

**OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT**

**REVIEW OF THE  
POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS  
FOR  
PROTECTED AREAS MANAGEMENT  
IN  
ST. VINCENT AND THE GRENADINES**



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## ACRONYMS

CARICOM	Caribbean Community
CARIFORUM	Caribbean Forum
CBD	Convention on Biological Diversity
CREP	Caribbean Regional Environmental Programme (Project)
CRFM	CARICOM Regional Fisheries Mechanism
CWSA	Central Water and Sewerage Authority
ECCB	Eastern Caribbean Central Bank
EIA	Environmental Impact Assessment
ESDU	Environment and Sustainable Development Unit
FAO	Food and Agriculture Organization of the United Nations
FFEM	Fonds Français pour l'Environnement Mondial
GEF	Global Environment Facility
ICCAT	international Commission for the Conservation of Atlantic Tunas
IMO	International Maritime Organization
IRF	Island Resources Foundation
IUCN	The World Conservation Union
MEA	Multi-lateral Environmental Agreement
MPA	Marine Protected Area
MTESP	Medium Term Economic Strategy Paper
NEMS	National Environmental Management Strategy
NGO	Non-governmental Organisation
NICE	National Implementation Coordinating Entity
NLTA	North Leeward Tourist Association
NPC	National Project Coordinator
NPA	National Parks Authority
NTAC	National Technical Advisory Committee
OAS	Organisation of American States
OECS	Organisation of Eastern Caribbean States
OPAAL	OECS Protected Areas and Associated Livelihoods (Project)
PMS	Participating Member State
PSC	Project Steering Committee

PA	Protected Area
PSIP	Public Sector Investment Programme
SIE	Site Implementing Entity
SPAW	Protocol Concerning Specially Protected Areas and Wildlife
SRO	Statutory Rules and Orders
TNC	The Nature Conservancy
TOR	Terms of Reference
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization

## EXECUTIVE SUMMARY

The OECS Protected Areas and Associated Livelihoods (OPAAL) Project is a 5-year project designed to improve the management of protected areas in the Participating Member States of the Organisation of Eastern Caribbean States (OECS). Associated objectives include increased participation in protected areas management by private and civil society organizations, and facilitating sustainable community livelihoods for those communities traditionally dependent on protected areas resources.

This assignment was focused on reviewing the policy, legal, and institutional frameworks for protected areas management in the six Participating Member States of the OECS.

The Review for St. Vincent and the Grenadines consisted of a review of relevant literature and consultations with national institutions, with the consultations taking place during the period February 5-10, 2006.

### **Current Status of the Policy Framework**

The protected areas policy for St. Vincent and the Grenadines is articulated in the Master Plan for a System of Protected Areas and Heritage Sites (2004). Though other sector plans include limited focus on protected areas, the 2004 Master Plan sets the objectives for the system of protected areas. It also provides directions on important issues to be addressed and actions to be taken in the further development of the system of protected areas. Policy-related issues identified by the Master Plan include:

- (a) The need to eliminate multiple designations of sites in order to eliminate conflicts.
- (b) The need for consolidation of small adjoining protected areas to increase management efficiency.
- (c) The need for other types of ecosystems (such as mangrove wetlands) to be included in the system of protected areas, and for the IUCN management categories to be used as guidelines for setting protected areas categories in St. Vincent and the Grenadines.
- (d) The need for the continued involvement of community groups and private sector interests in the development and management of protected areas, particularly heritage sites.

This Review identified a number of additional policy issues to be addressed, including:

- (a) The range of sites proposed for inclusion in the system of protected areas is not supported by the National Parks Act (2002). These sites fall within the management responsibility of more than one agency, and some of the proposed categories (such as natural landmark) are not covered by existing legislation. The protected areas policy

framework should be refined to address the rationale for this mix of sites, and to develop institutional coordinating mechanisms to ensure that the sites are managed within the context of a comprehensive protected areas management framework.

- (b) The master plan for protected areas and heritage sites articulates how protected areas will facilitate the implementation of the tourism development policies and plan for the country. However, it does not provide similar clarity in showing how protected areas will facilitate the other national development objectives (e.g. education, biodiversity, provision of goods and services such as water, and disaster mitigation).
- (c) The current policy framework provides inadequate treatment of the obligations of multilateral environmental agreements. Some of these agreements deal with issues that are of particular importance to protected areas (such as oil spills and alien invasive species), and most have reporting requirements.

### **Status of the Legal Framework**

The legal framework for protected areas management includes a large number of laws that can be applied to various aspects of protected areas establishment and management. The laws that provide for the declaration of protected areas are:

- Saint Vincent and the Grenadines National Trust Act, 1969;
- Fisheries Act, 1986;
- Forest Resource Conservation Act, 1992;
- Marine Parks Act, 1997;
- National Parks Act, 2002; and
- Central Water and Sewerage Authority Act, 1991.

Though the existing laws provide significant legal coverage for protected areas management, that coverage is not complete, and in some cases, creates conflicts between institutions. Priority issues to be addressed include:

- (a) Neither the National Parks Act (2002) nor any other law makes specific reference to the establishment and management of a system of protected areas. Additionally, some of the categories of sites identified for inclusion in the system of protected areas are not supported by any law. The National Parks Act (2002) should be amended to give effect to the range of sites identified in the master plan, as well as to address system planning and management issues (e.g. link between sites, ensuring sites support system objectives).
- (b) The Forest Resource Conservation Act (1992) provides for the establishment of two trust funds for forestry management (Conservation Area Fund and Forestry Development Fund). The establishment of two separate trust funds under the law should be rationalized, and regulations to establish the resulting fund should be promulgated.

- (c) There is significant overlap between the Marine Parks Act (1997) and the National Parks Act (2002), to the extent of creating similar administrative structures. The National Parks Act did not repeal the Marine Parks Act, yet it duplicates all of the provisions of the Marine Parks Act. This has created a degree of uncertainty concerning the extent of the legal responsibility of the main institutions, the Marine Parks Board/Fisheries Division and the National Parks, Rivers, and Beaches Authority, which must be addressed.
- (d) The list of matters for which the Minister can make regulations under the National Parks Act (2002) is somewhat restrictive. Critical issues, such as control of invasive species and pollution control are not addressed. Not only do these issues have to be addressed locally, but there are international obligations under the MEAs to be discharged.
- (e) The National Parks Act (2002) does not provide for the delegation of management responsibility to community or civil society organizations, an arrangement that is now in place in St. Vincent and the Grenadines, and which has policy support in the form of the master plan for national parks and heritage sites.
- (f) The provision of the National Parks Act (2002) that gives the National Parks, Rivers and Beaches Authority power over all rivers, streams, and springs has created a jurisdictional overlap with the institutions dealing with water supply and power generation, a situation that is likely to result in conflicts if the Authority attempts to exert influence on the management of those particular rivers and streams.
- (g) All the principal acts need associated regulations and procedures to give effect to the provisions needed to support the range of actions to be undertaken in the development and management of the system of protected areas.

Two (2) initiatives are currently underway to make changes to the legal framework affecting protected areas management. These initiatives are:

- (a) **Drafting of the Marine Parks Bill (2005) by the Fisheries Division** - The Bill seeks to repeal the Marine Parks Act (1997), and includes much wider definitions for protected areas than now exist in St. Vincent and the Grenadines, incorporating categories such as managed resource protected areas, species managed areas, and protected landscapes/seascapes. The new Act would establish a Marine Parks Authority and establish a Marine Parks Conservation Fund.
- (b) **Adoption of Model Marine Pollution Legislation by the National Maritime Administration** – The model legislation was prepared by the International Maritime Organization (IMO) to assist Member States with discharging their responsibilities under all the IMO-managed conventions.

### **Current Status of the Institutional Framework**

The institutional framework for protected areas management in St. Vincent and the Grenadines includes eight (8) management institutions and six (6) supporting institutions. The large number of public sector and civil society institutions suggest a significant level of interest in protected areas. However, the number of engaged institutions also creates problems of overlapping mandates and institutional conflicts. Issues to be addressed relevant to the institutional framework include:

- (a) **Development of an Institutional Coordinating Mechanism for Protected Areas Development and Management** – The relevant literature clearly identifies the need for an institutional coordinating mechanism for protected areas management.
- (b) **Rationalisation of Institutional Mandates** – The administration of the Marine Parks Act (1997) and the National Parks Act (2002) is assigned to two different ministries, yet the two legislative instruments contain similar provisions, creating similar institutional structures. A review of the laws and institutional arrangements has to be undertaken in order to rationalise the institutional framework.
- (c) **Development of Relevant Support Systems for Site and Systems Management** – The incorporation of a range of sites, managed by several institutions, into a system of protected areas require that guidelines and standard operating procedures be used in the development and management of each site and the overall system.
- (d) **Development of Data Management Systems for Protected Areas** – Information management systems are required to support the public awareness programmes, the public participatory processes, monitoring and research, and evaluation and reporting processes.
- (e) There is limited institutional capacity in St. Vincent and the Grenadines to undertake all the tasks needed to design, establish, and manage a national system of protected areas. However, the project to establish the 20 tourism sites and establish the National Parks, Rivers and Beaches Authority should begin to address this issue.

### **Current Status of Protected Areas Management Programmes**

There are 32 designated protected areas in St. Vincent and the Grenadines, with a range of sites proposed for future designation. The 2004 protected areas Master Plan recommended amalgamation of some of the sites into larger management units, re-classification of some, delisting of others, and integration of the remaining 47 sites into the system of protected areas.

In addition to the regular programmes being conducted by the management agencies, the following initiatives are being undertaken:

- CREP Amenity Area Demonstration Project;
- Preparation of the Tentative List of World Heritage Sites;

- OPAAL National Demonstration Project; and
- National Capacity Self-Assessment Study.

St. Vincent and the Grenadines is considered to be vulnerable to both natural and manmade disasters, and a number of threats, such as landslides, are consistently problematic. Options for research and development are being discussed to understand and mitigate such threats.

Based on the results of the Review, the issues and associated recommendations relevant to protected areas management in St. Vincent and the Grenadines are:

(a) **Absence of an Institutional Coordinating Mechanism**

This Review recommends that the Environmental Services Unit in the Ministry of Health and Environment be given the responsibility for establishing/functioning as the coordinating mechanism for protected areas management.

(b) **Rationalisation of Institutional Mandates**

The current legal framework creates substantial overlap in institutional responsibilities. This Review recommends that a comprehensive restructuring exercise be undertaken, wherein the roles of the various institutions are clearly defined, the necessary collaborative arrangements are identified and designed, and the functions of the National Parks, Rivers, and Beaches Authority become more focused.

(c) **Refinement of the National Parks Act, 2002**

The National Parks Act (2002) not only creates conflicts between institutions, it has the potential to create conflicts between the National Parks, Rivers, and Beaches Authority and the National Parks Board. It is recommended that the National Parks Act (2002) be repealed and replaced with an instrument that replaces the National Parks Board with a Board of Directors for the Authority, removes the provisions for the Cabinet to appoint staff members, provides more coverage for the various terrestrial and marine ecosystems in the country, provides for the coordinating functions of the Environmental Services Unit, establishes clear linkages between the various management institutions, and rationalizes the protected areas financing mechanisms between the various legal instruments.

(d) **Development of Data Management Systems for Protected Areas**

There is no data management system for protected areas, yet the various initiatives will generate a substantial volume of primary data on the biophysical conditions at the various sites. That data should be captured and properly managed in order to support the operational monitoring and evaluation processes that will be subsequently established.

(e) **Disaster Management Planning**

The potential threat from disasters and chronic impacts is significant. However, threat management is one of the areas least addressed in protected areas management. All management plans should address the issue of threat reduction and disaster management, establishing clear linkages to the national disaster management systems and processes.

(f) **Sustainable Financing Mechanisms**

Establishment of a large number of sites will require not only a substantial initial capital investment, but also a substantial annual budget for maintenance. St. Vincent and the Grenadines should move expeditiously to establish a special fund for protected areas management.

**REVIEW OF THE POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS  
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**1. INTRODUCTION**

The OECS Protected Areas and Associated Livelihoods (OPAAL) Project is being implemented by the Environment and Sustainable Development Unit (ESDU) of the Secretariat of the Organisation of Eastern Caribbean States (OECS), in partnership with the governments of Antigua & Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. This five-year project is supported by financing provided by the International Bank for Reconstruction and Development (the World Bank) acting as an Implementing Agency of the Global Environment Facility (GEF); the Fonds Français pour l'Environnement Mondial (FFEM) of the Government of France; and the Organisation of American States (OAS).

