

ST. LUCIA COUNTRY STUDY OF LAND ADMINISTRATION AND MANAGEMENT ISSUES

by

Alberto Vargas and David Stanfield



Land Tenure Center



TERRA INSTITUTE LTD.

Prepared for the Land Tenure Center and Terra Institute

With partial funding from the Department for International Development of the U.K.
and the U.S. Agency for International Development

February 28, 2003

This paper was prepared for the *Workshop on Land Policy, Administration and Management in the English - Speaking Caribbean*, which was supported in part by the Inter-American Development Bank (IDB), the US Agency for International Development (USAID), the Department for International Development (DFID) and the Ministry of Agriculture, Land and Marine Resources, Government of Trinidad and Tobago



Ministry of Agriculture, Land and Marine Resources
Government of the Republic of Trinidad and Tobago



Inter-American
Development Bank



Land Tenure Center **TERRA INSTITUTE**

All views, interpretations, recommendations and conclusions expressed in this paper are those of the author(s) and do not necessarily reflect those of the supporting or cooperating institutions nor the respective Governments in the Caribbean

Contents

1. INTRODUCTION AND SUMMARY	1
2. PROFILE OF ST. LUCIA AND ITS AGRICULTURAL SECTOR AND AGRARIAN STRUCTURE	1
2.1. Poverty	2
2.2. Brief history of St. Lucia	2
2.3. Background Studies in Land Tenure	3
3. EVIDENCE OF LAND MARKETS IN ST. LUCIA	4
3.1. 1996 Agricultural Census	5
3.3. The St. Lucia National Development Corporation (NDC)	8
3.4. Land Tenure and Pro-Poor Tourism in St. Lucia	8
3.5. Other recent studies regarding land markets	9
3.6. Perception of land markets among the general public in St. Lucia	9
4. INTERVENTIONS ON PROPERTY RIGHTS AND LAND MARKETS	10
4.1. Organization of American States (OAS) Pilot Project	10
4.2. National Policy and Legal Framework	11
4.3. The USAID Land Registration and Titling Project (LRTP)	13
4.4. Indigenous/Customary Tenures and Relationships to State law and policy	15
5. ASSESSMENT OF DONOR ASSISTANCE IN PROPERTY RIGHTS AND LAND MARKET DEVELOPMENT	16
5.1. Land Tenure Center Baseline Study, 1988	16
5.2. USAID Interim Evaluation (1986) and Project Completion Report (1988)	21
5.3. Other indirect evidence of the impacts of the LRTP	21
6. CONCLUSIONS AND RECOMMENDATIONS	23
7. BIBLIOGRAPHY	24
APPENDIX I. SELECTED INDICATORS	26
APPENDIX II. SOURCES IN THE INTERNET	29
APPENDIX III. AN EXAMPLE OF A DISCUSSION REGARDING "LAND" AT THE LUCIAN TOWN HALL.	31
BE PROUD OF YOURSELF & YOUR ISLAND	33
NATIONAL ALLIANCE	34
RE: NATIONAL ALLIANCE	35
APPENDIX IV. COMMENTS ON THE INFORMATION AVAILABLE TO RESPOND TO THE QUESTIONS CONCERNING LAND ENTITLEMENT PROGRAMS	ERROR! BOOKMARK NOT DEFINED.

Tables and Figures

Table 1. Number of Holdings	5
Table 2. Total Area on Holdings	5
Table 3. Distribution of Holdings by Size	6
Table 4. Land Tenure in St. Lucia 1986 - 1996	6
Table 5. Distribution of Holdings of Different Size by Acreage	7
Table 6. Forms of Ownership of the Sampled Parcels	16
Table 7. Incidence of Family Land Following the LRTP (in number and percent)	17

1. INTRODUCTION AND SUMMARY

The purpose of this paper is to provide a summary of the available literature and sources in the Internet related to land market interventions and its impacts in St. Lucia.

The preparation of the paper follows the conceptual and methodological framework for the preparation of country briefs on land entitlement programs, as defined by the Land Tenure Center (2002)¹. The methodology consisted of a search, review and synthesis of relevant materials from donor agencies, government documents, , the University of Wisconsin library and the Internet. The paper includes references to the interest on land tenure for poverty alleviation of some donors, in particular the Department For International Development (DFID) of the United Kingdom Government, and the U.S. Agency for International Development. Appendix I presents a profile of St. Lucia with selected indicators. Appendix II presents a list of relevant Web Sites. Appendix III presents a sample of e-mails related to the theme "land" in a discussion group. Annex IV presents a commentary on the available information to respond to the questions posed for the country briefs done by the LTC.

The first section presents a brief profile of St. Lucia and its agricultural sector. The second section focuses on evidence, which may help to answer questions regarding overall changes in land entitlements and impacts in the agricultural sector. The third section presents the policy and institutional factors and implementation techniques of the interventions in land markets and property rights in St. Lucia in the last twenty years. The results of a baseline study conducted by the Land Tenure Center (LTC, 1988) are included as an initial assessment of the impacts of such interventions. The last section presents some conclusions and recommendations for the assessment team.

2. PROFILE OF ST. LUCIA AND ITS AGRICULTURAL SECTOR AND AGRARIAN STRUCTURE

St. Lucia is a country of approximately 158,178 people with an area of 152,319 acres (616 square kilometers). Of this area approximately 5% is arable (7,494 acres) and 23% is devoted to permanent crops (34,957 acres)². A GIS constructed for Saint Lucia in the late 1980s showed that only 13% of the land devoted to farming occurs on good quality land and that the land being farmed at that time was sufficient to support only 40% of the rural population (Rojas et al, 1988.)

¹ The following document was used to define the scope of the Country Brief:

Stanfield, J. David and Peter C. Bloch, 2002, A Conceptual and Methodological Framework For an Assessment of USAID's Investments in Land markets and Property Rights. Manuscript. Land Tenure Center and Development Alternatives, Inc. Version April 22, 2002.

² The World Factbook, 2002 (<http://www.cia.gov/cia/publications/factbook/geos/st.html>)

Agriculture, livestock, forestry and fisheries contributed 7.66% to the GDP in 2000³. The contribution from this sector to the economy has been decreasing over the last 20 years (14.37% in 1985; 14.53% in 1990; 9.554% in 1995). Banana is the principal crop and contributed 3.56% to the GDP in 2000. The contribution of bananas has also been declining (8.36%% in 1985; 10.28% in 1990; 5.4% in 1995), although there was a brief period of increase in 1990. Agriculture is responsible for around 64% of the total domestic exports and bananas account for over 90% of agricultural exports in 1996 (Gov of St. Lucia, 1996).

Tourism (hotels and restaurants), by contrast, has shown an increase in the contribution to GDP from 7.81% in 1985 to 9.61% in 1990 to 11.69% in 1995 and finally to 14.06% in 2000). Appendix I present other indicators for St. Lucia.

2.1. POVERTY

There is limited information on poverty indicators for St. Lucia. DFID⁴ cites the poorest 20% of the population have 5% of the income share. The life expectancy at birth is 71 years (69 years for males and 74 years for females). The infant mortality in 2000 was of 13 per 1,000 live births and the mortality of children under 5-years was 19 per 1,000; the latter figure was 24 per 1,000 in 1990. 85% of the population had access to safe water in the 1990-97 period⁵

2.2. BRIEF HISTORY OF ST. LUCIA

St. Lucia has been an independent country since 1979. The island had been under British rule from 1814. The French controlled the Island since 1660 and left remnants of culture, language and legislation. Since the 1960s bananas became the main product substituting sugar. Sugar cane was the main product during the colonial era. The preferential market to the United Kingdom (UK) facilitated the development of the banana industry during the 1960s and 1970s. However, there has been concern since the mid 1980s on the over-dependence of St. Lucia's economy on a single crop. In the 1990s with the establishment of a single European market and the discontinuing of the protection on the UK market the St. Lucian banana industry has been under severe challenge.

³ Government of St. Lucia, Statistics Department (<http://www.stats.gov.lc/main5.htm>). See Appendix I for data used in this trend analysis.

⁴ DFID, Statistics on International Development, 2002.

⁵ Earth Trends 2001 World Resources Institute.

2.3. BACKGROUND STUDIES IN LAND TENURE

The issue of land tenure in St. Lucia's has been under discussion since the 1970s.

One characteristic of the land tenure system in St. Lucia, shared with other Caribbean states, is the presence of the "family-land" system, which evolved from the accommodation of the former slaves within a plantation economy. Under this system, land assigned or bought by former slaves was transferred to the heirs. The fact that St. Lucia kept a legal system based on the Civil Code (legacy of the French ruling) facilitated the endurance of family land in St. Lucia. This legal system was not based on primogeniture and land could be passed to all children and held in common by a lineage family. Initially, on intestacy, only legitimate children and subsequently, others only in accordance with amended legislation. This system served as a security buffer for subsistence as the economy moved to a plantation base (Dujon, 1995; Bruce, 1983).

Another aspect of land tenure in St. Lucia has been that the skewed distribution of land. Adrian (1996) reported that small farmers controlled only 1% of farmland area (less than 5 acres, about 10,000 farmers), while 32% of the areas was controlled by middle farmers and 67% by large farmers. OAS (1991), citing figures from the Latin American Bureau of the United Kingdom, reported that 75% of the approximately 7,000 farmers that cultivate bananas owned 10 acres of land or less in the mid 1980s. According to this source, 92.7 percent of all farmers control only 24 percent of the land (1973/74 agricultural census). In contrast, 0.17 percent of the farmers, most of who were absentee owners, controlled 50% of all cultivable land.

