and strengthening of the role of local government agencies and community organisations in local development planning.
  - o Devolution to local government agencies of the authority to manage important land assets, including sporting and recreational facilities, heritage tourism sites and other key areas.
  - o Building capacity of all agencies involved in land management and administration, and training of personnel in key aspects, such as land valuation techniques.

- Development of an understanding of the principles and practice of sustainable development within the public and private sector agencies involved in land management and development control, to ensure full consideration of development and conservation issues and requirements.
  - Formulation of land and development control procedures to ensure that they are easily understood by all concerned.
  - Conduct of a feasibility study for the establishment and management of a land bank system, to be used as a possible mechanism to support agricultural development, to secure land resources for public uses, to establish land reserves and to limit land fragmentation.
  - Conduct of a systematic review of status of the Queen's Chain and formulation of a Queen's Chain policy that:
    - clearly defines policies on public access;
    - defines priorities, guidelines and options for improved management;
    - provides specific land use and development regulations;
    - allocates management authority according to primary land functions.
  - Conduct of a systematic review of the legal status of rivers and other water resources, and formulate a policy of appropriate management instruments.
  - Review of existing policies and legislation concerning alien landholding, particularly in light of the provisions of the CARICOM Single Market and Economy (CSME) and other international rules affecting land markets.
- b. Rationalisation of public policy and legislation to govern land development and management, including:
- Strengthening of legislation governing the establishment and management of conservation areas, the compulsory acquisition and vesting of lands and the issuance of protection orders.
  - Review of the Land Conservation Act and study of the desirability and feasibility of activating the Act and the Board established under its provisions.
  - Introduction of betterment legislation.
  - Review of inheritance laws and other relevant legislation, particularly to ensure compatibility between the Civil Code and the provisions of the Land Registration Act.
  - Establishment and effective enforcement of standards for all professions and services involved in land administration.



- Promotion of leaseholds whenever possible, on both private and public lands.
  - Conduct of a systematic review of public policy on acquisition and divestment of lands by the State, for the purpose of rationalisation, equity, efficiency and transparency.
  - Examination of the implications of this National Land Policy for the Constitution, and integration of these considerations into the constitutional review process currently underway.
- c. Improvement of the overall system of land administration and the management of land markets, through:
- Improvement of 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.
  - Provision of a more efficient mechanism for settling and adjudicating disputes.
  - Use of information as an instrument in the management of land markets.
  - Simplification of the processes and reduction of all the costs involved in land transactions, particularly those related to the dismemberment of undivided family lands.
  - Promotion of the formal registration of leases and of their use as financing instruments.
  - Identification of mechanisms through which family lands could be used as collateral in the credit markets.
- d. Integration of land conservation, management and development objectives in the taxation system and the supporting legislation, particularly through the following:
- Introduction of capital gains tax to help government recoup investments made on infrastructure at the time of land development.
  - Prompt, efficient and fair valuation of land properties.
  - Effective collection of land and property taxes.
  - Use of market values rather than nominal value for fees charged by public agencies on property transfers.
  - Use of market values and land use objectives and capabilities rather than nominal value for taxation rates.

- Introduction of taxation on vacant land holdings.
  - Use of taxation mechanisms to control artificially and undesirably high land values.
  - Rationalisation of the responsibilities of the institutions mandated to collect land taxes, namely the Local Government Agencies and the Inland Revenue Department.
- e. Use of effective and efficient information management systems and procedures, including:
- Recognition of the right of public sector agencies to seek land information and, if necessary, to enter private property for that purpose.
  - Facilitation of public consultation in compulsory land acquisition processes.
  - Encourage transparency in land speculation by facilitating access to information on planned public sector investments and developments.
  - Establishment of an integrated national policy and set of procedures for (i) data sharing (ii) data updating, (iii) data pricing, and (iv) copyrighting.
  - Integration of all information management systems, including Geographic Information Systems (GIS), and of their use in land management policies and procedures, especially for planning, recording, archiving and data management purposes.
  - Enhancement of public awareness through campaigns in order to inform and educate the public on the rights and responsibilities on relevant land issues.

## **Policy implementation**

### *Policy linkages and integration*

The implementation of this National Land Policy 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 other sectoral policies and processes.

Policy integration will be strengthened through a number of mechanisms, including:

- The formal consideration and eventual adoption of the National Land Policy by Parliament.
- The use of Integrated Development Planning as the primary approach to and instrument of national development planning at all levels.
- The formulation of an Economic Development Plan that integrates and builds upon the strategies and approaches put forward by this National Land Policy.

### *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 the Ministry responsible for Physical Development;
- the option of activating the Land Conservation Board will be considered;
- the responsibility for the overall coordination of use and management interventions on State lands rests with the Crown Lands Department. The capacity of the Department will therefore be strengthened accordingly;
- the actual management responsibility for lands that are under State property can be 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.

The main agencies concerned are the following:

- Ministry of Agriculture: agricultural lands
- Forestry Department: Forest Reserves and other public forests
- National Development Corporation: lands available for industrial and touristic investments and developments
- Ministry of Communications and Works and Ministry of the Public Service: public infrastructure
- Ministry of Education: school grounds and buildings
- Saint Lucia National Trust: sites and areas vested for the specific purpose of conservation
- 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;
- the establishment of a land bank system and of suitable institutional arrangements to manage the system will be actively pursued;

- management responsibility for State-owned properties could also be delegated, for specific purposes, to local agencies, including Local Government Agencies and civil society organisations. 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 organisations 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 Crown Lands Department. Management agreements should also follow standard procedures and guidelines that provide clear terms of reference and avoid potential conflicts.

### 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.

### Research, monitoring and evaluation

The implementation of this National Land Policy will be coordinated and monitored by the Ministry responsible for Physical Development, working in collaboration with 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 family lands
- Market-based instruments of land management
- Land capability mapping

### Next steps

Following the adoption of the National Land Policy, priority will be given to the following:

- Information dissemination and creation of public awareness of the policy and its provisions.
- Institutional and legal reform processes.
- Design of a national programme aimed at the formulation of national and local physical development and zoning plans.

- Development of a project aimed specifically at settling remaining land disputes whenever feasible.
- Integration of land management considerations into the review of taxation systems and procedures and the design of new institutional arrangements for revenue collection.
- Establishment of a national system for spatial data management.
- Formulation of work plans by agencies concerned with the implementation of this Land Policy, and integration of these work plans into corporate plans and budgets.