The OPAAL Project aims to improve the effective management of protected areas by strengthening the national capacities in the Participating Member States (PMS), including facilitating the increased involvement of the private and civil society sectors in protected areas planning and management (Appendix 1). An associated objective is to support sustainable livelihoods by those communities or groups that traditionally depended on natural resources located within protected areas for economic survival.

This Country Report for St. Vincent and the Grenadines is generated as one of the outputs of Component 1 of the project, which “*seeks to facilitate more effective institutional framework for conservation management through providing a critical focus on the existing natural resources, legal and institutional frameworks to promote conservation and protected area establishment and management*” (Terms of Reference – Appendix 2). The report is based on a review of the current policy, legal, and institutional frameworks for protected areas management in St. Vincent and the Grenadines.

**1.1 Methodology**

As indicated by the Terms of Reference (TOR), the country review was supposed to involve two distinct, and sequential, steps. Due to the timing of the assignment, the literature collection, review, and stakeholder consultations all took place at the same time.

The visit to St. Vincent and the Grenadines took place during the period February 5-10, 2006, during which consultations were held with eleven (11) institutions (Appendix 3). Much of the information presented in this report is based on the review of the documentation presented by the various institutions and the interviews. However, those two sources of information were supplemented by reports produced by, or on behalf of, regional institutions, such as the

Caribbean Development Bank, Eastern Caribbean Development Bank, and the OECS Secretariat.

Information on institutional responsibilities for protected areas was obtained from various reports, primarily the Master Plan for the System of Protected Areas and Heritage Sites and the relevant legal instruments. Questionnaires were circulated to the protected areas management institutions (Appendix 4) in an attempt to determine their programmes and resources.

Review of the report was undertaken by the various national institutions prior to submission of the draft report to the Environment and Sustainable Development Unit (ESDU). The summary of the findings was also presented at a workshop on November 1-2, 2006, coordinated by the ESDU at the Cara Suites Hotel, St. Lucia.

## 2 OVERVIEW OF DEVELOPMENT PLANNING PROCESS

St. Vincent and the Grenadines is an archipelagic state in the Lesser Antilles group of islands in the Caribbean, located at latitude 13<sup>0</sup>North and longitude 61<sup>0</sup>West (Figure 1). The state consists of more than thirty islands and cays, with total land area of approximately 389 Km<sup>2</sup> and marine area of approximately 1,787 Km<sup>2</sup>. The main island, St. Vincent, is located to the extreme north of the archipelago, and is approximately 347 Km<sup>2</sup> in size. The Grenadines includes seven inhabited islands: Bequia, Mustique, Union, Canouan, Mayreau, Palm Island, and Petit St. Vincent. St. Vincent and the Grenadines has a population of approximately 106,253 residents, with 97,638 residing on St. Vincent and the remaining 8,615 persons residing in the Grenadines.

The economy of St. Vincent and the Grenadines is fairly small, and is heavily dependent on imports. However, the economy has been experiencing real growth, increasing from 2.0% in 2000 to 3.4% in 2003, and estimated at 5.4% for 2004 (ECCB, 2005). The main economic sectors are agriculture, tourism, and industry, and a downturn in agriculture in 2004 was offset by growth in tourism and industry. Growth in other sectors, such as construction, resulted from public and private sector investments in tourism (ECCB, 2005). The economy of St. Vincent and the Grenadines continues the transformation to a service economy, based primarily on government services and tourism.

As with other OECS countries, the development agenda for St. Vincent and the Grenadines is articulated as a Medium Term Economic Strategy Paper (MTESP). The MTESP articulates the broad economic and development policies, and sets the estimated financing requirements for the development agenda as the Public Sector Investment Programme (PSIP). The MTESP for the period 2002-2004 focused on economic diversification, increased exports, and social development. The MTESP and PSIP for the period 2006-2008 are currently under preparation.

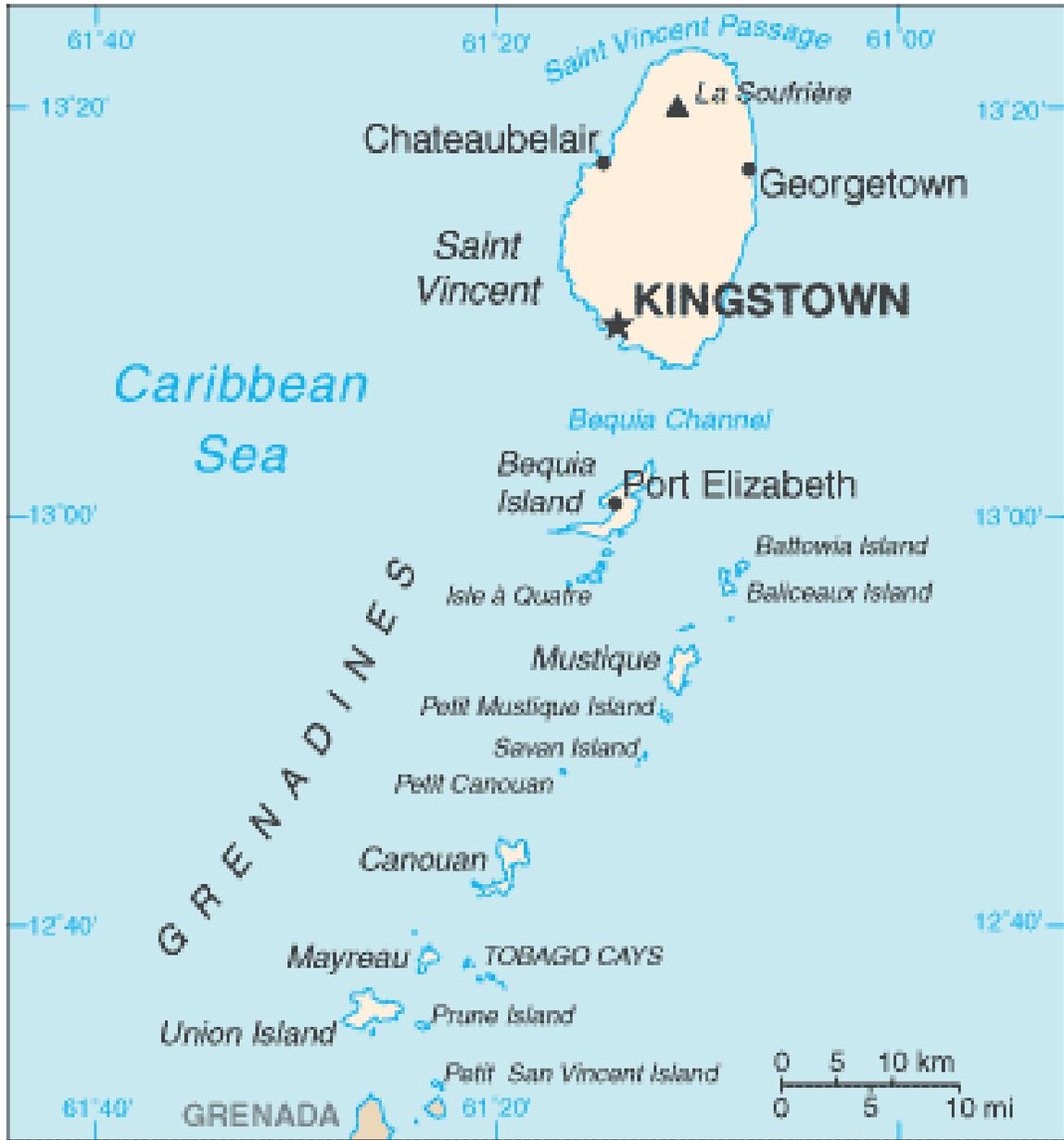


Figure 1: Location Map of St. Vincent and the Grenadines

## 2.1 Protected Areas in the Macro-Economic Planning Process

The current national policies and plans that articulate the development priorities for St. Vincent and the Grenadines include the Draft National Physical Development Plan, the Medium Term Economic Strategy Paper 2002-2004<sup>1</sup>, and the Public Sector Investment Programme 2006-2008.

It has been projected that the population of St. Vincent and the Grenadines will reach 130,765 by 2021, and the Draft National Physical Development Plan is meant to articulate national physical planning policies that guide the development process over the long term, including the preparation of detailed regional and urban plans. The document asserts that “*From these long-range plans, Government’s five-year plans can make specific recommendations for economic, social and physical development for short-term periods*” (Chapter 1, page vii). All the objectives of the National Physical Development Plan (Appendix 5) have implications for protected areas, if for no other reason than the fact that land has to be allocated for all identifiable future needs. However, the objectives that have direct implications for protected areas are:

- (a) Agriculture, Forestry, and Fisheries:
  - Aforestation of large areas, mostly in Central St. Vincent, for commercial use and in many places for watershed protection and recreation;
  - Restriction of development activity above the 1,000-ft contour, except where justification satisfies critical national goals; and
  - Change of use of cultivated lands of marginal ecological suitability to tree crops, forest and conservation.
  
- (b) Tourism:
  - Development of two general types of tourist facilities resort centres and resorts focused on the different types of Vincentian environments and attractions including the Villa area, designated rural areas and the entire Grenadines;
  - Rapid development of a full range of tourist attractions that reflect the Vincentian landscapes and cultural heritage;
  - Reconciliation of tourism and domestic demands on attractions, especially beaches; and
  - Subject sensitive/high impact tourism development proposals to Environmental Impact Assessments (EIA).
  
- (c) Population and Human Settlement:
  - Protect critical areas including coastal zones and fragile ecosystems from negative impacts of human settlement.
  
- (d) Parks, Recreation, and Conservation:
  - Provision for an integrated national system of a wide range of park, recreation and conservation (areas) reflecting St. Vincent and the Grenadines’ social needs and natural environments;

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<sup>1</sup> The MTESP for 2006-2008 is under preparation.

- Reservation and, where appropriate, development of;
    - » public recreation beaches strategically located along the coastline to serve urban and rural areas;
    - » inland recreation areas offering a variety of activities;
    - » national parks representing large multi-purpose recreation and conservation areas;
    - » marine parks for observation of marine life; and
    - » specific conservation (preservation) areas that represent unique features of St. Vincent and the Grenadines' natural environment and are ecologically important.
  - Application of conservation measures to all of the offshore reefs because of their economic and aesthetic value;
  - Development of a system of scenic roads and hiking trails and proper maintenance of existing ones; and
  - Designation and preservation of national monuments and numerous sites of historic and archaeological interest.
- (e) Environmental Quality:
- Maintenance and enhancement of the quality of St Vincent and the Grenadines diverse environments and ecosystems for the safety and enjoyment of both residents and visitors without unduly inhibiting economic and physical development;
  - Enforce Environmental Impact Assessments in all sensitive development proposals;
  - Greater application of water (surface, underground and marine) and air pollution controls and eventual adoption of noise level controls;
  - Greater application of environmental design techniques and controls; and
  - Preservation of open space in and near urban areas.
- (f) Aesthetics:
- Maintenance and preservation of the natural beauty of St.Vincent and the Grenadines through the enforcement of standards, legislation and regulations; and
  - Ensure that the built environment focuses on a specific Vincentian image which facilitates the maintenance and preservation of the natural beauty of the country.
- (g) Legislation and Institutional Framework:
- Revise the Town and Country Planning Act (No. 45 of 1992) in order to remove existing ambiguities so that the act can be more effective in its mandate to manage planning and development in St. Vincent and the Grenadines; and
  - Develop necessary regulations, standards and guidelines to implement the provisions of the Town and Country Planning Act.

The development of the Medium Term Economic Strategy Paper (MTESP) incorporates the sector plans, priorities set out in the Manifesto of the political party forming the government, and the obligations set out in bilateral and multilateral agreements. The MTESP 2002-2004 identified the medium-term policy objectives of the Government of St. Vincent and the Grenadines as:

- Prudent fiscal management of public sector resources;

- Mobilising domestic resources for development;
- Improved and more focused legal and regulatory framework to facilitate investment;
- Focus on pro-poor policies, particularly equity in access to the factors of production, land, capital, labour and knowledge;
- Pursue sustainable debt management strategies;
- Improvement in the delivery of public sector services;
- More focused and deliberate policy for an improved implementation of programmes supporting economic growth and development;
- Improvement to the social and economic infrastructure;
- Implement the recommendations of the poverty reduction strategy; and
- Strengthening the country's capacity for disaster management.

Proposals relevant to environmental management and protected areas were inserted within the strategies for the agriculture and tourism sectors, as well as addressed within the specific focus on the environment as a cross-cutting theme. The relevant proposals were:

(a) Agriculture:

- Continue the Integrated Forestry Development and Conservation programme;
- Reforest 10 acres of land in Majorca;
- Increase the level of forestry protection and enforcement through legislation and public education;
- Establish permanent forest boundaries from Fancy to Windsor Forest;
- Rehabilitate the upper Diamond watershed; and
- Continue training programme for all staff in areas of forestry parks, wildlife, agro-forestry and watershed management.