In 1979 the Government of St. Lucia established a Land Reform Commission to study the issue of land tenure and provide recommendations regarding policy options. The Commission drew from several analysis conducted in the 1970s and public hearings (Mathurin, 1967; Momsen, 1971; Meliczek, 1975). The Land Reform Commission of 1979-1980 contributed significantly to increasing the public awareness of the complexity of land reform issues. The commission's public hearings in Castries, Dennery, Vieux Fort, Micoud, and Soufriere; the documents the commission presented; and media coverage of the commission's work all helped to create a popular demand for new land tenure reforms.

The studies and hearings of the 1970's and 1980's resulted in three main conclusions:

1) A plantation dominated agriculture

St. Lucia's dependency on the export of bananas has contributed to the continuity of the plantation agricultural structure. The plantation system has produced a land tenure structure where the majority of holders are on small parcels of poor quality and fragile land, while plantations underutilized their highly productive lands. By 1963 there were 10,000 registered members of the Windward Island Banana Association, the majority of whom operated in less than five acres of land.⁶

⁶ http://www.slumaffe.org/Agriculture/Extension_Services/Green_Gold/green_gold.html

2) The family land form of tenure is problematic and functional

Much of St. Lucia's land is held as "family land" wherein an often-indeterminate number of heirs hold shares in the land, but without a physical partition of the property. Family land emerged in St. Lucia following the end of slavery in the 1800s within the legal context of French Civil law. Transactions are difficult to arrange for such land, since there may be many "owners" who are difficult to identify and contact. Investments by any one member of the family may be difficult to justify, since other family members can benefit without compensation to the investor. On the other hand, family land may perform an important economic safety net function.

3) An archaic and costly system of deeds registration.

By 1978 the system of deeds registration had become a relatively inefficient system of defining and protecting rights to land. The records, which were registered, were incomplete in that many deeds were vague as to the location of the land and exactly who held what rights to that land.

As a response to the diagnosis from the 1970s several interventions took place during the following decade (1980s), notably a USAID Agricultural Structural Adjustment Project, which included a component of Land Registration and Titling Project (USAID, 1983).

More recently DFID (2002) has put forward the importance of land, land rights and land reform in developing countries, and considers how land policies can contribute to poverty reduction. It has been argued that secure access to land provides the basis for investment in better livelihoods and improved living conditions. Furthermore, sound land policy and secure tenure are also important in promoting environmental improvements and sustainable resource management (DFID, 2002, iv.)

Some of the interventions in the 1980s are discussed in Section 4, and they deal mostly with overcoming the perceived constraints of tenure insecurity for the more fluid functioning of land markets. But before that discussion the following section presents an overview of current information related to land markets and agricultural sector in St. Lucia. What have been the impacts of such interventions? What is the situation of land markets in 2002?

3. EVIDENCE OF LAND MARKETS IN ST. LUCIA

The first step in the review of the literature aimed at identifying recent studies on the situation of land markets in St. Lucia.

3.1. 1996 AGRICULTURAL CENSUS

The Ministry of Agriculture, Lands, Fisheries and Forestry of St. Lucia maintains a Web Site, which includes the final report of the 1996 Census of Agriculture⁷. This Census provides some information regarding land tenure changes which may be useful in assessing land market impacts.

The number of agricultural holdings increased by 15.7% since the 1986 Census. The 1996 Census reported 13,366 holdings after screening 38,845 households (Table 1). Table 1 of the 1996 Census shows the trend in the number of holdings since 1961.

Table 1. Number of Holdings

TOTAL NUMBER OF HOLDINGS	
1961	13,008
1973/74	10,938
1986	11,551
1996	13,336

Source: Table 1 of 1996 St. Lucia Agricultural Census - Main Censal Results.

The total land area devoted to agriculture showed a decline of 11.5% as compared to the 1986 Census.

Table 2. Total Area on Holdings

TOTAL AREA ON HOLDINGS (Acres)	
1961	87,375.0
1973/74	72,001.0
1986	58,016.5
1996	51,323.1

Source: Table 3 of 1996 St. Lucia Agricultural Census - Main Censal Results.

The increase in the number of holdings and the decline in agricultural area resulted in changes in the structure of holdings.

There seems to be a better distribution of agricultural land at present in comparison with times past, although the distribution pattern is still somewhat skewed. In 1974, 88% of the smaller holdings with land, held 24% of the land and 0.2% of the larger holdings operated just over 37% of the land. By 1986, 86% of the smaller holdings with land held almost 35% of the land and 0.1% of the larger ones held 30% of the land. In 1996, 81% of the smaller holdings with land

⁷http://www.slumaffe.org/Corporate_Planning/Statistics/Agriculture_Census/agriculture_census.html

operate almost 48% of the land, while less than 0.1% of the larger holdings hold just under 11% of the total land.

Table 3. Distribution of Holdings by Size

Size Group (in Acres)	1973/74		1986			1996		
	# of Holdings	%	No. of Holdings	of	%	No. of Holdings	of	%
TOTAL	10938	100	11551		100	13366		100
Landless	502	4.6	850		7.4	1630		12.2
Up to 5	8558	78.2	8770		75.9	9166		68.6
5 to 9.9	1082	9.9	1191		10.3	1713		12.8
10 to 24.9	475	4.3	560		4.9	700		5.2
25 to 49.9	199	1.8	98		.9	92		.7
50 to 99.9	58	.5	35		.3	27		.2
100 to 199.9	19	.2	17		.2	15		.1
200 to 499.9	26	.2	17		.2	16		.1
500 and over	19	.2	13		.1	7		.1

Source: Table 5 of 1996 St. Lucia Agricultural Census - Main Censal Results.

Regarding the land tenure system, the 1996 Census show that family land continues to be the predominant form of land tenure (more that 45%). There is an increase in the number of parcels owned since 1986: 1098 in absolute terms and 3.7% of the total. (See Table 4). The number of squatter parcels decreased from 10.6% in 1986 to 6.6% in 1996.

Table 4. Land Tenure in St. Lucia 1986 - 1996

LAND TENURE	1986		1996	
	# of Parcels	%	# of Parcels	%
TOTAL	13530	100.0	15468	100.0
Owned	3611	26.7	4701	30.4
Family land	6132	45.3	7094	45.9
Rented/Private	1717	12.7	1558	10.1
Rented/Government	383	2.8	682	4.3
Squatting/Government	790	5.8	614	4.0
Squatting/Private	680	5.0	399	2.6
Other	217	1.6	420	2.7

Source: Table 8 of 1996 St. Lucia Agricultural Census - Main Censal Results.

What does this mean for land distribution? Table 5 shows the distribution in acreage of holdings of different size. According to the analysis presented in the St. Lucia 1996 Agricultural Census: "it appears that an increase of area among the holdings under 25 acres (5879.6 acres more than in 1986), while a decrease in total area is noticeable in medium and large holdings (12573.1 acres less than in 1986 for holdings with more than 25 acres of total area).

"Both changes in the number of holdings and agricultural area caused a smooth trend towards a better distribution of land. In fact, while in 1974, 88% of the smaller holdings with land, held 24% of the land and 0.2% of the larger holdings operated just over 37% of the land, in 1986, 86% of the smaller holdings with land held almost 35% of the land (a better distribution than in 1974) and 0.1% of the larger ones held 30% of the land. For the present agricultural census those figures changed to: 81% of the smaller holdings with land operates almost 48% of the land, while less than 0.1% of the larger holdings hold just under 11% of the total land. The Gini Index for land concentration shows this evolution towards a better distribution of land: 1973/74: 0.90; 1986: 0.87; 1996: 0.80. Chart 3 shows this evolution in land concentration through the Lorenz curves for the three censuses.

Table 5. Distribution of Holdings of Different Size by Acreage

Size Group (in acres)	1973/4		1986		1996	
	Total area (acres)	%	Total area (acres)	%	Total area (acres)	%
TOTAL	72001	100	58016.5	100	51323.1	100
Up to 5	10204	14.2	12350	21.3	13521.1	26.4
5 to 9.9	7068	9.8	7802.4	13.4	10898.7	21.2
10 to 24.9	6396	8.9	7763.1	13.4	9375.3	18.3
25 to 49.9	6299	8.8	3218.6	5.6	3072.2	6.0
50 to 99.9	4282	6.0	2338.0	4.0	1625.9	3.2
100 to 199.9	2690	3.7	2233.5	3.9	2076.0	4.0
200 to 499.9	8160	11.3	4881.0	8.4	5250.3	10.2
500 and over	26902	37.4	17430.0	30.0	5503.6	10.7

Source: Table 6 of 1996 Agricultural Census - Main Censal Results.

To complete the picture on trends in land concentration, it is interesting to look at the parcelation and fragmentation processes. While in 1974 the average number of parcels per holding was 1.12, this figure changed to 1.31 in 1986 and to 1.32 in the present census. At the same time the mean area of holdings with land dropped from 6.9 acres in 1974 to 5.4 in 1986 and 4.4 in 1996"

3.3. THE ST. LUCIA NATIONAL DEVELOPMENT CORPORATION (NDC)⁸

The NDC maintains a Web Site which includes a section on land sales in four areas: Southern Shores, Beanfield, View Fort Industrial Fills, and Black Bay Sea View. Yet this seems to be limited to land available for industrial parks.