(b) Tourism:

- Ongoing development and upgrading of tourist attractions and recreational sites; and
- The development of a National Parks, Rivers and Beaches Authority.

(c) Environment:

- Strengthening of environmental legislation and enforcement;
- Promoting national environmental educational programmes;
- Revamping the National Environmental Advisory Board;
- Updating the National Environmental Action Plan in collaboration with the OECS;
- Finalising the Forestry Development Plan; and
- Implementing a solid waste programme in the Grenadines.

Though the MTESP 2006-2008 is still under preparation, it is anticipated that it will refine and continue the development policies articulated in the MTESP 2002-2004 (Consultations, February 8, 2006). The draft 2006-2008 Public Sector Investment Programme focuses mainly on infrastructure development and rehabilitation. Projects that have implications for protected areas management are:

- Environmental information system; and
- Integrated forest management.

## **2.2 National Environmental Planning**

The major national development policies and plans tend to recognize the natural environment as supporting all facets of the development process, and therefore treat the environment as a “cross-cutting” issue to be addressed in the sector strategies.

The responsibility for environmental management falls within the portfolios of several agencies, and as such, environmental planning is undertaken by those agencies, and is normally subsumed within the larger programmes of those agencies. The National Environmental Advisory Board was appointed by Cabinet to function as a coordinating mechanism for environmental planning. The Board eventually became non-functional, but there is a current initiative to revitalize the Board. Similarly, the Environmental Services Unit was created in the Ministry of Health and Environment to function as a coordinating mechanism for environmental management initiatives, particularly focused on the multilateral environmental agreements (MEAs).

The main reports that provide information on environmental status, issues, plans, and policies are<sup>2</sup>:

- Country Environmental Profile (1991);
- Initial National Communication on Climate Change (2000);
- National Report to the United Nations Convention to Combat Desertification (2000);
- National Report on Integrating Management of Watersheds & Coastal Areas in SIDS of the Caribbean: The Vincentian Perspective (2001);
- National Report to the United Nations Convention to Combat Desertification (2002);
- Periodic Report on the Application of the World Heritage Convention by St. Vincent and the Grenadines (2003);
- Report to the Regional Consultation on SIDS Specific Issues (2003);
- Second National Biodiversity Report (2004)<sup>3</sup>; and
- National Environmental Management Strategy and Action Plan 2004-2006 (2004).

The environmental reports that defined a role for protected areas within the context of environmental management are:

- (a) Country Environmental Profile (1991) – A compilation of natural resources data, examination of the key environmental issues, and recommendations for policy directions. The report dedicates an entire section (Section 9.2) to the treatment of protected areas, summarizing data on sites, review of the priority issues, and providing a rationale for the development of a system of protected areas.
- (b) Periodic Report on the Application of the World Heritage Convention by St. Vincent and the Grenadines (2003) – The report was prepared in response to the activation of Article

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<sup>2</sup> The literature indicates that a National Forest Resource Conservation Plan was prepared in 1994. That Plan was not made available for this Review.

<sup>3</sup> The 1<sup>st</sup> national biodiversity report was not available for review.

29 of the World Heritage Convention, which requires State Parties to submit periodic reports. The report focused on the status of the country programme concerning the management of natural and cultural heritage assets.

- (c) National Environmental Management Strategy and Action Plan 2004-2006 (2004) – The NEMS identified strategies and activities to give effect to 17 of the 21 Principles set out in the St. George’s Declaration of Principles for Environmental Sustainability in the OECS (The St. Georges Declaration). A number of the strategies have implications for protected areas, but the strategies and activities that deal directly with protected areas are Principle 3 (improving legal and institutional frameworks) and Principle 12 (protection of cultural and natural heritage).

### **Influence of International Environmental Agreements**

St. Vincent and the Grenadines is Signatory to five (5), and Party to forty five (45) international treaties that are directly or indirectly related to environmental issues (<http://sedac.ciesin.columbia.edu/entri/CountryISO.jsp>). The environmental agreements considered to be most important by St. Vincent and the Grenadines are:

- Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- United Nations Framework Convention on Climate Change;
- Vienna Convention for the Protection of the Ozone Layer;
- Montreal Protocol on Substances that Deplete the Ozone Layer;
- United Nations Convention to Combat Desertification;
- United Nations Convention on the Law of the Sea;
- International Convention on Civil Liability for Oil Pollution Damage;
- International Convention for the Prevention of Pollution from Ships (MARPOL 73/78);
- The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region;
- Protocol Concerning Cooperation in Combating Oil Spills in the Wider Caribbean Region;
- Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention);
- Convention on Biological Diversity (CBD); and
- Cartagena Protocol on Biosafety.

The multilateral environmental agreements (MEAs) directly relevant to protected areas that have been signed by the Government of St. Vincent and the Grenadines are the:

- Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) – ratified February 3, 2003;
- Convention on Biological Diversity (CBD) – acceded June 3, 1996; and

- Protocol Concerning Specially Protected Areas and Wildlife (SPA) to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region – ratified/acceded July 26, 1991.

The Government of St. Vincent and the Grenadines participates in the three conventions<sup>4</sup>, though the CBD appears to have the greatest impact on national protected areas programming (Section 4.2).

St. Vincent and the Grenadines also participates in a number of regional and sub-regional environmental programmes, namely:

- Caribbean Environment Programme;
- Programme of Action for the Sustainable Development of Small Islands Developing States (Barbados Programme of Action);
- CARICOM Regional Fisheries Mechanism (CRFM);
- Caribbean Regional Environmental Programme (CREP); and
- St. George's Declaration of Principles for Environmental Sustainability in the OECS (The St. Georges Declaration).

Of the regional agreements, the St. George's Declaration has the most significant direct influence on national environmental policy. The St. George's Declaration, which was developed in 2000 by the Organisation of Eastern Caribbean States (OECS), outlines a set of principles that places environmental management as a cornerstone of sustainable development. In that context, the Declaration functions as a regional policy for achieving enhanced management of the environment in pursuit of sustainable development objectives in the OECS Region. The development of a national environmental management strategy (NEMS) is the mechanism for national expression of environmental programming in support of those sustainable development objectives. As indicated above, the strategies and activities in the NEMS that deal directly with protected areas are contained within Principle 3 (improving legal and institutional frameworks) and Principle 12 (protection of cultural and natural heritage).

### **2.3 Cross-Sectoral Linkages**

The main economic sectors in St. Vincent and the Grenadines are Industry, Agriculture, and Tourism. The country has not prepared an agriculture sector plan, and thus it is impossible within the scope of this review to determine the links between agriculture and protected areas. However, within agriculture, the sub-sectors that would be more directly linked to protected areas development are the forestry and fisheries sub-sectors. There are ongoing programme activities relevant to protected areas in both sub-sectors, but no clear guidance has been provided through a strategy or plan for either sub-sector.

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<sup>4</sup> The documents reviewed, including the 2004 parks master plan, indicate that St. Vincent and the Grenadines is a party to the Ramsar Convention on Wetlands of International Importance. However, as of November 16, 2006, the country was not listed on the convention's website (<http://www.ramsar.org>) as a party to the convention.

The National Tourism Sector Development Plan 2002-2006 provides a clear statement of the role of protected areas in the development of the tourism sector. The tourism sector plan acknowledges the negative impact of tourism on environmental quality, and states the need for the sector to adopt new approaches in the areas of land use, environmental management, and heritage protection, including the use of tools such as carrying capacity assessment for fragile tourism sites. The plan focuses on the significant potential within St. Vincent and the Grenadines for ecotourism and heritage tourism, and identifies a number of sites for development.

With regard to protected areas the tourism sector plan makes the following statements (Section 5.1):

- *“A National Parks and Protected Areas plan is needed as a matter of urgent priority to ensure that all critical natural and cultural resources receive adequate protection, and that management is carried out in an integrated fashion”* (page 81).
- *“Critical areas such as habitats for endangered and threatened species, important watersheds and catchment areas, aquifers, wetlands, beaches, marine reserves, mangroves, major diving sites, forest reserves and recreation areas, wildlife reserves, scenic vistas and roads, historic and archeological sites, and natural tourist attractions – will be delineated on national land use maps for incorporation into a national parks and protected areas system”* (page 82).

The tourism sector plan also included a proposal to revitalize the St. Vincent National Trust, and broaden its mandate to ensure conservation of historic sites, nature areas, and historic buildings (Section 5.4).

### **3. PROTECTED AREAS POLICY AND LEGISLATIVE FRAMEWORK**

Comprehensive protected areas policy in St. Vincent and the Grenadines grew out of a tourism initiative, and thus there is a significant degree of focus on the development of strategies and sites supporting the tourism product. Despite the recommendation in the tourism master plan, and other assessments, for a comprehensive system of protected areas, critical strategic objectives, such as biodiversity protection and water resource management, have not been adequately addressed.

Similarly, the more recent legislative instruments have focused mainly on protected areas as recreational spaces instead of the ensuring a complete and integrated system.

#### **3.1 Protected Areas Policy**

Protected areas policy for St. Vincent and the Grenadines is articulated primarily by the Master Plan for a System of Protected Areas and Heritage Sites (2004). The Master Plan states that the objectives to be met by the system of protected areas in St. Vincent and the Grenadines are:

- Conservation and protection of all island endemic plant and animal species, such as the St. Vincent Parrot and Whistling Warbler.
- Maintenance of the country's rich diversity of flora and fauna.
- Protection of areas critical to sustained production of water and electricity.
- Sustain and improvement in the economic and social well being of the country.
- Promotion of pride in appreciation of history, culture and the country's rich maritime traditions.
- Promotion of appreciation, sustained recreational use and enjoyment of natural and cultural heritage
- Maintenance of the visual, special and aesthetic values of the country's landscape and sustain critical environmental goods and services, such as soil, rainfall and climate.

The protected areas master plan (2004) also provides guidance on a number of relevant issues, identifies sites for inclusion in the system, and makes recommendations for development of the system of protected areas. Directions provided include the following:

- The system of protected areas should include sites declared by law as well as heritage sites that can be managed without protected areas designation.
- Elimination of multiple designations of sites in order to eliminate conflicts.

- Consolidation of small adjoining protected areas to increase management efficiency.
- A total of 47 sites, 22 existing and 25 proposed protected areas, have been identified for inclusion in the system. The plan also identifies other types of ecosystems (such as mangrove wetlands) that should be included in the system of protected areas, and recommends that, to the greatest extent possible, the IUCN management categories should be used as guidelines. The plan provides a description for the management categories, and recommends selection criteria for each category.
- Recommends the continued involvement of community groups and private sector interests in the development and management of protected areas, particularly heritage sites.
- Recommends a number of actions to be taken for the further development of the system of protected areas, focusing on legal, institutional, research and planning, capacity building, public awareness and participation, product development, and marketing and resource use issues.

### **3.1.1 Protected Areas Policy Gaps and Initiatives**

The current master plan for protected areas provides a solid basis for initiating the development of a system of protected areas in St. Vincent and the Grenadines. The plan also recommends actions that are necessary to provide clarity in system design and development. Additional issues for consideration include the following:

- (a) The Forestry Resource Conservation Act (1992) mandates the preparation of a national Forest Resources Conservation Plan, implying that forestry management and conservation programmes should be guided by a national plan. Such a plan has not been developed. The promulgation of the National Parks Act (2002) and the attendant focus on forestry recreational areas and watersheds underscores the need for rationalization of the policy framework for forestry and watershed management.
- (b) The range of sites proposed for inclusion in the system of protected areas is not supported by the National Parks Act (2002). These sites fall within the management responsibility of more than one agency, and some of the proposed categories (such as natural landmark) are not covered by existing legislation. The protected areas policy framework should be refined to address the rationale for this mix of sites, and to develop institutional coordinating mechanisms to ensure that the sites are managed within the context of a comprehensive protected areas management framework.
- (c) The master plan for protected areas and heritage sites articulates how protected areas will facilitate the implementation of the tourism development policies and plan for the country (Section 2.1). However, it does not provide similar clarity in showing how protected areas will facilitate the other national development objectives (education,

biodiversity, provision of goods and services such as water, disaster mitigation, etc.). The master plan was developed out of a tourism initiative, and clearly focuses on that sector. However, a system plan should address system-wide issues, and if a range of sites and development objectives are to be accommodated, then the linkages to those non-tourism objectives have to be clearly articulated.

- (d) The master plan for protected areas and heritage sites has recommended that collaborative management arrangements be developed through memoranda of understanding between the National Parks, Rivers and Beaches Authority and qualified non-governmental organisations (NGOs). However, there is the lack of information as to what constitutes a “qualified” NGO, and the process for selection of that NGO. This indicates the need for further development of the policy framework; in this case, the preparation of system development strategies, guidelines, and standard operating procedures.
- (e) The master plan for protected areas and heritage sites introduces the concept of representativeness of ecosystems in the system of protected areas. Similar issues (determination of significance and authenticity/integrity of values) for cultural heritage sites should also be addressed.
- (f) Management of marine protected areas should take into consideration the potential threats from a variety of sources, both natural and anthropogenic, and propose means of reducing those threats. Some threats, such as oil spills, the potential impact of sewage effluent from the large number of yachts that traverse the Grenadines, and coral bleaching, can only be adequately addressed at the level of system-wide planning, and should therefore be addressed by the policy framework and system plan.
- (g) The current policy framework provides inadequate treatment of the obligations of multilateral environmental agreements. Some of these agreements deal with issues that are of particular importance to protected areas (such as oil spills and alien invasive species), and most have reporting requirements. For example, the CBD has a programme of work on protected areas, which sets specific targets for 2010 and 2015 for national action on protected areas.

In addition to the above-mentioned gaps in the policy framework, the Master Plan for the System of Protected Areas and Heritage Sites (2004) identifies a number of critical issues to be addressed in the development of a system of protected areas for St. Vincent and the Grenadines (Appendix 6).

### **3.2 Legislative Framework for Protected Areas Management**

A wide range of laws have implications for protected areas development and management, affecting several areas of operations (Appendix 7). The legislation that directly provides for declaration of protected areas include the:

- Saint Vincent and the Grenadines National Trust Act, 1969
- Fisheries Act, 1986
- Forest Resource Conservation Act, 1992
- Marine Parks Act, 1997
- National Parks Act, 2002
- Central Water and Sewerage Authority Act, 1991<sup>5</sup>.

#### **(a) Saint Vincent and the Grenadines National Trust Act, 1969**

This Act established the Saint Vincent and the Grenadines National Trust as a corporate entity, and mandated the Trust to make provision for the management of a range of natural and cultural heritage resources. The objects of the Trust that directly relate to protected areas include conservation of areas of natural beauty; conservation of buildings and other assets of archeological, architectural, artistic, historic, scientific, or cultural interest; and conservation of flora and fauna in areas of natural beauty; and public education related to natural and historical assets.

The Act also permits the Trust to collect and allocate funds to further the objects of the Trust, including the establishment of financing mechanisms to carry out its functions.

No protected area has thus far been declared using the provisions of this Act.

#### **(b) Fisheries Act, 1986**

An Act for the promotion and management of fisheries in St. Vincent and the Grenadines, and mandates the preparation of a national fisheries development and management plan. In addition to the management of national fisheries resources, the Act authorises the Minister to enter into cooperation agreements with other countries in the region or with regional organizations for the purpose of harmonizing procedures for various aspects of fisheries management in the region.

In addition to the direct fisheries management objectives, the Act provides for the declaration of marine reserves to protect flora and fauna, breeding grounds, and habitats of aquatic life; to preserve and enhance the natural beauty of such areas; and for scientific study.

No marine reserve has been declared using the provisions of this Act.

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<sup>5</sup> This Act was not available for review.

**(c) Forest Resource Conservation Act, 1992**

This Act provides for the “... *conservation, management, and proper use of the forests and watersheds, the declaration of forest reserves, cooperative forests and conservation areas, the prevention and control of forest fires ...*”, and established the Forestry Department to administer the Act.

The functions of the Forestry Department include the preparation of national Forest Resources Conservation Plan (Section 6 of the Act). The Act also provides for the establishment and management of forest reserves, conservation areas, and protected forests.

The Act also supports the establishment of funds for conservation purposes and forestry management (Section 27 – Conservation Area Fund and Section 32 – Forestry Development Fund).

Forest Reserves declared under this Act includes (Island Resources Foundation, 1991):

- King’s Hill Forest Reserve – Order No. 5 of 1971;
- Central Reserve – Proclamation 12, 1946;
- Soufriere Forest Reserve – Crown Lands Forest Reserve (Declaration) Order, 1948;
- Mesopotamia Forest Reserve – Crown Lands Forest Reserve (Declaration) Order, 1948; and
- Colonarie Forest Reserve – Crown Lands Forest Reserve (Declaration) Order, 1948.

**(d) Marine Parks Act, 1997**

This Act provides for the establishment and management of marine parks. The Act defines a marine park to include adjacent land that forms part of a single or “complemental” ecological unit, which can be interpreted to mean that marine parks should encompass complete ecosystems.

The Minister responsible for parks is authorized by Section 5 of the Act to declare marine parks. The purposes for which marine parks may be declared include recreation, scientific study and research, and preservation and enhancement of marine resources.

The Act established the Marine Parks Board to be responsible for its administration, including the collection of user fees. Though the Act does not so specify, the Fisheries Division currently functions as the technical arm of the Marine Parks Board. The institutional arrangements include a role for the Chief Surveyor, who is charged with maintaining a map delineating each marine park established under this Act.

The Marine Parks (Tobago Cays) Declaration Order (1997) declared the Tobago Cays Marine Park, the only marine park declared under the Marine Parks Act. Regulations to regulate use of the site and collect fees were passed in 1998, as the Marine Parks (Tobago Cays) Regulations.

**(e) National Parks Act, 2002**

This Act provides for the establishment of “... *national parks and the establishment of an authority for national parks, to make further provision for the preservation, protection, management and development of the natural, physical and ecological resources and the historical and cultural heritage of Saint Vincent and the Grenadines*”.

The Act authorises the Minister to declare a national park on Crown land and/or water where the area “... *by reason of its outstanding natural beauty, special historical, cultural or archeological value, geological or scientific importance, or the opportunity it affords for open-air recreation, requires proper management for the purpose of preserving and enhancing its natural beauty and state*” (Section 11).

The institutional arrangements for implementation of the provisions of the Act are somewhat complicated, and may result in a number of institutional conflicts. The Act established a corporate entity, the National Parks, Rivers and Beaches Authority, to manage the various assets acquired under the Act (Section 4(1)). The Act also establishes a National Parks Board to provide oversight to the Authority. The Act introduces other entities in the administration process, by having the Cabinet appoint the Director of National Parks, while all other members of staff are appointed by the National Parks Board.

The Act gives the Authority extensive powers over a wide range of natural resources, including “... *power and control over all rivers, streams, springs, swamps, waterfalls, waterpools and beaches in the State*”, as well as the authority to manage heritage resources (Appendix 8).

The Act mandates the preparation of a national parks plan, as well as plans for each site declared under the law. Included in this plan preparation process is provision for community consultations and final approval by the Cabinet.

The Act extends its authority to other laws and institutions, by including provisions for the inclusion of marine reserves and other fishery management areas within national parks (Section 15). It also incorporates the offences and associated penalties under the Forest Resource Conservation Act (1992) and the Fisheries Act (1986).

The authority of the Act is also extended to deal with private lands that are potential national parks. The land owner can submit a voluntary request for the private land to be managed as a national park, and to have agreed provisions of the Act applied to the management of the land (Section 17). There is also provision for payment of

compensation to landowners for private lands voluntarily brought under the national parks management regime. Similarly, lands for national parks development can be obtained by compulsory acquisition or by lease, exchange, and purchase (Sections 18-22).

The long-term financing of protected areas can be undertaken through the establishment of a National Parks Fund, as provided by Section 35 of the Act. The Act does not provide sufficient guidance on the capitalization or management of this fund, and either specific regulations have to be developed, or guidance has to be provided by another legislative instrument, such as the Finance Administration Act (2004).

The list of matters for which the Minister can make regulations is somewhat restrictive. Critical issues, such as control of invasive species and pollution control are not addressed. Similarly, the penalties under the Act are applicable only to routine breaches dealing with regular use of the sites. Impacts from events such as oilspills and disposal of waste are much more egregious breaches and should attract much stiffer penalties.

### **3.2.1 Relevant Issues and Initiatives**

The legal framework for protected areas management in St. Vincent and the Grenadines is fairly extensive. However, there are a number of gaps in the legislative coverage, primarily the limited number of supporting regulations and procedures. These include the following:

- (a) There is no specific reference to the establishment and management of a system of protected areas, though the National Parks Act (2002) refers to a system of national parks (Section 7(2)(e)). Additionally, some of the categories of sites identified for inclusion in the system of protected areas are not supported by any law. The National Parks Act (2002) should be amended to give effect to the range of sites identified in the master plan, as well as to address system planning and management issues (link between sites, ensuring that sites support system objectives, etc.).
- (b) The Forest Resource Conservation Act (1992) provides for the establishment of two trust funds for forestry management (Conservation Area Fund and Forestry Development Fund). The establishment of two separate trust funds under the law should be rationalized, particularly since it is generally difficult to separate forestry and conservation initiatives (except in the case of plantation forests).
- (c) The Marine Parks Act (1997) states that the Minister responsible for the implementation of the Act is the Minister responsible for parks (Section 2). The Act is administered by the Marine Parks Board (supported by the Fisheries Division), yet under the National Parks Act (2002), responsibility for national parks has been assigned to the Ministry of Tourism & Culture. The Marine Parks Act creates a Marine Parks Board, while the National Parks Act includes provisions for the creation of a National Parks Board. Additionally, the National Parks Act provides for the appointment of a Superintendent of marine national parks. The National Parks Act did not repeal the Marine Parks Act, yet

it duplicates all of the provisions of the Marine Parks Act. This has created a degree of uncertainty concerning the extent of the legal responsibility of the main institutions, the Marine Parks Board/Fisheries Division and the National Parks, Rivers, and Beaches Authority, which must be addressed. The Master Plan for the System of Protected Areas and Heritage Sites (2004) identifies this problem (Page 74), but offers no solution.

- (d) The Marine Parks Act (1997) does not establish the purposes for which a marine park is to be declared. The purposes have to be deduced from the functions of the Marine Parks Board (Section 4(2)), and the purposes for which regulations may be made under the Act (Section 8).
- (e) The provision in the Fisheries Act (1986) for the Minister to enter into agreements with other countries and regional organizations provide a basis for establishment of trans-boundary protected areas, as well as harmonization of policies and procedures. Regulations are now needed to give effect to this impending scenario.
- (f) The list of matters for which the Minister can make regulations under the National Parks Act (2002) is somewhat restrictive. Critical issues, such as control of invasive species and pollution control are not addressed. Not only do these issues have to be addressed locally, but there are international obligations under the MEAs to be discharged. A number of the MEAs also provide mechanisms to address some of the pollution issues, whether through compensation schemes or by participation in regional response efforts.
- (g) The National Parks Act (2002) does not provide for the delegation of management responsibility to community or civil society organizations, an arrangement that is now in place in St. Vincent and the Grenadines, and which has policy support in the form of the master plan for national parks and heritage sites.

In addition to the gaps in the legal framework, a number of issues need to be addressed through amendments to the relevant laws, as indicated below.

- (a) The National Parks Act (2002) provides for a fairly significant level of political input to the management of national parks. For example, the Director of National Parks, who is also the chief executive of the National Parks, Rivers, and Beaches Authority, is appointed by Cabinet, not the National Parks Board, which has oversight responsibilities for the Authority. Similarly, the provision in the National Parks Act (2002) for Cabinet approval of each revision or amendment to a national parks plan (Section 10(5)) supports a level of political input in management activities that historically has resulted in compromises that lead to degradation of the natural resources that protected areas are meant to protect. The process of site assessment, boundary delineation, and plan development should be sufficiently rigorous and consultative that both the public agencies and the community can determine and agree on the important natural or historical resources that are to be protected, as well as the plan to be used to achieve the stated management objectives. Approval by the Minister responsible for parks should be confined to approval of the boundaries and the first management plan. An appropriate

mechanism for input by Cabinet would be in the approval of the system plan, since it functions both as a policy guide and a strategic plan.