3.4. LAND TENURE AND PRO-POOR TOURISM IN ST. LUCIA

In the last two years a new project funded by the Economic and Social Research Unit (ESCOR) of the UK Department for International Development (DFID) has put forward importance of developing tourism strategies directed to alleviate poverty⁹. This initiative has concluded that land tenure is a key issue and that "communities with secure land tenure are in the strongest position to manage tourism on their land and gain the lion's share of benefits" (Ashley. et al, 2001, 32.) The implementation of this initiative by the Government of St. Lucia, under the name of Heritage Tourism Programme, claims some success in involving the local population and attracting tourists to inland initiatives.

This Programme is in its initial phases and it has been so far an advocacy effort calling the attention to the potential of the service sector to alleviate poverty. It is unclear if efforts such as this one will have an impact on land markets. However, the case study prepared for St. Lucia recognizes that "enterprise development by the poor will often be around communal assets, and for this **a supportive policy framework that provides for collaborative management and for devolution of rights of use and exclusion is required**" (Renard, 2001.) One of the conclusions of the study is that "local tourism is an essential component of this strategy, and it aims to build, rather than undermine, the sense of ownership without which the development of tourism would fail (Renard, 2001.)

In its first two years the Tourism Heritage Programme in Saint Lucia has:

- conducted a participatory planning exercise in the Village of Laborie;
- developed a marketing brand to use in ten sites or tours around the country;
- explored the development of Anse la Raye, one of St. Lucia's poorest villages, as a Heritage Tourism site;
- established a Heritage Tourism site in Fond Latisab at a small family farm in a rural community in the north of the island (Renard, 2001).

⁸ <http://www.stluciandc.com/>

⁹ The 'practical strategies for pro-poor tourism' is a collaborative research project of the International Centre for Responsible Tourism (ICRT), the International Institute for the Environment and Development (IIED) and the Overseas Development Institute (ODI), together with in-country case study collaborators.

Among the requirements to realize the potential of pro-poor tourism to alleviate poverty analysts have recognized the need to enhancing and secure access to common property assets (Renard, 2001). According to the authors of the case study for St. Lucia "it is clear that the only opportunity offered to many poor people to benefit from tourism is through the communal use of publicly-owned assets such as trails, waterfalls, public parks and historic sites". This process may help to clarify the rights of family farms with touristic potential. There is a recognized need for the formulation of an appropriate policy framework for collaborative management arrangements, and for vesting some of the rights, notably the rights of use and exclusion, to community organizations and groups (Renard, 2001).

3.5. OTHER RECENT STUDIES REGARDING LAND MARKETS

Dujon (1995) conducted field work in 1992 in the areas of Micoud and Choiseul and concluded that "...currently there is no active open land market and even with the establishment of the new Land Registry where all parcels and owners are clearly identified, there is unlikely to be one in the near future" (p 57).

In her study Dujon concluded that ".....the survey of the 87 holdings was formulated to elicit comparative information for freehold and family land holdings about management practices, crops grown, levels of investment, disposal of produce and land transfer practices. Originally the holdings sampled were divided into four different tenure categories: private; family land; a combination of the two and holdings converted from family land to 'absolute' title (freehold) as a result of the LRTP. In keeping with the findings of the baseline study done by the Land Tenure Center, University of Wisconsin-Madison, it was difficult to identify farmers in the last category, since the number of conversions that took place was insignificant. In fact only one farmer was identified in that category...." (p 66).

3.6. PERCEPTION OF LAND MARKETS AMONG THE GENERAL PUBLIC IN ST. LUCIA

The literature review for this paper included an exploration of the public perceptions regarding land markets as reflected in opinions expressed in an e-mail discussion group. One Web Site¹⁰ maintains an open dialogue and discussions about St. Lucian topics (Lucian Town Hall). A search for the key word "land" in June 2002 rendered 62 postings related to this theme.

The discussion on the selling of land in St. Lucia for tourism purposes reveals the perception that the dynamism of land market is concentrated in this sector. There seems to be some resentment among St. Lucians that foreigners are acquiring land at high prices pushing local residents off their land. Appendix III presents an example of such a dialogue regarding selling land in St. Lucia, not for agricultural purposes, but for tourist development at inflated prices. Programs such as the Heritage Tourism may help to spread the benefits to the poor.

For example a posting commenting on a planned tourism development in Micoud stated that this strategy would leave St Lucians with low paying jobs, garbage disposal problems, scarcity of water and foreign control. The posting ended by stating "...Now is the time to say, enough is

¹⁰ <http://www.sluonestop.com/townhall/index.html>

enough. St.Lucians deserve better jobs and a better stake in the resources of the island: its our HOME and NATIVE LAND". This posting generated responses that commented on the prices of land and foreign control.

The next section explores the second and third questions regarding policy and institutional factors and implementation techniques of land entitlement interventions. The section reviews briefly the goals and assumptions of the interventions.

4. INTERVENTIONS ON PROPERTY RIGHTS AND LAND MARKETS

After the diagnostic work conducted in the 1970s several interventions in land registration and titling were carried out:

- The Organization of American States conducted a pilot project in land records and titling in the Mourne Panache, in the Mabouya Valley area in 1982-3 (OAS, 1986, 1991).
- Starting in 1983 modifications were made to the legal and policy framework by passing four acts: Land Registration Act (LRA), Land Adjudication Act (LAA), Land Surveyor's Act, and The Agricultural Small Tenancies Act.
- In 1984 USAID and the Government of St. Lucia entered an agreement for a four-year Land Registration and Titling Project (LRTP) as part of a Agricultural Structural Adjustment Project (USAID, 1983).

It is important to note that, mainly as a result of the work and public consultations of the Land Reform Commission during 1979 and 1980, the issue of land tenure had gained widespread acceptance among several sectors in St. Lucia. Thus the interventions on property rights and land markets were well received in principle, if not in the methods.

The following sections describe such interventions in general terms.

4.1. ORGANIZATION OF AMERICAN STATES (OAS) PILOT PROJECT

In 1982, the Land Reform Unit of the Ministry of Agriculture of St. Lucia, assisted by the Department of Regional Development and Environment of the Organization of the American States (OAS) began the Mourne Panache Land Registration and Farmer Resettlement Project. This project sought to respond to the issues related to land tenure identified for St. Lucia by the 1979-80 The Land Reform Commission.

This project operated in an area of approximately 1,500 acres in the Mabouya Valley, where there were about 246 private holdings, almost 60% of which were under 5 acres. The project design originally included a farmer resettlement component but the implementation was restricted to: i) surveying of parcels, ii) establishing legitimate claim (in uncontested cases), and iii) recording all relevant information in the area. In this pilot project 98 parcels were demarcated covering 350 acres. The project came to an end in 1983.

According to OAS this project was an important precedent to the Land Registration and Titling Project (LRTP) that USAID and the Government of St. Lucia started afterwards. The OAS pilot project provided training and experience to the teams that later participated in the LRTP (OAS, 1986, 1991.)

4.2. NATIONAL POLICY AND LEGAL FRAMEWORK

The United Nations Development Program provided financial assistance in the drafting of legislation for a new land registry, procedures for surveyors, and conditions for land adjudication.

Four laws provided the legal structure necessary for implementation of the national Land Registration and Titling Program (LRTP) and the creation of a modern land registry¹¹.

The first law, the Land Registration Act, replaced the legal code of the ineffective deed-registration system with new legislation allowing for the establishment of a modern system of land records and land rights. The Land Adjudication Act provided legislation to establish a systematic survey of parcels and a process of title adjudication. The Land Surveyors' Act provided for the licensing of surveyors, the conduct of surveys, and the preservation of survey marks. The fourth law, the Agricultural Small Tenancies Act, clarified the rights and obligations of both landlords and tenants of small agricultural leaseholds.

The Land Registration Act (No. 12 of 1984) replaced the laws governing the ineffective deed-registration system. Under the old legislation, the simple fact of registration did not ensure the validity of a deed. The registrar was under no obligation to scrutinize documents beyond seeing to it that they were in the form prescribed by law. The principle of "caveat emptor" applied. Reasonable assurance that a proposed seller had good title to convey could only be obtained through a laborious and exceedingly costly title search by a legal practitioner.

The registration system outlined in the new Act remedied these problems. Under the new system the state now examines each title to be registered and, having determined its validity, registers the land and guarantees the title. The title is then unassailable except on grounds of fraud. Once the system is in place, the accuracy of the register is maintained by a requirement that all transactions in land must be registered in order to be valid. The certainty of title is thus perpetuated and not permitted to deteriorate with the passage of time.

In addition the Act provides for a "trust for sale" mechanism to facilitate the transfer of family-land by assuring any purchaser that he or she is indeed acquiring clear title. The "trust for sale" is a concept referred to in the Civil Code's Section on "Trustees". Under a "trust for sale", the power to sell the parcel or subject it to a mortgage is vested in a family trustee or a limited number of trustees, who are shown as such on the register. The trustees are empowered to deal with the land and may convey good title. They remain accountable to the other co-owners for their share in the proceeds of the sale, but a purchaser's title is not affected by the fact that some of the co-owners were not consulted or did not agree to the sale. Since the enactment of the Land Registration Act (LRA), many properties have been conveyed by Trustees for Sale.

¹¹ This section draws from the OAS report on the Mabouya Project (OAS, 1991).

The Land Adjudication Act (No. 11 of 1984) provided for a systematic survey of parcels and the adjudication of titles, which is now a precondition to registration of titles and their guarantee by the State. Because of the legal effect of registration, adjudication is a quasi-judicial proceeding. An area is declared an "adjudication section", and a team headed by an Adjudication Officer identifies all the parcels of land in the section and surveys their boundaries. Notice is given for all those with interests in those parcels to bring forward their claims. Both ownership and other interests in land, such as leases and mortgages, are noted. Disputes are resolved by the Adjudication Officer, whose decisions may be appealed to a three-man tribunal and then to the court of Appeals. When the adjudication process has been completed for the section, the first Land Register and Land Registry Index Map are prepared from the adjudication record, and the new land-registration system can begin to function in that section.