- (b) The provision for fisheries rehabilitation in the National Parks Act (Section 7(2)(g)) creates significant overlap in jurisdictional responsibilities between the Fisheries Division, Marine Parks Board, and the National Parks, Rivers and Beaches Authority. The same applies to the provision for encouraging works in marine parks (Section 9(e)). These provisions are un-necessary and may result in institutional conflicts, and should therefore be removed from the Act.
- (c) The provision of the National Parks Act (2002) that gives the National Parks, Rivers and Beaches Authority power over all rivers, streams, and springs has created a jurisdictional overlap with the institutions dealing with water supply and power generation, a situation that is likely to result in conflicts if the Authority attempts to exert influence on the management of those particular rivers and streams<sup>6</sup>.
- (d) The National Parks Act (2002) gives the National Parks, Rivers and Beaches Authority power over all rivers, streams, and springs, but has not provided any link between the Authority and the institutions dealing with watersheds management, or even between production and management of surface water.
- (e) Despite the inclusion of historic resources in the list of assets to be managed by the Authority, the Act provides very little guidance on the treatment of such resources. These resources are significant in number, and some are currently being managed by other institutions.
- (f) The National Parks Act (2002) does not use the term protected areas, and makes no reference to the other types of protected areas that can be declared under other legislative instruments. The Act is also focused on site activities, with no reference to system planning and management. The closest reference to a system approach is in Section 10(1), where it stipulates that the Director of National Parks "... shall prepare and keep under review a plan to be called a national park plan for the management and development of national parks". However, a Master Plan for a System of Protected Areas and Heritage Sites was prepared in 2004 (Ivor Jackson & Associates, 2004). This Master Plan also recommended amendments to the National Parks Act to address the issue of other types of protected areas.

There are two current legislative initiatives that are relevant to protected areas development and management. These are:

(a) **Marine Parks Bill (2005) – Fisheries Division**

The Bill, to be known as the Marine Parks Authority Act, seeks to repeal the Marine Parks Act (1997). The Bill includes much wider definitions for protected areas than now

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<sup>6</sup> The St. Vincent Electrical Company operates two hydro-electric power plants using water from South River and Cumberland River.

exist in St. Vincent and the Grenadines, incorporating categories such as managed resource protected areas, species managed areas, and protected landscapes/seascapes.

The new law would establish the National Marine Parks Authority, a corporate entity governed by a Board of Directors. A new institutional arrangement is proposed, wherein the Board of Directors could appoint a Management Committee for every marine park established, as well as delegate management responsibility for a site to a person or non-governmental organisation. This is a significant departure from the current provisions in the Marine Parks Act (1997) and the National Parks Act (2002), both of which seek to centralise protected areas management.

The proposed law would establish a Marine Parks Conservation Fund, with its own Trustees to manage the fund.

The Bill, in its current form, is based on the Marine Parks Act (1997), and therefore has several limitations. Additionally, its development appears to be in reaction to the provisions of the National Parks Act, as it does not address marine conservation in a comprehensive manner. Further discussions on the Bill should be cognizant of the conceptual and ecological issues being addressed in marine protected areas management, as well as regional and international initiatives and MEA obligations.

**(b) Model Marine Pollution Act – National Maritime Administration**

The National Maritime Administration is contemplating the adoption of model legislation prepared by the International Maritime Organization (IMO) that deals with marine pollution. However, this model legislation was prepared prior to the adoption of the new convention to deal with alien invasive species, the International Convention for the Control and Management of Ships Ballast Water and Sediments (Ballast Water Convention). The convention was adopted by Member States of the IMO on February 13, 2004, and is intended to “... *prevent, minimize and ultimately eliminate the transfer of harmful aquatic organisms and pathogens through the control and management of ships’ ballast water and sediments*” (<http://globallast.imo.org>). The convention will “*enter into force 12 months after ratification by 30 States, representing 35 per cent of world merchant shipping tonnage*”. As such, the model legislation needs to be revised to incorporate the provision of the Ballast Water Convention.

The model legislation is meant to assist Member States with discharging their responsibilities under all the IMO-managed conventions. In addition to the issue of invasive species, this legislation is important to protected areas in addressing matters dealing with solid waste and discharge of sewage effluent.

#### **4. INSTITUTIONAL FRAMEWORK**

Responsibility for protected areas management in St. Vincent and the Grenadines is shared among several governmental and non-governmental organizations, with an even larger number of public and civil society organizations playing supporting roles.

There is no institutional coordinating mechanism for protected areas programming, though many of the same institutions participate in the various initiatives and consultations dealing with protected areas issues.

##### **4.1 Protected Areas Management Institutions**

In order to maintain consistency within the context of this review of the six OECS Participating Member States, management institutions are defined as those institutions that have primary responsibility for the daily operations of a protected area.

##### **Saint Vincent and the Grenadines National Trust**

The Saint Vincent and the Grenadines National Trust was established in 1969 with the promulgation of the Saint Vincent and the Grenadines National Trust Act (1969). The Trust is charged with conservation of the cultural heritage resources of the country.

The Government in 1989 gave approval for a number of heritage properties, such as Fort Charlotte, to be vested in the Trust, but ownership of the properties was not transferred to the Trust (Consultations, February 10, 2006). The Trust subsequently went into a period of dormancy for approximately 10 years. In 1999, the Government appointed a new Board of Directors with the intent of re-vitalising the Trust.

The lack of financial resources prevents the hiring of adequate human resources. As such, the Trust implements its programmes mainly with the assistance of volunteers. The current programme focuses on Board development (formation of working committees), increasing the membership, maintenance of records of archeological and historic sites, and establishment of a museum.

The Trust maintains collaborative arrangements with the Physical Planning Division (compilation of data on pre-historic sites), the Forestry Department, and the National Parks Unit of the Ministry of Tourism & Culture.

### **Fisheries Division – Ministry of Agriculture, Forestry and Fisheries**

The Fisheries Division is responsible for the overall management of the fisheries sector, a mandate supported by the following legislative instruments:

- Maritime Areas Act, 1983;
- Fisheries Act, 1986;
- Fisheries Regulations (No. 8 of 1987);
- Fish Processing Regulations, 2001; and
- High Seas Fishing Act, 2001.

The Division undertook a SWOT analysis as part of its corporate planning process in 2005, which resulted in focusing its attention on specific result indicators within its seven programme areas. The focus for 2006-2008 within the conservation programme area will be on (i) review of marine conservation areas, and (ii) marine turtle conservation (Fisheries Division, 2005). It is within this programme area that the Division continues to provide technical support to the development of marine parks, in particular the Tobago Cays Marine Park.

In carrying out its mandate, the Fisheries Division collaborates with a wide range of national institutions and stakeholders, in addition to regional institutions. Regional and international programmes in which the Division participates and/or represents the Government of St. Vincent and the Grenadines include:

- CARICOM Regional Fisheries Mechanism;
- International Commission for the Conservation of Atlantic Tunas (ICCAT);
- International Whaling Commission; and
- Bilateral trade arrangements related to export of fish and fish products.

The review of the 2005 Results Indicators for the programmes of the Fisheries Division indicate varying degrees of progress in programme implementation, with degrees of completion ranging from 10%-100%. The lowest rates of completion are in the areas of research, data analysis, and technology transfer. The highest rates of completion are in the areas dealing with infrastructure development, export certification, licensing, and fisheries catch data collection.

Based on the range of national, regional, and international programmes in which the Division participates, as well as its success rate in programme implementation, the Fisheries Division appears to be a fairly competent institution. The main constraints appear to be in the number of staff, insufficient use of interdisciplinary teams internally, insufficient knowledge of new job-related technology, and inadequate facilities (Fisheries Division, 2005).

### **Marine Parks Board**

The Marine Parks Board was established under the provision of the Marine Parks Act (1997), which sets the functions of the Board as (Section 4):

- Employ persons for the effective management of Marine Parks;
- Issue permits;
- Preserve and enhance the natural beauty of Marine Parks;

- Promote scientific study and research in Marine Parks; and
- Regulate the use of Parks and be responsible for zoning within the Parks.

The Board is currently responsible for the management of the Tobago Cays Marine Park. The lack of adequate financial resources has hampered the establishment of adequate support systems, including staffing. The Board is currently working with the Fisheries Division to prepare a management plan for the marine park, and is collaborating with the Fisheries Division and the Office of the Prime Minister in the implementation of the OPAAL project.

### **Forestry Department – Ministry of Agriculture, Forestry and Fisheries**

The Forestry Department is responsible for forestry management and wildlife conservation, as provided by the following legislation:

- Wildlife Protection Act, 1987; and
- Forest Resource Conservation Act, 1992

*“The Forestry Division undertakes forest management, reforestation, limited enforcement (land encroachment), wildlife management, and watershed conservation, and is currently developing an Integrated Forestry Management Project, which is geared at providing alternative livelihoods for persons who extract their livelihoods from the forest, and will protect biodiversity, reduce land degradation, and protect water catchments and ecosystems nationally”* (National Capacity Self Assessment Project Paper, 2004).

Up until 2002, the Forestry Department was the lead agency for development and management of protected areas in St. Vincent and the Grenadines. Following the approval of the National Tourism Sector Development Plan in 2002, the National Parks Unit was created in the Ministry of Tourism & Culture, and charged with the development of national parks.

The Forestry Department continues to manage its various forest reserves, including recreational activities in those reserves. A number of the sites traditionally managed by the Forestry Department will be transferred to the National Parks, Rivers and Beaches Authority when it is fully established, and the two institutions have developed a Memorandum of Understanding concerning the management of those sites during this transition period. The Department continues to provide technical support to other groups working with forest-related issues, such as the North Leeward Tourism Association.

### **National Parks, Rivers and Beaches Authority**

The functions and responsibilities of the National Parks, Rivers and Beaches Authority are prescribed by Section 7 of the National Parks Act, 2002 (Appendix 8). The Board of Directors of the Authority has been appointed, but the Authority itself has not been established. The development of the Authority will take place with financial support and technical assistance from the European Commission (Section 5.3). Currently, the functions of the Authority are being carried out by the National Parks Unit in the Ministry of Tourism & Culture.

### **Central Water and Sewerage Authority (CWSA)**

The functions of CWSA are contained in the Central Water and Sewerage Authority Act (1978). CWSA lists its objectives as the following (<http://www.gov.vc>):

- To provide adequate amounts of potable water to all citizens at a reasonable cost;
- To provide an efficient and effective Solid Waste Management system at an affordable cost;
- To provide suitable sewage services as needed;
- To operate in a financially self sustaining manner; and
- To effectively manage the national water resources to meet the growing and varied demands

Though the Act provides for the protection and management of catchment areas, CWSA does not currently manage any protected catchment.

### **North Leeward Tourism Association**

The North Leeward Tourism Association (NLTA) is a community-based organization formed in 2001 for the purpose of stimulating tourism development in the Richmond/North Leeward/Lashum region. The NLTA was the National Focal Point Organisation responsible for the implementation of the Amenity Area Demonstration Project under the Caribbean Regional Environment Programme (CREP) project (Section 5.3).

## **4.2 Supporting Institutions**

Supporting institutions are defined as those institutions that do not have responsibility for the daily operations of a protected area, but which, through their legislative mandates or programme areas, regulate specific activities/operations within sites or provide various forms of support to site operations.

### **Office of the Prime Minister**

Oversight for marine parks is coordinated through the Office of the Prime Minister. This institutional arrangement resulted from ongoing conflicts between the Ministry of Agriculture, Forestry and Fisheries and the Ministry of Tourism & Culture. Due to the fact that the single marine park is the Tobago Cays Marine Park, the oversight to the Marine Parks Board was shifted to the Department of Grenadines Affairs, Office of the Prime Minister. As such, the Office of the Prime Minister is the National Implementation Coordinating Entity for the OPAAL Project, which focuses on the Tobago Cays Marine Park as the demonstration site.

### **National Parks Unit – Ministry of Tourism & Culture**

The National Parks Unit was created in 2002 to implement the provision of the National Parks Act (2002), as a transitional institutional mechanism pending the establishment of the National Parks, Rivers and Beaches Authority. The National Parks Unit has since coordinated the preparation of the Master Plan for the System of National Parks and Heritage Sites (2004).

Currently, the four members of staff of the Unit focus primarily on maintenance of beach facilities. Much of the work of the Unit is conducted by other institutions such as the Fisheries Division, Forestry Department, and the NLTA through Memoranda of Understanding between the institutions and the Unit.

The next major activity to be coordinated by the Unit will be the establishment of the National Parks, Rivers and Beaches Authority, to be implemented under a project financed by the European Commission (Section 5.3)

### **Environmental Services Unit – Ministry of Health and Environment**

The Environmental Services Unit shares responsibility for environmental matters with the Environmental Health Division. However, unlike the Environmental Health Division, the functions of the Environmental Services Unit are not supported by any particular legislative instrument.