The Land Surveyors' Act (No. 13 of 1984, with Amendments Nos. Land 8 of 1986) replaced the Surveyors and Boundaries Settlement Ordinance and the Colony Survey Ordinance. The new law provides, in a manner consistent with the Land Registration and Land Adjudication Acts, for the licensing of land surveyors, the conduct of surveys, and the preservation of survey marks.

Together these three acts created a new legal infrastructure for improving the functioning of the land market. Because registration confers a guarantee of title, a purchaser can now confidently rely on the information shown on the register, and a lender may do the same in accepting a registered parcel as security.

The new system reduces land disputes and facilitates the resolution of those that still do arise.

Finally the systematic mapping of all parcels and the computerization of registry records provides the Government with an automatically up-dated data base on land for a variety of planning purposes.

The benefits of this registration system are based on several previous experiences similar to that done in St. Lucia. Similar systems have been introduced in several islands of the Eastern Caribbean and are in operation in many countries with a civil-law tradition (the registration system conforms even more comfortably with the civil law of property than with the English law within which it was developed). While the costs to Government of establishing the system are considerable, maintenance costs are relatively modest and can largely be met from fees.

The Agricultural Small Tenancies Act filled an important gap in the substantive law of St. Lucia. Modeled on legislation currently in effect in several countries of the Eastern Caribbean, this law provides a legal framework for leases of small agricultural holdings, which have often been handled on a relatively informal basis and have thus been the object of considerable uncertainty for both landlords and tenants. The Act regulates the creation and termination of such tenancies, their assignment and subletting, compensation for improvements upon termination, and a variety of additional matters. The Small Tenancies Act does not regulate rents, and is intended primarily to provide both parties with that security of expectations which is conducive to good resource husbandry.

4.3. THE USAID LAND REGISTRATION AND TITLING PROJECT (LRTP)

The overall goal of the St. Lucia Agricultural Structural Adjustment Project (ASAP) was to expand employment and to increase incomes for rural farm families (USAID, 1988). The ASAP was agreed upon in March 1983 between the Government of St. Lucia and the United States Agency for International Development. Equitable and rational land use was another purpose of the project. A grant of US\$ 9.5 million dispersed over the next three years covered the major costs of the Project. The ASAP originally included a banana-replanting Program, a market-promotion scheme, and land registration and titling Program (LRTP). However the Government only implemented the LRTP.

In 1983 the Government of St. Lucia recognized the need for agricultural diversification to reduce the country's dependency on banana exports. This dependency was considered to be a serious barrier to the country's long-term economic stability. The Government's proposal to USAID was based on the argument that the removal of four key constraints (outlined below) would allow international demand to stimulate a market-driven economy toward increased and more diversified agricultural production. The constraints were identified as:

1. Lack of secure land title for a majority of the farmers, which restricted the functioning of both the land market and the incentives for long-term investments in land and agriculture.
2. Inadequacies in the agricultural marketing system, which failed to generate sufficient, reliable, and effective demand at the farm level to stimulate greater production of cash crops (particularly high-value tree crops that require a long-term investment).
3. Limitations of the plant propagation system, supporting the diversification effort, which limited farmers' ability to respond to market demand for tree-crop products.
4. Decline in banana income, which reduced the availability of resources for investment at the farm and national levels.

To relieve these constraints, the Government proposed structural reforms in three areas:

1. Land registration and tenure individualization: provide all current landholders with clear title and inaugurate an experimental Program to provide holders of family-land with the opportunity to consolidate ownership.
2. Market promotion: strengthen the private-sector marketing system while supporting the expansion of high-value crops with strong market potential.
3. Short-term support for agricultural production: increase banana production through a replanting Program, critically needed to halt the decline in banana shipments and to strengthen the agricultural-income base in the short term.

By the beginning of the project, in part due to the work done by the Land Reform Commission 1979-80, the public opinion supported the need for registration and titling. Large sections of the population, beyond partisan lines, began to take part in discussions about land use, the

availability of good lands for agricultural and rural development, and the importance of zoning for specific industrial, residential, and recreational purposes.

Following a favorable response from USAID, the St. Lucia Government signed a contract in 1984 with United Aerial Mapping Inc. (UAM), a consulting firm from the United States, to implement the LRTP.

The land registration and tenure individualization projects were designed to produce four results:

1. A survey of all lands outside the National Forest Reserve and the metropolitan area of Castries, boundary demarcation of existing holdings, identification of land owners, and a recording of these data.
2. A new land registry system based on this survey.
3. A land tenure code embodied in the new legislation to regulate and record private land transactions.
4. A tenure individualization program in the St. Lucia Development Bank to finance the conversion of family-lands to individual ownership.

Due to a lack of funds and mounting cultural resistance, the Government could not go forward with the tenure-individualization program (TIP) to carve 450 individual smallholdings out of existing family-lands. The budget for the program included an initial capital of US\$ 100,000, with additional financing of US\$ 400,000 to be generated by the banana-replanting program, and US\$ 970,000 in Government debentures. The Development Bank planned to offer 10-year mortgages at commercial interest rates of 11 to 13 percent for 80 percent of the holdings valued up to US\$ 20,000. The mortgages would allow an heir of family land to buy out the other heirs' shares. The farmer's share in the family-land being purchased would count toward the 20 percent down payment, and family shareholders would receive the value of their shares in cash and debentures. However, without the banana-replanting program, expected reflows were not available.

Moreover, given the known extent of family-landholdings in the society, the target of 450 holdings is not a substantial number. Successfully implemented, the program would only have been a symbolic gesture. Even if some family members were willing to sell, poorer farmers would not have been able to buy their shares at the land prices being considered - up to US\$ 20,000, approximately EC\$ 52,000 - or to meet loan repayments of about EC\$ 7,000 a year.

Therefore the Government found it necessary to reduce the scope of the Agricultural Structural Adjustment Project to include only the LRTP. The LRTP activities consisted of land-registration, preliminary establishment of a modernized land registry, and adjudication of parcels throughout the country (except in the Forest Reserve). Activities continued through July 1987. Project savings eventually made possible the expansion of the LRTP to include the Castries area as well (USAID, 1988)

There were cultural obstacles to such a program. Many family members maintained their right to ownership for the sense of independence and long-term security it provided. This could not be measured in the monetary values set forth in the Program's original guidelines.

Legally identifying landowners does not, by itself, eliminate existing inequalities in the landowning structure, nor does a reorganized registry, in itself, guarantee the end of ownership disputes over family-lands. However, as one component of an integrated development policy, the LRTP rendered a substantial service to the society of St. Lucia: reducing the possibility of fraudulent transactions, providing the improved information base and organizational mechanism essential to efficient administration of land-tenure questions, introducing modern techniques, and training local personnel in the use of these techniques.

To appraise the experience gained through the LRTP, and in response to a growing interest among other Eastern Caribbean states, the Government of St. Lucia, the OAS, and USAID jointly sponsored the Symposium on Land Registration, Tenure Reform and Land Information Systems in October 1986. At this time, United Aerial Mapping had completed one year and nine months of its three-year contract, and had demarcated, surveyed, and recorded the information for 17,491 parcels amounting to 86,350 acres. Almost 50 participants attended the three-day symposium, representing a wide range of skills and expertise from the Eastern Caribbean, United States, United Kingdom, and international assistance agencies.

The Symposium sponsors cited the following long-term benefits to be expected from national land registration:

1. An alleviation of problems in the conveyance of real property.
2. A reduction of lands having multiple owners.
3. A substantial increase in agricultural production (after small holders receive clear title and obtain access to credit).
4. A rise in land values due to increased investments.
5. The use of the cadastral data base to systematically update the valuation of real property and to rationalize land and property taxation.
6. The expansion of the cadastral data base into a land information system to benefit development planning and implementation.

During the Symposium, participants discussed the St. Lucia LRTP "against the background of different needs and experiences in other states and also in the context of selected regional and international experience in land registration and international experience in land registration and titling."

4.4. INDIGENOUS/CUSTOMARY TENURES AND RELATIONSHIPS TO STATE LAW AND POLICY

Bruce (1983) described the family land tenure system in St. Lucia. According to his analysis family land emerged on St. Lucia following the end of slavery in the 1800s within the context of French Civil law. His conclusions are: 1) that the workings of family land tenure are poorly understood; 2) that family land is a Caribbean-wide phenomenon based on labor and economic

factors and not a local legal oddity resulting from the Civil Code's provisions on succession; 3) that family land may perform an important economic safety net function.

This persistence of family land in St. Lucia even after a comprehensive land registration project was implemented was studied by Dujon (1995). Dujon concluded that family land "constitutes a major form of land management in St. Lucia because it is integrated into economic strategies that buffer farmers against unstable markets." Dujon also concluded that "the assumed deficiencies in tenure security and low investment levels associated specifically with communal land are unsubstantiated and therefore policy to eliminate this tenure form based on this tenure form based on these assumptions are misguided."

This conclusion is consistent with the conclusion of DFID that titling programmes in developing countries can "disadvantage poor people who lose the security provided by customary tenure whilst being unable to complete the bureaucratic process of registration". Furthermore, DFID recognizes that in some cases full freehold title may be justified, but in others, rights may be better strengthened within existing systems, especially if this avoids the expense and exposure of the poor that full titling can entail." (DFID, 2002, 9)

5. ASSESSMENT OF DONOR ASSISTANCE IN PROPERTY RIGHTS AND LAND MARKET DEVELOPMENT

5.1. LAND TENURE CENTER BASELINE STUDY, 1988

The Land Tenure Center conducted a baseline study of the St. Lucia LRTP in 1988 (LTC, 1988).

The baseline study, conducted in 1987, was designed by selecting a statistical sample of 189 parcels in four regions: Babonneau, Micoud, Choiseul and Millet. Field interviews were conducted with holders of these sample parcels and data from the registry and LRTP records were tabulated.

According to the baseline study, the LRTP resulted in various forms of ownership, displayed in Table 6, for the 189 parcels in the field sample (LTC, 1988; Stanfield, 1989.)

Table 6. Forms of Ownership of the Sampled Parcels

Form of ownership	Number	Percent
Individual ownership	70	37.0
Heirs of a deceased person	49	25.9
Ownership in common	61	32.3
Joint ownership	2	1.1
Unclear or multiple	7	3.7
Total	189	100.0

The adjudication of ownership by the LRTP required an assessment of who had the rights of ownership to each parcel of land. Just over 37% of the sampled parcels were adjudicated to individuals, and another 32.3 percent were adjudicated to owners in common who, in most cases, were husband and wife, although in some cases of probated wills the property in common was awarded to two or more people. Just over 25% of the parcels were adjudicated to "the heirs of ..." in individual shares, that is, as family land.

This adjudication category, "the heirs of ..." clearly indicates that the parcel was and continues to be family land. However, it is likely that other parcels are also in this category. Recognizing that there are complexities in making these determinations, for purposes of estimation we also identified as family land parcels those adjudicated as "proprietors in common," if the number of co-owners was more than two. If there were only two co-owners, it is likely that they are husband and wife, although it is possible that some of these situations could be classified as family land. In most cases of "proprietors in common" where the number of co-owners are three or more, it appears reasonable to consider such parcels as family land.

Table 7 shown the relative distribution of land, which emerged, from the LRTP for each of the four areas sampled, using these definitions.

Table 7. Incidence of Family Land Following the LRTP (in number and percent)

Type of ownership	AREA SURVEYED									
	Babonneau		Micoud		Choiseul		Millet		Total	
Individual	41	57.7%	9	22%	9	20.9%	11	37.9%	70	38%
In common (husband and wife)	14	19.7%	18	43.9%	10	23.3%	11	37.9%	53	28.8%
Family land	16	22.5%	14	34.1%	24	55.8%	7	24.1%	61	33.2%
Totals	71		41		43		29		184	

Regarding the cost of the LRTP, studies showed that according to the stated project goals of mapping and registering 27,000 parcels covering 52,000 hectares at a total cost of \$7.5 million US, the cost could be expressed as \$278US per parcel and \$144US per hectare. Actual costs in the first two years of the projects were estimated at \$214US per parcel and \$108US per hectare (Barnes, 1988 cited in LTC, 1988). This puts the estimated cost per parcel close to \$250US, which is very high.

The baseline study presented 5 main conclusions and 16 recommendations. The main conclusions of the baseline study are as follows:

- The creation of the land registry

The LRTP demarcated, and recorded a total of 33,287 parcels, 5,944 of which were in the urban area of Castries. The Land Registry for the entire country was created, containing the registry map of all parcels, the parcel register, as well as the parcel files containing the field data concerning the claims made to the LRTP and the decisions made as to the interests in each parcel.

A Registrar of Land was appointed, and staff and office space were provided to the Land Registry. The parcel files, the register, and the maps are in the Registry and easily accessible to Registry staff. Notaries are using the Registry on a daily basis, as is the general public.

The process of recording rights to land by the LRTP went more smoothly than had been anticipated, with a total of only 914 hearings before the Adjudication Officers; such hearings arose when there was a dispute that could not be resolved in the field as to ownership or boundary of one or more parcels. The LRTP finished its work in December 1987.

- The remaining family land phenomenon

The creation of a functioning Land Registry for over 33,000 parcels within approximately three years is impressive. This achievement is moderated, however, by the difficulties the LRTP had in resolving the alleged problems of family land. Approximately one-third of the parcels in the country are still in this status. Few family land parcels were partitioned and the ownership individualized through the LRTP. Thus, this aspect of the hypothesized problem of ownership insecurity, which provided much of the original justification for the project, remains to be resolved.

At least three factors contributed to this lack of LRTP success in dealing with the family land issue.

The legal framework of the LRTP was probably inadequate at the initiation of the project. The Civil Code's rules for handling family owned parcels were different from those incorporated into the LRA and LAA, leading to confusions between the common-law concepts of proprietorship in common and adjudications in favor of the heirs of a deceased person, and the Civil Code concepts of community property and rights of survivorship.

Furthermore, the proposed mechanism of trust for sale for resolving the lack of negotiability of family land parcels, defined in the LAA and LRA, proved inadequate, both in terms of the difficulty of applying the notion in specific circumstances as well as in terms of the resistance to the concept by families and attorneys on the grounds of its unfairness.

These problems with the formulation of the LAA and LRA for the first two years of the project were multiplied by the amendment of the two acts in early 1987. The amendment removed the clause in the IRA, which had stated that the new act took precedence over any preceding and potentially conflicting rule of law. This action by Parliament to remove the priority of the LRA opened the door to questions as to which body of law was to be applied in the operation of the new Land registry, the LRA or the Civil Code. More recently, the Courts have ruled on the finality of the adjudication record and this has provided the basis for widespread acceptance of the 'new' Land Registration process.

Finally, the experience of the LRTP and the reluctance of the St. Lucian people to modify the family land form of tenure bring into question the adequacy of the initial strategy to individualize family land parcels. The advantages of this tenure form and the difficulties encountered in sorting out all interests in an equitable but individualistic way appear to outweigh the problems, which this tenure form generates. It seems advisable that institutional means be found to deal with the problems of family land holdings when they arise, rather than struggle to eliminate or fatally weaken the arrangement.

- Titles

The LRTP did affect ownership insecurity by providing absolute and provisional titles to those holders of land who did not possess adequate legal documentation of their ownership prior to the LRTP. However, this titling involved the awarding of provisional titles in some cases which opened the door to acquiring absolute title only in the future but did not resolve the underlying difficulties behind the lack of legal title originally.

Thus, the LRTP improved the ownership security of about 20% of the claimants to land, leaving about 27% with provisional title with many of the same insecurities of ownership which existed previously, and about 57% with absolute titles which reflected largely secure documentation of ownership prior to the initiation of the LRTP.

The inability to award absolute titles, however, corresponds in large part to the inability to resolve the family land issues. Only about 50% of the family land parcels were awarded absolute titles.

- Mapping

The demarcation and mapping done by the LRTP may prove to one of its strongest contributions to improving the property system of St. Lucia. Prior to the LRTP only 20% of the parcels had an adequate survey plan, and 23% had no written description of the boundaries whatsoever. The remainder had very approximate descriptions.

Following the LRTP all parcels are described in the Registry's parcel map at a scale of 1:2,500 for rural areas and 1:1000 for urban ones. This represents a substantial improvement in accuracy and availability of parcel boundary information.

- Land Use Intensity and Investment

A major rationale for the LRTP was that it would reduce disincentives to farmers investing in or using the land to its maximum potential. This was hoped to occur as a result of LRTP's (1) reducing tenure insecurity, and 2) increasing farmers' access to formal credit.

Regarding access to credit, the baseline study found that prior to the LRTP the use of parcels as collateral has been rare. However, the ownership of the parcels used for collateral was well documented.

The baseline study found regional differences. Because the proportion of family land is unevenly distributed across the country, the connection between family / nonfamily land tenure status and credit had regional implications. Areas like Choiseul, with a high proportion of family land and, at the time of the LRTP, provisional titles, were likely to remain in a disadvantageous position unless explicit policy measures were devised to overcome this unfavorable circumstance.

Yet, even among parcels that were documented with deeds, the percentage used for local collateral remained small, about 20 percent at the time of the completion of LRTP.

Regarding land use intensity, the baseline study found that almost three-quarters of the parcels were utilized to most of their potential extent. Underutilization was most marked in Choiseul and Micoud, where less than half of the area is cultivated in 25 percent or more of the parcels. The baseline study also found out that rented parcels displayed the least favorable qualities in terms of flexibility of land use (in particular, tree planting) and conservation practices. The baseline survey data suggested that, to the extent that ownership documentation was improved by the LRTP, land rental might become more common. Rental may be more acceptable or less risky to a landowner with title document who has less ground to fear that a renter would establish a claim that subsequently would not be able to be countered.

Another issue highlighted by the baseline study was to take a multi-parcel research strategy. In holdings composed of only a single parcel, the owner would have little option but to try to get the most out of that parcel. By focusing on multi-parcel holdings, it would be possible to control for some of the key factors, other than tenure status, that bear on production and investment.

Finally, the pervasive belief that family land tenure itself (that is, its organizational principles) inhibits intensive exploitation of land resources was only partially supported by the baseline study. The study revealed that it was certainly the case that a problem of land use intensity through lower investment does exist for those operating family land holdings. However, the baseline study questioned if the appropriate response to this condition was the destruction of this tenure form by policy fiat or, if a better strategy was to modify or develop new initiatives in the institutions serving agriculture to support such holdings and increase the potential of their productivity. This conclusion was later validated by Dujon (1995.)