The Unit was established to function as a coordinating mechanism for environmental matters. Its main functions thus far are:

- Functioning as the national focal point for a number of multilateral environmental agreements – Biodiversity Convention, Climate Change Convention, Biosafety Protocol, Land Degradation Protocol, Montreal Protocol, Convention on Persistent Organic Pollutants, Basel Convention, MARPOL Convention, and the Cartagena Convention. The Unit coordinated the preparation of the first and second national reports for biodiversity and land degradation, and the first national report on climate change.
- Promotion of environmental awareness.
- Coordination of the preparation of the NEMS.
- Currently coordinating the National Capacity Self Assessment process.

The Environmental Services Unit participates in initiatives dealing with protected areas, and is currently working with The Nature Conservancy on a number of issues, one of which is the design of a programme to address the obligations under the CBD Programme of Work on Protected Areas.

### **Physical Planning Unit – Ministry of Housing, Informal Human Settlements, Physical Planning, and Lands and Surveys**

The Physical Planning Unit is responsible for “*the preparation of Physical Development Plans, administration of development control and for facilitating the built/infrastructural development to enhance economic and social development*”, through the administration of the Town and Country Planning Act (1992). The programme objectives of the Unit (<http://www.gov.vc>) are to:

- Prepare national, regional and local physical development plans to promote sustainable environmental, social and economic development.
- Provide technical assistance and to perform the role of secretariat of the Physical Planning and Development Board.
- Provide technical assistance and advice on matters related to planning, environmental management, and project planning.
- Implement the laws, standards and building codes with respect to physical development.
- Provide quality service to all stakeholders in relation to request for approval of plans; request for information; and request for services related to the role of the unit.
- Establish and operate a National land Information System in collaboration with other public and private sector agencies in order to provide quality information for policy formulation and the promotion of national development.

### **Economic Planning Division – Ministry of Finance**

The role of the Economic Planning Division in protected areas management is indirectly through its function as the unit that coordinates the preparation of the Medium Term Economic Strategy Paper.

The Ministry of Finance is also supposed to develop guidelines for collection of user fees at national parks. However, internal guidelines and procedures to address collections of fees have not yet been developed (Consultations, February 8, 2006).

### **Ministry of Education**

The Ministry of Education functions as the National Commission for UNESCO. In that capacity, the Ministry would have participated in the discussion dealing with the preparation of the Tentative List of World Heritage Sites for St. Vincent and the Grenadines.

### **The Nature Conservancy**

The Nature Conservancy (TNC) has been working with the Government of St. Vincent through the Grenadines Parks in Peril Project. This is an initiative, funded by the United States Agency for International Development, that commenced in 2002 and extends until 2007. The main goal of this project is to support the governments Grenada and St. Vincent and the Grenadines the

development of national programmes to meet the objectives of the CBD Programme of Work on Protected Areas. Activities include:

- Protected Area Gap Analysis;
- Preparation of Protected Areas Capacity Plans; and
- Preparation of Protected Area Business Plans.

#### **4.3 Institutional Gaps and Current Initiatives**

The increased interest in protected areas management, as indicated by the attempts to revitalize the St. Vincent and the Grenadines National Trust, the establishment of the NLTA, and the continued work towards establishment of a parks management structure within the Ministry of Tourism, is a positive development. The increase in the number of institutions has increased the potential to undertake more initiatives to support a wide range of national and local area development objectives. However, this change in the institutional framework (supported somewhat by changes in the legal framework) has also resulted in overlapping responsibilities, without seriously addressing older lingering institutional capacity issues. The priority issues that must now be addressed include the following:

- (a) **Development of an Institutional Coordinating Mechanism for Protected Areas Development and Management** – All the national environmental reports, including the 2004 Master Plan for the System of Protected Areas and Heritage Sites, identify the need for a coordinating mechanism for environmental management, and more specifically, protected areas management. The protected areas master plan proposes the Board of Directors of the National Parks, Rivers and Beaches Authority, aided by a committee structure, to function as the coordinating mechanism. Given the number of sites the Authority may have to manage, the narrow focus on the 20 recreational sites, the challenges of site management, and the need for dealing with a wide range of policy issues, some of which are outside the purview of the Authority, the Board of Directors of the Authority may not be the best coordinating mechanism.

This Review recommends that the Environmental Services Unit in the Ministry of Health and Environment be given the responsibility for establishing/functioning as the coordinating mechanism for protected areas management. Protected areas management is only one component of environmental management, and the Unit has already been charged with coordinating environmental policy and management. Additionally, the Unit is also the lead institution in dealing with the obligations of the MEAs. The Unit could establish a protected areas committee, which would include broad representation from relevant sectors and stakeholders.

- (b) **Rationalisation of Institutional Mandates** – The Marine Parks Act (1997) states that the Minister responsible for the implementation of the Act is the Minister responsible for parks (Section 2). The Act is administered by the Marine Parks Board, supported by the Fisheries Division, yet under the National Parks Act (2002) responsibility for national parks has been assigned to the Ministry of Tourism & Culture. Additionally, the

National Parks Act provides for the appointment of a Superintendent of marine national parks. The National Parks Act did not repeal the Marine Parks Act, yet it duplicates all of the provisions of the Marine Parks Act. It is apparent that the provisions of the National Parks Act (2002), particularly the functions of the National Parks, Rivers, and Beaches Authority, are so broad in scope that they create conflicts with other institutions. Additionally, the signing of Memoranda of Understanding between the Authority and the other agencies underscore the fact that it is infeasible to duplicate the specialized skills in the various agencies within the Authority. Even within this mix, the management of cultural heritage sites is not fully addressed.

The Master Plan for the System of Protected Areas and Heritage Sites recommends that “*management of marine parks should be assigned solely to the Marine Parks Board, with executive functions granted to the Fisheries Division*” (Section 5.2, page 63). It is here recommended that a much more comprehensive restructuring exercise be undertaken, wherein the roles of the various institutions be clearly defined, the necessary collaborative arrangements be identified and designed, and the functions of the National Parks, Rivers, and Beaches Authority become more focused.

- (c) **Refinement of the National Parks Act, 2002** – The National Parks Act (2002) not only creates conflict between institutions, it has the potential to create conflicts between the National Parks, Rivers, and Beaches Authority and the National Parks Board. The current language in the Act does not imply that the National Parks Board has direct fiduciary responsibility for the Authority, as would be expected if it was the Board of Directors of the Authority. The language suggests that the National Parks Board functions mainly in an advisory role to the Minister, though the Chair and Deputy Chair are responsible for the corporate seal of the Authority. Additionally, the National Parks Board appoints all levels of staff, except for the Director of National Parks, who is appointed by Cabinet. This is a direct conflict between the policy oversight role of the Board and the management responsibilities of the Director of National Parks, and is not standard operating procedures for statutory corporations

This Review recommends that the National Parks Act (2002) be repealed and replaced with an instrument that provides more coverage for the various terrestrial and marine ecosystems in the country, that provides for the coordinating functions of the Environmental Services Unit, that establishes clear linkages between the various management institutions, and that rationalizes the protected areas financing mechanisms between the various legal instruments.

- (d) **Development of Relevant Support Systems for Site and System Management** – The incorporation of a range of sites, managed by several institutions, into a system of protected areas require that guidelines and standard operating procedures be used in the development and management of each site and the overall system. These support systems deal not only with issues of management approaches by management agencies, but also support systems in the support institutions, such as the Ministry of Finance and the Police. Methodologies for gap analysis, ecosystem monitoring, site and system evaluation are only a few of the system guidelines that are necessary to ensure that the

system of protected areas meet the development goals of the country without serious damage to the natural and cultural resources.

- (e) **Development of Data Management Systems for Protected Areas** – Information management systems are required to support the public awareness programmes, the public participatory processes, monitoring and research, and evaluation and reporting processes<sup>7</sup>. For example, there is a significant level of focus on water-related recreational opportunities in the National Parks Act (2002), and as such it is important that water quality monitoring systems be established. However, the national watershed report (2001) notes that though water quality monitoring is conducted by the Central Water and Sewerage Authority and the Environmental Health Department, the data is kept in hard copy format. The report goes further to state that there is no monitoring of recreational waters, including coastal waters (page 11).

The institutions responsible for managing sites and the system must be able to demonstrate clear benefits of protected areas while showing that the resources are not being degraded. Additionally, dealing with sources of external threats and opportunities, as well as planning for the future, require a process of forecasting that can only be undertaken using relevant information. It is therefore necessary to develop data collection mechanisms and data management systems to address the need for physical, biological, and socio-economic information related to environmental management, and more specifically to protected areas management.

The project to develop the 20 ecotourism sites includes components dealing with development of the system of protected areas and the establishment of the National Parks, Rivers and Beaches Authority (Section 5.3). That project should be used to address the priority issues identified in this report and in the Master Plan for a System of Protected Areas and Heritage Sites.

#### **4.4 Institutional Capacity for Protected Areas Management**

The approach taken to gauging institutional capacity for protected areas management involved reviewing existing reports and obtaining insights during the consultation process. Two questionnaires were developed, one for management institutions, and the other for supporting institutions (Appendix 4). The questionnaires were intended to provide information on institutional resources, infrastructure, commitments, programming, and linkages, and were to be used in determining the capacity of each institution to discharge its functions. The consultations

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<sup>7</sup> The maps of existing and proposed protected areas that were prepared as part of the Master Plan for a System of Protected Areas and Heritage Sites (2004) were requested in February 2006 as part of this review. Despite several requests to different senior persons, the maps were not made available for inclusion in this report. The explanation received in December 2006 is that digital copies of the maps could not be found. It is difficult to accept that the Ministry of Tourism and Culture does not possess the equipment or resources to have the maps scanned and transferred to digital format, or that hard copies could not have been sent via regular mail. If the stated explanation is accepted, then the ease with which important information can be lost does not bode well for data management in St. Vincent and the Grenadines.

were intended to provide additional insight into the functioning and utility of the institutional arrangements. None of the relevant institutions in St. Vincent and the Grenadines submitted a completed questionnaire, though the Fisheries Division provided its Corporate Plan.

Due to the absence of programming information, information on institutional capacity was gleaned from relevant reports, including; report on the “Institutional Capacities and Constraints in Saint Vincent and the Grenadines” (Dillon Consulting Limited, 2004); the national report on watersheds management (2001); land degradation report (2000); initial national communication on climate change (2000); Master Plan for a System of Protected Areas and Heritage Sites (Ivor Jackson & Associates, 2004); National Environmental Profile (Physical Planning Division, 2005); the national report on the implementation of the Barbados Programme of Action (Culzac-Wilson, 2003); the Periodic Report on the national implementation of the World Heritage Convention (Hall, 2003); and the national capacity self assessment project paper (2004).

The reports indicate that there are severe constraints to sustainable development planning and management in St. Vincent and the Grenadines, and more often than not, the constraint is inadequate capacity. The national report on the implementation of the Barbados Programme of Action (Culzac-Wilson, 2003) identifies the constraints and challenges within the context of the priority areas for the implementation of the Barbados Programme of Action, and recommends options to address the challenges.

In order to maintain consistency within the context of this review of the six OECS Participating Member States, the following factors will be used in considering the institutional capacity for protected areas management:

- Adequate staffing levels;
- Adequate skill sets and orientation;
- Financial resources;
- Institutional culture; and
- Political dexterity.

- (a) **Adequate Staffing Levels** – Staffing levels are well below the desired levels in most of the institutions; with the National Parks Unit awaiting the project funded by the European Commission to establish the Authority, the St. Vincent and the Grenadines National Trust is dependent primarily on volunteers to implement its small roster of programmes, the NLTA is dependent on CREP funding to maintain staff levels, and the Tobago Cays Marine Park is awaiting funds from the OPAAL project to fill staff positions. The Fisheries Division has only one person (in addition to the Chief Fisheries Officer) focused on protected areas programming, even though the Division provides technical assistance to other institutions. The Forestry Department has been experiencing problems filling its staff positions, especially since the change in mandate to move national parks management to the National Parks Unit. However, the Forestry Department is well regarded for its technical competence, and continues to provide technical support to the other protected areas management institutions (Consultations, February 5-10, 2006).