The recommendations of the baseline study were:

- Solve the incompatibilities of the LRA and the Civil Code.
- Reevaluate or eliminate the trust for sale provision.
- Study the role of the private sector in land policy projects.
- Appoint a family land task force.
- Conduct an educational campaign on the LRTP.
- Correct the lack of credit access for small farmers.
- Study the land rental and conservation clauses of LRTP.
- Pursue a multiparcel holding strategy.
- Establish a link between the Registrar of Land and the Deaths Registrar.

- Establish an office in Vieux Fort.
- Organize the field notes of the LRTP.

5.2. USAID INTERIM EVALUATION (1986) AND PROJECT COMPLETION REPORT (1988)

An interim evaluation of the St. Lucia ASAP was conducted in 1986 (USAID, 1986). The main conclusion of the evaluation was that progress was being made towards achieving the original goals and purposes of the Project. At the time of the evaluation it was concluded that the marketing and the banana component of the project had been generally satisfied and therefore the recommendation of the interim evaluation was to transfer all remaining project funds to the Land Registration and Titling Component. Part of this reallocation consisted of the inclusion of the Castries urban area in the project.

The interim evaluation also concluded that at that time it was still too early to measure benefits from the LRTP. However, the evaluation stated that the original assumptions concerning increased investment in agricultural land stemming from secure and clear title still appeared to be valid.

The interim evaluation included a Legal Annex (Annex 3) regarding the functioning of the Land Registry at the time of the evaluation. This Annex is considered valuable for the assessment team because of the detail and perspective it provides regarding the implementation of the LRTP.

The Project Assistance Completion Report (USAID, 1988) is largely based in the Land Tenure Center baseline study (LTC, 1988). One recommendation of the project completion report was that a follow-up study of the impact of the land registration and titling component be undertaken in about four years to compare with baseline data. This study should have occurred in the early 1990s, however there is no evidence that a follow-up study was conducted.

The project completion report highlighted the main contributions of the LRTP such as the creation of a functioning Land Registry for over 33,000 parcels; the demarcation and mapping of all parcels; the widespread political support and consensus received by the project; and the outstanding record of management and technical performance by the contractor.

5.3. OTHER INDIRECT EVIDENCE OF THE IMPACTS OF THE LRTP

A search in the Government of St. Lucia Web Site (<http://www.stlucia.gov.lc/>) for the word "land" yielded valuable documents.

A Christmas Message in 2000 by the Minister of Planning, Development, Environment and Housing, Hon. Walter Francois¹², highlights the role of the Ministry regarding the allocation of land resources. Fragments of the this speech are reproduced here to show that the Government of St. Lucia has continued to build on the achievements of the LRTP:

¹² http://www.stlucia.gov.lc/addresses_and_speeches/christmas2000/hon__walter_francois.htm

The allocation of land, a non-renewable resource and a basic input for a range of development activities, is critical in this context. The response to the demand for land in the past had been ad hoc and the use of land haphazard with little attention given to the environmental consequences of this policy of benign neglect.

Our land resources are severely limited and inaction cannot be permitted to continue.

Some of the initiatives which my Ministry has at both its Physical Planning and Land Administration levels put in train to deal with this problem are:

- 1. The Development of a National Land Policy to serve as a guide for the future use of lands;*
- 2. In terms of implementing controls on the actual use of land, an independent review of the Land Development (Interim Contract) Act and Regulations has been undertaken. Based on this review a reconstituted Development, Control Board has been appointed. A Revised Physical Planning Act is in the process of being finalised for Parliamentary action;*
- 3. Computerization of all departments involved in Land Administration including Physical Planning, Crown Lands; Survey & Mapping Sections, and the Land Registry is being pursued;*
- 4. The Conversion of all land information currently stored on paper into a digital database is the precursor to the development of the integrated land management database;*
- 5. The use of Geographic Positioning Technology in conducting surveys. This is intended to improve efficiency and accuracy and allow for easier integration of new surveys into the land management database;*
- 6. All these efforts are in preparation for the development of an Integrated Land Management Database, under which all persons who require land information will be able to share and cross-reference same. The database will also allow electronic access to stored information;*
- 7. Improved control over the illegal use of Crown lands and the Queen's Chain in particular.*

In addition to creating an environment for more effective control over land use these measures are expected to provide for greater efficiency in the processing of planning applications.

Another document found in the Government of St. Lucia Web Site was a report issued by the Commission of Inquiry into a trio of events in public administration in St. Lucia in the 1990s. One of these events was the sale of 26 acres of beach-front at Roseau Bay in 1994. The document examines the facts of that purchase and provides insight into the buying and selling of land in St. Lucia post LRTP. A future assessment of land issues in St. Lucia may look at this case as illustration of the land market in land St. Lucia¹³.

¹³ <http://www.stlucia.gov.lc/features/commissionofinquiry/BlomCooper.htm>

6. CONCLUSIONS AND RECOMMENDATIONS

- The issue of land tenure has been a concern for the St. Lucian government and international donors for more than 30 years. St. Lucia has showed a skewed distribution of land. While less skewed in recent years, even in 1996 the distribution showed that 81% of the smaller holdings with land operates almost 48% of the land, while less than 0.1% of the larger holdings hold about 11% of the total land.
- The agricultural sector of the Country has been dependent on a single crop (bananas) since the 1960s with preferential market to the European Union. However, the preferential market for bananas has been slumping.
- USAID and the Government of St. Lucia implemented a landmark project in 1984-7 aimed at land registration and titling. The project was highly successful in creating a land registry for the more than 30,000 parcels in the Country and created accurate maps.
- The LRTP had limited success in the stated original goal of modifying the tenure structure by encouraging the conversion of family land system to freehold.
- The cost per parcel of the titling and registration effort was very high (US\$250 (Barnes, 1988)).
- The evidence of the operations of land markets in St. Lucia is scarce. Results of the 1996 Agricultural Census show little change in the land tenure structure. The percentage of family land remains at the same level (about 45%) comparing the 1986 and 1996 Census results. Recent studies (Dujon, 1995) claim that land markets do not operate fluidly and transparently in St. Lucia.
- It is difficult to assess the impacts of the LRTP on the poor. Considering that the family farm sector was practically not affected by the LRTP and that there seems to be evidence of recent land markets stimulation in highly valuable areas, such as touristic sites, it can be speculated that the poor may be negatively affected as they can not compete with the high prices.
- Recent initiatives, such as the Heritage Tourism, recognize the need for a supportive framework that considers the devolution of rights of use and exclusion around communal assets as a condition for the poor to share some of the benefits of tourism development in St. Lucia.
- The interventions and implementation of USAID in land registration and titling in St. Lucia created the framework for a solid land registry and mapping. The issue of family land remains as an integral part of St. Lucia's economy and alternatives regarding its contribution to the agricultural sector and family income should be examined and alternatives developed that capitalize on its beneficial aspects.
- Field visits are needed to assess the direct effects, status of policy and institutional issues and implementation factors of the land registry and titling interventions in St. Lucia.

7. BIBLIOGRAPHY

- Adrien, Peter, 1996. *Metayage, Capitalism And Peasant Development In St. Lucia, 1840- 1957*. Mona, Jamaica : Consortium Graduate School of Social Sciences, University of the West Indies.
- Ashley, Caroline, Dilys Roe and Harold Goodwin, 2001. *Pro-Poor Tourism Strategies: Making Tourism Work For The Poor. A review of experience*. ODI, IIED, and CRT, April 2001. Barnes, Grenville. *Comparative evaluation framework for cadastre-based land information systems (CLIS) in developing countries / by Grenville Barnes*. University of Wisconsin - Madison.
- Barnes, Grenville. 1988. *The Cadastre-Based Land-Information System in St. Lucia*. In: LTC, 1988. *Land Registration, Tenure Security, and Agricultural Development in St. Lucia : A Research Report*. Volume 3. Draft. Madison, Wis. : University of Wisconsin-Madison, Land Tenure Center.
- Bruce, John W. 1983. *Family Land Tenure and Agricultural Development in St. Lucia*. Research Paper # 79. Land Tenure Center. University of Wisconsin-Madison.
- DFID, 2002. *Better Livelihoods for Poor People: The Role of Land Policy*. Policy Division, Department for International Development, London.
- Dujon, Veronica, 1995. *National Actors Against World Market Pressures : Communal Land, Privatization And Agricultural Development In The Caribbean*. Unpublished PhD dissertation. University of Wisconsin-Madison.
- Land Tenure Center, 1988. *Land Registration, Tenure Security, and Agricultural Development in St. Lucia : A Research Report*. 1988. Draft. Madison, Wis. : University of Wisconsin-Madison, Land Tenure Center, 1988. 5 volumes.
- Mathurin, D.C. Emerson, 1967. "An Unfavourable System of Land Tenure: The Case of St. Lucia". In *Proceedings of the Second West Indian Agricultural Economics Conference*. Trinidad: University of the West Indies.
- Meliczek, Hans, 1975. *Land Tenure: St. Lucia. Project Findings and Recommendations*. FAO/UNDP. Rome.
- Momsen, Janet D. 1972. "Land tenure as a Barrier to Agricultural Innovation: The Case of St. Lucia." *Proceedings of the Second West Indian Agricultural Economics Conference*. Trinidad: University of the West Indies.
- OAS, 1986. *St. Lucia Natural Resources and Agricultural Development Project: Studies and Proposals for the Implementation of a Land Registration Program*. Organization of American States. Washington. D.C.
- OAS, 1991. *Integrated Land Development - The Case of the Mabouya Valley in St. Lucia*. Organization of American States. Washington, D.C.
- Renard, Yves, 2001. *Practical strategies for pro-poor tourism: a case study of the St. Lucia Heritage Tourism Programme*. Pro-Poor Tourism Working Paper 7. ODI, IIED, and CRT London.