- (b) **Adequate Skill Sets and Orientation** – With the small pool of expertise, not all the skill sets needed to design, establish, and manage a range of sites and the system of protected areas are readily available. However, some of the relevant institutions, such as the Environmental Services Unit (Dillon Consulting Limited, 2004), the Fisheries Division, the Forestry Department, and the NLTA (Consultations, February 5-10, 2006) are highly regarded and well qualified. However, the relevant staff complements are too small for the range of tasks to be undertaken. The other institutions are experiencing staffing problems, and obviously do not possess the skills necessary to implement their mandates. However, the problem is to some extent mitigated through collaborative arrangements with external institutions, especially in the area of research (mainly socio-economic and biological).
- (c) **Financial Resources** – Financial resources to undertake the range of activities necessary for the development and management of protected areas is simply not adequate, and is available mainly through bilateral and multilateral arrangements that finance protected areas initiatives. The situation is severe enough that even routine maintenance of infrastructure is negatively affected.
- (d) **Institutional Culture** – Institutional arrangements are still based primarily on individual contacts, and focused on specific activities. However, the consultations that took place for the implementation of activities such as the CREP, preparation of the NEMS, and the preparation of the master plan for protected areas and heritage sites have resulted in increased public participation and collaborative arrangements. Further evolution of that process needs to be supported by more structured institutional arrangements, increased participation of stakeholders, and a more comprehensive communications strategy.
- (e) **Political Dexterity** – The various reports on national assessments or plans indicate increasing levels of public awareness of environmental issues and the benefits of protected areas. The protected areas management institutions have been involved in a range of public awareness programmes and community activities, and (based on the feedback during the consultations) there appears to be general support for protected areas development. However, the caveat attached to that support by most groups is that there should be community benefits from protected areas development. There is also demonstrated support from the political leaders for protected areas initiatives that directly provide benefits to local communities.

The assessments of institutional capacity indicate that there is currently limited capacity in St. Vincent and the Grenadines to undertake all the tasks needed to design, establish, and manage a national system of protected areas. However, several initiatives have been developed to address some of the capacity problems, with the major initiative being the project to establish the 20 tourism sites and establish the National Parks, Rivers and Beaches Authority. This project is expected to commence at the beginning of 2007.

## **5. CURRENT STATUS OF PROTECTED AREAS MANAGEMENT**

As stated in Section 3.1, the protected areas policy for St. Vincent and the Grenadines is articulated primarily by the Master Plan for a System of Protected Areas and Heritage Sites (2004). The objectives of the system of protected areas are:

- Conservation and protection of all island endemic plant and animal species, such as the St. Vincent Parrot and Whistling Warbler.
- Maintenance of the country's rich diversity of flora and fauna.
- Protection of areas critical to sustained production of water and electricity.
- Sustain and improvement in the economic and social well being of the country.
- Promotion of pride in appreciation of history, culture and the country's rich maritime traditions.
- Promotion of appreciation, sustained recreational use and enjoyment of natural and cultural heritage
- Maintenance of the visual, special and aesthetic values of the country's landscape and sustain critical environmental goods and services, such as soil, rainfall and climate.

### **5.1 Overview of the Current System of Protected Areas**

The World Database on Protected Areas 2006 lists St. Vincent and the Grenadines as having 41 protected areas, of which 28 are currently designated and 13 are proposed. The Master Plan for a System of Protected Areas and Heritage Sites (2004) states that there are currently 35 designated sites (3 Forest Reserves, 23 Wildlife Reserves, 1 Marine Park, 1 Marine Reserve, and 7 Marine Conservation Areas). The Master Plan recommends that the 35 existing sites be re-classified and merged where appropriate to produce 22 re-configured sites. The Master Plan also recommends 25 proposed sites for addition to the system of protected areas.

The above information may not be accurate, as the Country Environmental Profile (Island Resources Foundation, 1991) lists 5 forest reserves and the Draft National Environmental Profile (2005) lists 10 Fisheries Conservation Areas. Except for the Tobago Cays Marine Park, the legislative instruments designating these various sites (Table 1) were not made available during this review, and as such, the legal status of the sites could not be verified.

**Table 1: Protected Areas in St. Vincent and the Grenadines**

<b>Site</b>	<b>Year Designated</b>	<b>Management Institution</b>	<b>Size (hectares)</b>	<b>Reason for Declaration</b>
All Awash Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Battowia Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Big Cay Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Catholic Rocks Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Catholic Islands Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Chateaubelair Islet Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Falls of Baleine Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Frigate Rock Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Government House Grounds Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection; botanic gardens established in the 18 <sup>th</sup> Century
Isle de Quatre Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Kings's Hill Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
La Paz Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Milligan Cay Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Northern end of Bequia Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Petit Canouan Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Petit St. Vincent Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Pigeon (Ramier) Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Prune (Palm) Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection

Site	Year Designated	Management Institution	Size (hectares)	Reason for Declaration
Sail Rock Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Savan Islands Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Tobago Cays Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
West Cay Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
Young Island Wildlife Reserve (a)	1987	Forestry Department	N/A	Wildlife protection
King's Hill Forest Reserve (a)	1971	Forestry Department	N/A	N/A
Central Reserve (a)	1946	Forestry Department	3,200 (b)	N/A
Soufriere Forest Reserve (a)	1948	Forestry Department	N/A	N/A
Mesopotamia Forest Reserve (a)	1948	Forestry Department	N/A	N/A
Colonarie Forest Reserve (a)	1948	Forestry Department	N/A	N/A
Cumberland Forest Reserve (b)	1992	Forestry Department	N/A	N/A
Tobago Cays Forest Reserve (b)	1992	Forestry Department	N/A	N/A
St. Vincent Parrot Reserve (a)	1987	Forestry Department	4,399 (b)	Protection of the rare St. Vincent Parrot
Tobago Cays Marine Park (c)	1997	Marine Parks Board	3,885 (c)	N/A
<p>Source: (a) IRF, 1991<sup>8</sup>; (b) 2006 World Database on Protected Areas; (c) The Marine Parks (Tobago Cays) Declaration Order (1997)</p> <p>N/A = not available</p>				

<sup>8</sup> Notes that the 23 wildlife reserves designated in 1987 were designated under the Wildlife Protection Act, 1987.

The Master Plan for a System of Protected Areas and Heritage Sites (2004) identified a number of issues with site categorization and delineation, and recommended changes intended to eliminate conflicts created by multiple designations and consolidate small adjoining sites. This consolidation resulted in 47 sites being recommended for inclusion in the system of protected areas (Tables 2 and 3).

**Table 2: Categories of Sites Recommended for Inclusion in the System of Protected Areas**

Management Category	Status			Total
	Existing	Status Change	Proposed	
<b>Terrestrial</b>				
National Park	----	----	1	1
Forest Reserves	3	1	6	8
Natural Landmark	----	----	3	3
Cultural Landmark	----	----	7	7
Wildlife Reserves	23	7	----	16
Protected Landscape/seascape	----	----	1	1
<b>Marine</b>				
Marine Parks	1	----	4	5
Marine Reserves	1	1	3	3
Marine Conservation Area	7	4	----	3
Total	36	13	25	47
<u>Source:</u> Master Plan for a System of Protected Areas and Heritage Sites (2004)				

The Master Plan details the rationale for the various changes (Chapter 4). However, a number of those changes involve de-listing of sites and changing the designation of others. The legal framework currently does not contain any provision for de-listing of sites, and in order to implement the recommendations of the Master Plan, a number of laws will have to be amended. Additionally, in the same manner that new sites to be designated have to go through a process of assessment and approval, the de-listing of sites should follow some protocol that includes site assessment and public consultation.

**Table 3: List of Sites Recommended for Inclusion in the System of Protected Areas**

Site
<b>National Park = 1</b>
Soufriere National Park
<b>Forest Reserves = 8</b>
Richmond Forest Reserve
Cumberland Forest Reserve
Dalaway Forest Reserve
Kingstown Forest Reserve
Camden Park Forest Reserve
Kings Hill Forest Reserve Natural Landmark
Colonarie Forest Reserve
Mt. Pleasant Forest Reserve
<b>Natural Landmarks = 3</b>
Botanic Gardens Natural Landmark
Trinity Falls Natural Landmark
Dark View Falls Natural Landmark
<b>Cultural Landmarks = 7</b>
Layou Petroglyph Cultural Landmark
Fort Charlotte Cultural Landmark
Kingstown Historic Cultural Landmark District
Black Point Tunnel Cultural Landmark
Burial Ground of Chatoyer (Cultural Landmark)
Balliceaux Garifuna Heritage Site (Cultural Landmark)
Fort Murray Cultural Landmark
<b>Protected Landscape/Seascape = 1</b>
Mustique Island
<b>Wildlife Reserves = 17<sup>9</sup></b>
Milligan Cay Wildlife Reserve
Lapaz Rock Wildlife Reserve
Pigeon Island Wildlife Reserve
Isle de Quatre Wildlife Reserve
All Awash Island Wildlife Reserve
Catholic Island Wildlife Reserve
Catholic Rock Wildlife Reserve

<sup>9</sup> Big Cay Wildlife Reserve and West Cay Wildlife Reserve are counted as one.

<b>Site</b>
Battowia Island Wildlife Reserve
Frigate Island Wildlife Reserve
Petit Canouan Wildlife Reserve
Sail Rock Wildlife Reserve
Big Cay Wildlife Reserve
West Cay Wildlife Reserve
Northern Bequia Wildlife Reserve
Petit St. Vincent Wildlife Reserve
Palm Island Wildlife Reserve
Savan Island Wildlife Reserve
<b>Marine Parks = 5</b>
Tobago Cays Marine Park
South Coast Marine Park
Petit Byahaut Marine Park
Anchor Reef Marine Park
Chateubelair Islet Marine Park
<b>Marine Reserves = 3</b>
Mustique Marine Reserve
Isle de Quatre Marine Reserve
Canouan Marine Reserve
<b>Marine Conservation Areas = 3</b>
Bequia Marine Conservation Area
Union Island/Palm Island Marine Conservation Area
Petit St. Vincent Marine Conservation Area
<u>Source:</u> Master Plan for a System of Protected Areas and Heritage Sites (2004)

## **5.2 Support Systems for Protected Areas Management**

The Master Plan for a System of Protected Areas and Heritage Sites (2004) identifies a number of activities that must be undertaken for the development of the system of protected areas. The support systems necessary for site and systems development and management should include not only the standard operating procedures for site selection, monitoring, research, and other site management activities, but also procedures to address the range of private and civil society management and investment inputs.

A more comprehensive financing mechanism has to be developed in order to:

- Facilitate the integration of the conservation special funds permitted by the various laws;
- Support collection from, and allocation to, the range of public, private, and civil society institutions that will be involved in the various aspects of protected areas management;
- Provide for emergency situations, such as disaster recovery; and
- Support the long-term financial needs of the system of protected areas.

Due to the range of institutions that will participate in protected areas management in St. Vincent and the Grenadines, a structured coordinating mechanism has to be developed. That mechanism should be supported by the appropriate infrastructure to ensure multi-directional communication among the various institutional actors.

## **5.3 Current and Planned Initiatives**

There are a number of initiatives that are either focused directly at protected areas development, or that will produce indirect benefits to protected areas or the management institutions. The major initiatives are:

### **(a) CREP Amenity Area Demonstration Project**

The Caribbean Regional Environment Programme (CREP) Project is funded by the European Union through an agreement with the Caribbean Forum (CARIFORUM). The project, which covers 13 CARIFORUM states and is coordinated from Barbados, is intended to “...demonstrate a micro model for combining the objectives of environmental conservation with promotion of sustainable livelihoods in what are called Amenity Areas – natural sites of high ecological and economic value”. The demonstration site selected by the national consultation exercise in St. Vincent and the Grenadines was the area of North Leeward/Richmond/Lashum.

The objective of the project was to develop “cottage tourism” in the area, using the natural features of the area as attractions. The project was supposed to provide the following outputs:

- **Output 1:** Establish functional institutional arrangements between the key stakeholders and the communities.

- **Output 2:** Build the management capacity of the implementing non-governmental organizations to undertake the CREP project, with the intention that the management processes will improve similar practices in the wider community.
- **Output 3:** Develop alternative livelihoods for key stakeholder groups to reduce the pressure on sensitive natural resources.
- **Output 4:** Develop income-generating activities in the Amenity Area, based on sound business plans.
- **Output 5:** Develop the physical infrastructure needed to support the income-generating activities.
- **Output 6:** Conduct the assessments necessary to design coastal area defenses for the Richmond Beach and to sustain the Tri Tri fish stock.
- **Output 7:** Promote the project to ensure national visibility.
- **Output 9:** Document the historical and archeological resources of the site, and develop a restoration plan to support excavation of the site for eventual use as a tourist attraction.
- **Output 10:** Conduct project monitoring and evaluation.

The project was due to end in February 2006, and attempts during this review to determine the outcomes were unsuccessful.

(b) **Preparation of a Tentative List of World Heritage Sites**

Information received during the consultations for this review indicates that a draft Tentative List has been prepared for St. Vincent and the Grenadines, comprising the following sites:

- St. Vincent Botanical Gardens – Established in 1765 and has made a significant contribution to the development of botany in the New World. A comparative analysis with the Kew Gardens will be undertaken to establish the Outstanding Universal Value of the site. This initiative also has potential linkages with the Slave Route project.
- Tobago Cays Marine Park – An area of significant biological value identified as possessing the potential for the establishment of a trans-boundary world heritage site (jointly with Grenada).
- Petroglyphs of St. Vincent – Considered to be comparable with ancient North African scripts. The petroglyphs are found in several places on St. Vincent, and the designation need to be supported by an inventory and study of the origins of the petroglyphs.