- Rojas, Eduardo, Robert M. Wirtshafter, John Radke and Richard Hosier, 1988. Land Conservation in Small Developing Countries: Computer Assisted Studies in Saint Lucia. *Ambio* 17(4):282-288.
- Stanfield, J. David and Peter Block, 2002, A Conceptual and Methodological Framework For an Assessment of USAID's Investments in Land markets and Property Rights. Manuscript. Land Tenure Center and Development Alternatives, Inc. Draft version 8. April 22, 2002. Madison.
- Stanfield, J. David, 1989. Land Registration And Security Of Land Ownership In St. Lucia. Paper presented to the Latin American Studies Association (LASA) Congress. San Juan Puerto Rico, 21-23 September, 1989.
- Thornburg, John C., 1990. Common Property In The Eastern Caribbean : Family Land Tenure In Economy And Society In St. Lucia, West Indies. Unpublished PhD dissertation. University of Wisconsin-Madison.
- USAID, 1983. Caribbean Regional Project Paper : St. *Lucia* Agriculture Structural Adjustment. Washington, D.C. : United States International Development Cooperation Agency, Agency for International Development. Project 538-0090.
- USAID, 1986. Interim Report of the St. Lucia Agricultural Structural Adjustment Project (538-0090). Midwest Universities Consortium for International Activities, Inc. (MUCIA). December 15, 1986.
- USAID, 1988. Project Assistance Completion Report. Agricultural Structural Adjustment Project. Project Number 538-0090. Government of St Lucia.

APPENDIX I. SELECTED INDICATORS¹⁴

Total Population	156,260 (July 2000, est.)	
Population density	720 per sq mile (277 per sq km)	
Annual Growth Rate	1.21%	
Unemployment	15%	
Reproductive Rate	22.19 per 1000	
Adult Literacy	72.8% (1992)	
Labor Force	43% of population	
Ethnic Divisions	Mainly African, East Indian and European descent	

GDP (market prices)	1995	1999
Total	554 million USD	674 million USD
Per capita	3,880 USD	4,380 USD

Status	Independent (February 22, 1979)
Capital	Castries
Official Language	English
Local Language	A French based patois is widely spoken
Currency	East Caribbean Dollar (EC\$)
Land Use ¹⁵	
Arable land	4.92%
Permanent crops	22.95%
Permanent pastures	5%
Forest/Woodland	53%
Irrigated land	2,471 acres

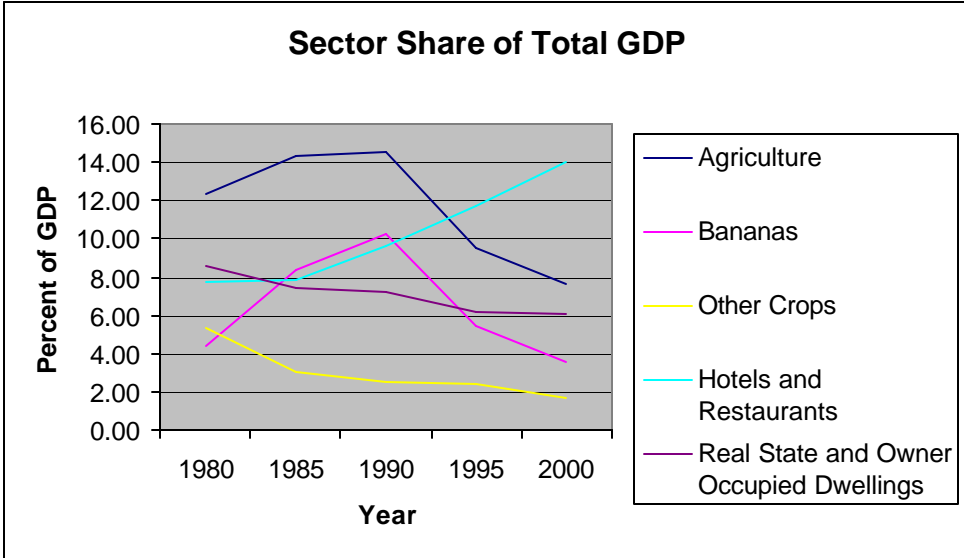
¹⁴ St. Lucia national Development Corporation: A Guide to Investing in St. Lucia, p 5-8

http://www.stluciandc.com/INVESTMENT%20GUIDE_UPDATED%20AUGUST%202001.pdf

¹⁵ The World Factbook, 2002 (<http://www.cia.gov/cia/publications/factbook/geos/st.html>) for the figures on arable land and permanent crops. Consulted on February 21, 2003.

**GDP at Factor Cost (Current Prices) – Sector
Share of Total in Percentage**

SECTOR	1980	1985	1990	1995	2000
Agriculture, Livestock, Forestry, Fishing	12.34	14.37	14.53	9.54	7.66
Bananas	4.42	8.36	10.28	5.40	3.56
Other Crops	5.29	3.06	2.56	2.40	1.67
Livestock	1.11	1.23	0.90	0.62	0.68
Fishing	0.70	0.90	0.42	0.86	1.62
Forestry	0.82	0.82	0.38	0.26	0.12
Mining and Quarrying	1.23	0.49	0.39	0.46	0.41
Manufacturing	10.27	8.23	8.17	6.93	5.11
Construction	9.96	6.07	6.42	8.10	8.39
Electricity and Water	1.75	3.07	2.90	3.76	4.45
Wholesale and Retail Trade	17.06	13.81	16.51	14.26	13.19
Hotels and Restaurants	7.72	7.81	9.61	11.69	14.06
Transport and Communications	12.27	16.24	16.82	18.27	19.21
Financial Intermediation	6.79	6.83	7.35	8.74	9.37
Real State and Owner Occupied Dwellings	8.55	7.46	7.17	6.21	6.11
Producers of Government Services	13.03	16.44	12.75	15.26	14.93
Other Services	3.60	3.60	3.82	4.62	4.96
Less: Banking Service Charge	4.57	4.42	6.44	7.84	7.85
TOTAL	100.00	100.00	100.00	100.00	100.00



Source: Saint Lucian Statistics
 Government Statistics Department
<http://www.stats.gov.lc/>

APPENDIX II. SOURCES IN THE INTERNET

Official site of the Government of St. Lucia

<http://www.stlucia.gov.lc/>

St. Lucia Statistics Department

<http://www.stats.gov.lc/>

CIA Fact Book (2002)

<http://www.cia.gov/cia/publications/factbook/geos/st.html>

St. Lucia Ministry of Agriculture, Forestry and Fisheries (slumaffe)

<http://www.slumaffe.org/index.html>

Census of Agriculture Report, 1996, (slumaffe)

http://www.slumaffe.org/Corporate_Planning/Statistics_Unit/Agriculture_Census/agriculture_census.html

Green Gold - The St. Lucia Banana Story

http://www.slumaffe.org/Agriculture/Extension_Services/Green_Gold/green_gold.html

The World Bank - Small States: Meeting Challenges in the Global Economy, April 2000

[http://wbln0018.worldbank.org/html/smallstates.nsf/\(attachmentweb\)/final/\\$FILE/final.pdf](http://wbln0018.worldbank.org/html/smallstates.nsf/(attachmentweb)/final/$FILE/final.pdf)

OEA, St. Lucia Natural Resources and Agricultural Development Project, 1986

<http://www.oas.org/usde/publications/Unit/oea36e/begin.htm#Contents>

Statement of St Lucia, 1998, at Caribbean Group for Cooperation in Economic Development, World Bank

<http://wbln0018.worldbank.org/External/lac/lac.nsf/c3473659f307761e852567ec0054ee1b/42f7277877aabead852567f300525b04?OpenDocument>

St. Lucia National Development Corporation

<http://www.stats.gov.lc/>

Land Sale Information

<http://www.stluciandc.com/landsaleinfo.htm>

A Guide to Investing in St. Lucia

http://www.stluciandc.com/INVESTMENT%20GUIDE_UPDATED%20AUGUST%202001.pdf

Practical strategies for pro-poor tourism: a case study of the St. Lucia Heritage Tourism Programme. Pro-Poor Tourism Working Paper 7. By Yves Renard. April 2001.

http://www.propoortourism.org.uk/st_Lucia_cs.pdf

Pro-Poor Tourism Report No. 1. Pro-Poor Tourism Strategies: Making Tourism Work For The Poor. A Review of Experience. By Caroline Ashley, Dilys Roe and Harold Goodwin. ODI, IIED and CRT.

http://www.propoortourism.org.uk/ppt_report.pdf

APPENDIX III. AN EXAMPLE OF A DISCUSSION REGARDING "LAND" AT THE LUCIAN TOWN HALL¹⁶.

IS TOURISM THE ANSWER?

From: Bobish
Category: General
Date: 18 Feb 2001
Time: 17:22:49
Remote Name: 207.136.80.204

Comments

Fellow Lucians, are we being raped? A new 400+ room hotel is planned for the Troumassé area near Micoud. A new cottage-style "development" for the Anse Cochon area. Saturation of hotels in the North. What the heck is going on?

The pundits tell us that all those hotels will create jobs. But what kind of jobs? Cleaning rooms, doing laundry, cleaning swimming pools and other menial low-paying jobs? Is that what St.Lucians want? While the big bucks are sucked out of the country, the locals are left with a pittance for their efforts. Not to mention the environmental disaster looming ahead.

The more tourists is the more GARBAGE they create. Can the island support and absorb all that garbage?

And what about water. Is there enough, nice, clean, fresh, water to service all those hotels?

The life-blood of the island is being squandered on a few outsiders who don't give a damn about the welfare of the poor locals. After they leave, they bad-mouth the islands: "oh, there's so much poverty, so much this, so much that": they don't care.

Now is the time to say, enough is enough. St.Lucians deserve better jobs and a better stake in the resources of the island: its our HOME and NATIVE LAND.

ST.LUCIA FOR ST.LUCIANS!!!

Cheers.

Re: IS TOURISM THE ANSWER? It is One of the Answers

From: Bobish to DNextPM
Category: General
Date: 20 Feb 2001
Time: 18:17:27
Remote Name: 207.136.80.204

¹⁶ <http://www.sluonestop.com/townhall/index.html>

Comments

OK Sir, here are some negatives about Tourism. 1) When once land is sold to a tourist developer at an inflated price, that parcel of land is gone forever for good from the pool of land available to locals: they can't afford it.

2) Only the best of the best parcels of land are bought out, what's left is not worth having.

3) Tourism demands fresh clean water in abundant quantities, St.Lucia barely has enough for the locals.

4) What do you do with the tons of sewage generated each day? No: you can't burn it.

5) The jobs generated by tourism are low-paying menial jobs, akin to begging.

6) All profits from tourism go to the owners who live overseas. Not one cent is spent on building new hospitals. Not one cent is spent on attracting good doctors and dentists. Are you proud of the healthcare situation in St.Lucia?

7) When tourism fails, who's left with the massive environmental cleanup bill?

I am sure you could add another dozen more negatives to my list. Be honest about it, do you think the "developers" have the well-being of St.Lucians at heart? I think not.

Cheers & Peace.

Re: IS TOURISM THE ANSWER? It is One of the Answers

Category: General
Date: 20 Feb 2001; **Time:** 21:48:02
Remote Name: 172.148.11.33

Comments

You: 1) When once land is sold to a tourist developer at an inflated price, that parcel of land is gone forever for good from the pool of land available to locals: they can't afford it. Me: Sir, if the Prime Minister were to wake up tomorrow and say: "okay my fellow ministers, why don't we make the price of our land cheap enough for every St.Lucia, to be able to afford reasonable parcels. As a matter of fact while we at it, lets ensure that no foreigner or big investor can get their hands on it. Where then would the Jobs come from Sir? What sir would these very people, who now own the devalued land, do to ensure that our St.Lucia has the kind of product that the visitor requires to enjoy a vacation here. I am not even touching the fact that such devaluation would affect our real-estate industry to the point that you and I cannot imagine. Sir there are countries out there where the land is plenty and cheap and the foreigners wont go to invest. Do you realize that there is the distinct possibility that if the investor abandons an already built hotel that the government can potentially use this infrastructure in place and get local investors, to continue the business? Our Land is not gone forever it is only being used by those who can afford to develop it to the standards that will bring visitors home. If the tourism industry is so bad, why don't we just cut our loses, like we did for AA?

You: Only the best of the best parcels of land are bought out, what's left is not worth having. Me: If you were the one with the money to spend, would you buy the worst piece of land just to be nice? Also look at our prominent St.Lucian, do you think they would give up their goo plots of land for the lesser fortunate who can't afford to buy? I believe in progress. If we don't have people who can do better then sell it to those whom can and get what we can from it. I know you won't like this but it's a fact. How many St.Lucians you know can afford to make that kind of investment.

You: Tourism demands fresh clean water in abundant quantities, St.Lucia barely has enough for the locals. Me: Let the Hotels import their water! They already import most of their drinking water, since foreigners are warned about drinking water in the tropic.

YOU: What do you do with the tons of sewage generated each day? No: you can't burn it. Sir, It is being done here in the US every day! Almost every that is consumed is "burnable". In the US and Korea and other developing countries it is recycled and used as a rich source of manure or natural fertilizer for the agricultural industry.

5) The jobs generated by tourism are low paying menial jobs, akin to begging. Unfortunately our government is marketing us as a destination of cheap labor. Check out how much they are quoting right here on Sluonestop. I definitely want to respond to all your comments. I will continue tomorrow.

Sources:

Is Tourism the Answer?, 18 Feb, 2001

http://www.sluonestop.com/townhall/_disc1/0000011a.htm

RE Is Tourism the Answer? Feb 20, 2001

http://www.sluonestop.com/townhall/_disc1/0000013b.htm

RE Is Tourism the Answer?

http://www.sluonestop.com/townhall/_disc1/0000011d.htm

BE PROUD OF YOURSELF & YOUR ISLAND

From:			Bobish
Category:			General
Date:	23	Apr	2001
Time:			16:33:22
Remote Name:	206.186.174.22		

Comments

This posting was meant for a reply. But I think there is material here which should be considered by all before the island is sold to the highest bidder and all St.Lucians become dispossessed.

Land is a fundamental birthright. Take that away, and you have NOTHING. Those who are selling now think they have hit the jackpot. Believe me, Ladies and Gentlemen, the agony of the dispossessed is not far away. Bobish.

Re: Re: National Alliance From: Bobish to (no name) Category: General Date: 23 Apr 2001 Time: 16:18:23 Remote Name: 206.186.174.22

Comments I don't know if your reply was to my posting. It would help to be a bit more specific.

First, how do you propose to increase the supply of land? This is by far the most STUPID argument I have ever heard. Seems to me you are one of those @\$%^ economists who cannot see the forest for the trees. You've got me really riled-up here.

St.Lucia is only 233 square miles: period. Most of that land is watershed which should not be touched. Next is arable land. You must have land to grow food unless you are planning on importing EVERYTHING!!!

Next comes land for roads. Without that you can't go anywhere. And what is left is extremely precious indeed.

So my dear Sir, close those stupid textbooks which talk about supply and demand and put on YOUR thinking cap for a change. Don't ever let others do your thinking for you.

You should also visit some sites on the South Pacific islands. Like the Cook Islands etc. There you will see their land is NOT FOR SALE AT ANY PRICE, one can only LEASE land. Please do that before you talk nonsense about increasing the supply of land in St.Lucia. That cannot happen unless you go underneath the island and jack it up some more out of the ocean.

There will always be some less fortunate than others and my heart goes out to them. Yes they can clean rooms sure, but that should not be an END in itself. When I was a student, I cleaned toilets in high schools to earn my school fees. There's nothing wrong with that. But I did graduate with a profession and NEVER cleaned anything for anyone again. Stoop to conquer yes, stoop forever NO!!!

The present system in the islands puts people in positions where they have to stoop FOREVER. To that I say NEVER! Such jobs are nothing more than "paid slavery". St.Lucians are MUCH smarter than that. Don't forget: TWO Nobel Prizes. That is POWER!!!

Think about it.

Bobish

Be Proud of Yourself and Your Island, Apr 23, 2001

<http://www.sluonestop.com/townhall/disc1/000002e9.htm>

NATIONAL ALLIANCE

From:	Brian	Courtenay	Deane
Category:			General

Date: 22 Apr 2001
Time: 10:19:04
Remote Name: 205.214.193.75

Comments

The Brains behind the alliance should work with the present ruling administration and not against it, what St.Lucia needs as they have said is qualified guidance, so allegiance to the Government is first required, not authoritarian rule which Rick Wayne and George Odlum seem to be advocating when then try to impress the public, when ever they don't have their own way, check their history thoroughly, it won't work with them. What we need is to focus deeply on education, values, morality, family life and less material values and then people will come to grips of themselves. Today the vast array of material wealth has lead us to create a high degree of avarice, selfishness, and defiance of regulation. I agree that patois is our lingo but it has lead to a bt of low minded thinking by ignoring English at a high level leaving only the educated ones who don't want to loose their gains to the decline of the social fabric of the society, who just feel it is right to take from the rich because you are poor, and the decline of the income earner like tourism, has every eye-opener one their p's & q's. Wake up St.Lucia. Barbadians and now realizing the danger of selling land to foreigners at exorbitant prices because they have hard cash available, resulting in locals having difficulty in obtaining funds or land, can lead to social upheaval, so they are now working to alleviate the situation. Poor Taking from rich is worse than rich taking from poor, so don't let political unrest step in.

RE: NATIONAL ALLIANCE

From: Bobish to Courtney
Category: General
Date: 22 Apr 2001
Time: 21:50:46
Remote Name: 206.186.174.33

Comments

Your intentions are good but I disagree with you when you say "Poor Taking from rich is worse than rich taking from poor, so don't let political unrest step in." You will have to define "rich" and "poor" to start.

However, I agree with you about the land problem. Land can only be SOLD once, and when the money is gone, there's no more land and NO MORE MONEY!!!

Problem #1 is therefore land reform. Land ownership reform. If you are not BORN in St.Lucia you CANNOT own St.Lucia's land: period.

#2. Water is vital Water management in every form must be a priority. Including, watershed preservation, water processing and distribution and water CONSERVATION.

#3. Sanitation. You cannot continue to dump raw sewage into the harbour and sea without affecting fragile ecosystems.

#4. Tourism MUST provide for a better St.Lucia. Cleaning rooms and other menial jobs should be frowned upon.

#4. Healthcare is important. It is a national shame that people have to travel to other islands for minor treatments. How about up-to-date diagnostic equipment. A helicopter system to transport critically injured patients from inaccessible areas. Don't forget the roads are still bad. Choppers are the only way.

There's a lot more, but you get the drift!

Cheers Bobish

National Alliance

http://www.sluonestop.com/townhall/_disc1/000002e1.htm

RE National Alliance, Apr 22, 2001

http://www.sluonestop.com/townhall/_disc1/000002e2.htm