This review did not identify the lead agency for this initiative. However, further work on the preparation of this Tentative List may be undertaken as part of the project to develop the 20 tourism sites and the system of protected areas and heritage sites.

**(c) OPAAL National Demonstration Project**

The implementation of national demonstration activities is one of the components of the OPAAL project (Appendix 1), and the site selected in St. Vincent and the Grenadines is the Tobago Cays Marine Park.

The project, which is being coordinated by the Marine Parks Board, is intended to last for four years. The Fisheries Division and The Nature Conservancy are providing technical support to the effort.

**(d) Development of Tourism and National Parks Sites**

The Master Plan for a System of Protected Areas and Heritage Sites (2004) was prepared as part of a tourism development project financed by the European Commission. This project is a continuation of that process, and focuses on the implementation of the Master Plan for protected areas and heritage sites. The main components of the project are “... *the development of twenty (20) tourism sites and of a National Park System, including the strengthening of the NPA*”.

The proposed project outputs are:

- National Parks Authority (NPA) established and operational.
- Project Support Unit (PSU) and Steering Committee established and operational.
- National Parks Management System for designated parks, protected areas, recreational sites and tourist attractions established and functional, with income generating measures implemented.
- Publicity and promotional programmes for the twenty (20) designated sites designed and implemented.
- Twenty (20) designated tourism sites developed in keeping with the National Parks Master Plan.
- Community organizations and other non-Governmental groupings actively involved in the development and co-management of the designated sites.

The project, which is a 3-year project commencing in early 2007, will be implemented by a consulting team, and coordinated through the Ministry of Tourism & Culture.

**(e) FAO Forestry Inventory Programme**

The Food and Agriculture Organization (FAO) is working with the Forestry Department of the Ministry of Agriculture, Lands and Fisheries to develop a three-year project that will include capacity building for forest and water management. The project is intended to:

- Provide alternative livelihoods for persons dependent on forest resources;
- Protect biodiversity;
- Reduce land degradation;
- Support reforestation efforts; and
- Protect water catchments and ecosystems.

This project is awaiting final approval.

(f) **National Capacity Self-Assessment for Global Environmental Management**

This project is part of a global initiative of the United Nations, implemented by the United Nations Development Programme (UNDP) and the Global Environment Facility (GEF) to determine the capacity needs of countries to implement the provisions of the UN Framework Convention on Climate Change, the Convention to Combat Desertification, and the Convention on Biological Diversity. Though the project will focus on the three conventions, the resulting capacity development initiative should improve the capacity of the relevant agencies to implement all multilateral environmental agreements.

The project is being coordinated by the Environmental Services Unit, Ministry of Health and Environment, and is expected to be completed by the end of 2006.

#### **5.4 Threats to Protected Areas**

The national disaster plan for St. Vincent and the Grenadines notes that “*St. Vincent and the Grenadines is vulnerable to the impacts of several natural and man-made disasters. The country has been affected by volcanic eruptions in 1789, 1812, 1902, 1971 and 1979. Additionally, it has been impacted by hurricanes in 1951, 1999, 2002 and 2004. The presence of the Kick ‘em Jenny Volcano also constitutes a permanent threat to the island. Apart from these natural events, the multi-island state lies in a major shipping channel making it vulnerable to the impacts of marine disasters such as oil spills. Other potential disasters include landslides, tidal surges, droughts, chemical spills, major transportation accidents ( land, sea and air), oil fires, civil strife and epidemics*”.

Natural and man-made disasters present a continuing and significant threat to protected areas in St. Vincent and the Grenadines. For example, the Falls of Baleine were temporarily closed to visitors at the beginning of 2006 due to land slippage. Clearly, any programme for protected areas must include a major component on comprehensive disaster management.

However, there are other chronic, but no less damaging, threats to protected areas resources. For example, effluent discharge and anchor damage from the yachting sector is a major cause of concern for the Tobago Cays Marine Park. On the terrestrial side, more attention should be paid to the management of the areas surrounding the waterfalls used as attractions. In a number of cases, particularly the Wallilabou Falls, the area immediately upstream of the falls is used as pasture for cattle. In these latter cases, threat reduction must involve the participation of a number of institutions not directly involved in protected areas management, as well as private citizens and community groups.

## 6. SUMMARY AND RECOMMENDATIONS

St. Vincent and the Grenadines continues the process of development of a system of protected areas, moving from system planning to system development, with several initiatives being managed by different institutions. However, the major initiative is the development of tourism sites and the national parks system.

The Master Plan for a System of Protected Areas and Heritage Sites (2004) identified most of the major issues to be addressed concerning protected areas development and management in St. Vincent and the Grenadines. As such, the issues noted below are those issues not addressed by the Master Plan, or issues where the recommended approaches are different from those recommended in the Master Plan.

### (a) **Absence of an Institutional Coordinating Mechanism**

The protected areas master plan proposes the Board of Directors of the National Parks, Rivers and Beaches Authority, with a committee structure, to function as the coordinating mechanism. Given the number of sites the Authority may have to manage, the narrow focus on the 20 recreational sites, the challenges of site management, and the need for dealing with a wide range of policy issues, it is recommended that the Environmental Services Unit in the Ministry of Health and Environment be give the responsibility for establishing/functioning as the coordinating mechanism for protected areas management.

### (b) **Rationalisation of Institutional Mandates**

The current legal framework creates substantial overlap in institutional responsibilities, particularly the National Parks Act (2002). As a result, the Master Plan for a System of Protected Areas and Heritage Sites recommends that “*management of marine parks should be assigned solely to the Marine Parks Board, with executive functions granted to the Fisheries Division*” (Section 5.2, page 63). However, the roles of the Forestry Department and the St. Vincent and the Grenadines National Trust must also receive serious attention.

It is here recommended that a much more comprehensive restructuring exercise be undertaken, wherein the roles of the various institutions be clearly defined, the necessary collaborative arrangements be identified and designed, and the functions of the National Parks, Rivers, and Beaches Authority become more focused.

### (c) **Refinement of the National Parks Act, 2002**

The National Parks Act (2002) not only creates conflicts between institutions, it has the potential to create conflicts between the National Parks, Rivers, and Beaches Authority

and the National Parks Board. The current language in the Act does not imply that the National Parks Board has direct fiduciary responsibility for the Authority, as would be expected if it was the Board of Directors of the Authority. The language suggests that the National Parks Board functions mainly in an advisory role to the Minister, though the Chair and Deputy Chair are responsible for the corporate seal of the Authority. Additionally, the National Parks Board appoints all levels of staff, except for the Director of National Parks, who is appointed by Cabinet.

It is recommended that the National Parks Act (2002) be repealed and replaced with an instrument that replaces the National Parks Board with a Board of Directors for the Authority (in keeping with the corporate nature of the Authority), removes the provisions for the Cabinet to appoint staff members (responsibility to be given to the Board of Directors), provides more coverage for the various terrestrial and marine ecosystems in the country, provides for the coordinating functions of the Environmental Services Unit, establishes clear linkages between the various management institutions, and rationalizes the protected areas financing mechanisms between the various legal instruments.

**(d) Development of Data Management Systems for Protected Areas**

The various initiatives will generate a substantial volume of primary data on the biophysical conditions at the various sites. That data should be captured and properly managed in order to support the operational monitoring and evaluation processes that will be subsequently established. Additionally, data on visitor use, community use, and community socio-economic conditions should be collected if the questions of impacts and benefits of protected areas are to be answered. The absence of water quality monitoring for recreational waters is especially troubling, given the fact that at least half of the 20 new sites to be developed are water-based attractions. Though there has not been any incidence of water-borne disease in St. Vincent and the Grenadines, the ability to definitively deal with questions of water quality is important in the tourism industry.

**(e) Disaster Management Planning**

The potential threat from disasters and chronic impacts is significant. However, threat management is one of the areas least addressed in protected areas management. All management plans should address the issue of threat reduction and disaster management, establishing clear linkages to the national disaster management systems and processes.

**(f) Sustainable Financing Mechanisms**

Establishment of a large number of sites will require not only a substantial initial capital investment, but also a substantial annual budget for maintenance. The experience throughout the Caribbean and globally indicates that user fees and other site-based fees

are inadequate to meet all the management costs. In the best cases, site-based fees have met only the basic operational costs of managing the sites. As such, St. Vincent and the Grenadines should move expeditiously to establish a special fund for protected areas management.

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CBD Website: <http://www.biodiv.org>

Ramsar Information: <http://www.wetlands.org/RSDB/default.htm>

Treaties: <http://sedac.ciesin.columbia.edu/entri/countryProfile.jsp?>

World Database on Protected Areas: <http://www.unep-wcmc.org/wdpa/>

World Heritage Convention: <http://whc.unesco.org/>

## **APPENDIX 1: Summary of OPAAL Project**

Source: Taken from the OPAAL Project Brief dated December 2004

### **The Project**

The origins of the present project began with a Block B grant awarded to St. Lucia in late 2001 to assist in the preparation of the “St. Lucia Coastal/Wetland Ecosystem Conservation and Sustainable Livelihoods Project.” A draft project brief was prepared by late May 2002. Following an internal Bank review of the project proposal, and further discussions with government officials and prospective co-financiers, consensus was reached on the need to adjust the project’s design toward an OECS-wide regional approach supporting national demonstration activities. This approach would better ensure the sustainable establishment and management of PAs in the OECS.

Factors that prompted this shift from a national to a regional approach included: (i) the need to demonstrate strategic consistency with the regional approaches embodied in the OECS Development Charter and the St. George’s Declaration of Principles for Environmental Sustainability in the OECS, the World Bank’s Country Assistance Strategy (CAS), and the other donors’ strategies; (ii) facilitating OECS countries’ efforts to mobilize needed resources to meet GEF’s co-financing requirements; (iii) gains in efficiency and economies of scale to enhance replicability and sustainability of the project’s objectives; and (iv) addressing the root causes of environmental degradation through improved coordination. Finally, a regional approach, channeled through an institution dedicated to the coordination of multi-national efforts, is more likely to ensure that PA project activities are better integrated, complemented and coordinated with other sustainable environmental initiatives in the region.

The Project Development and Global Objective of OPAAL is to contribute to the conservation of biodiversity of global importance in the Participating Member States by removing barriers to the effective management of protected areas (PAs), and increasing the involvement of civil society and the private sector in the planning, management and sustainable use of these areas.

The project intends to achieve this objective firstly by strengthening national and regional capacities in the sound management of PAs. This first component will provide support for a regional and national policy, legal and institutional reform process that will serve as the foundation for PA management at the national level. Included also as critical elements will be the updating of existing or preparation of new national PA system plans, and the support for studies that will provide solutions to the barriers of financial sustainability of PAs. OPAAL will also provide the necessary technical and financial support for the creation of new or strengthening of existing protected areas. The project will also support a regional umbrella programme as well as national elements on education, training and awareness as it relates to the importance of biodiversity and the management of protected areas.

OPAAL is actually geared towards providing global benefits through the conservation of globally significant biodiversity. As a consequence pre-selected sites in each PMS consisting of

dry and humid tropical forests, wetlands and tidal flats, sandy and rocky beaches, coral reefs, seagrass beds, mangroves, and offshore islets will be elevated to protected area status. Nesting sites for several endemic species, as well as sea turtles will also be protected. Most importantly these global benefits will be closely linked to demonstrable benefits for local populations including generally improved environmental integrity and natural amenity values such as watershed protection, and protection of the resource base, one of the region's most important source of foreign exchange – tourism. Perhaps the most important benefit will be the newly developed constituencies for biodiversity conservation who will act to promote conservation and sustainable development due to the tangible economic benefits and improved economic opportunities.

The project is also geared to providing benefits to those target groups associated with project-supported PAs, particularly where that association implies a dependency on the resources for livelihood support or where there is a displacement of the livelihoods because of the legal declaration of protection. Where the nature of that dependency is not compliant with the goals of protection for the area, the project will provide for the identification of alternative sources of livelihoods that will ensure equal or greater socioeconomic benefits than previously obtained. The empowerment of target groups/persons will be effected through appropriate capacity building initiatives undertaken by the project, which will be geared towards securing the sustainability of these alternative livelihoods. In the process of providing for the enhancement of existing livelihoods, (where compatible with protection objectives), and/or the provision of alternatives, the project will foster partnerships with appropriate national, regional and community development agencies and organizations.

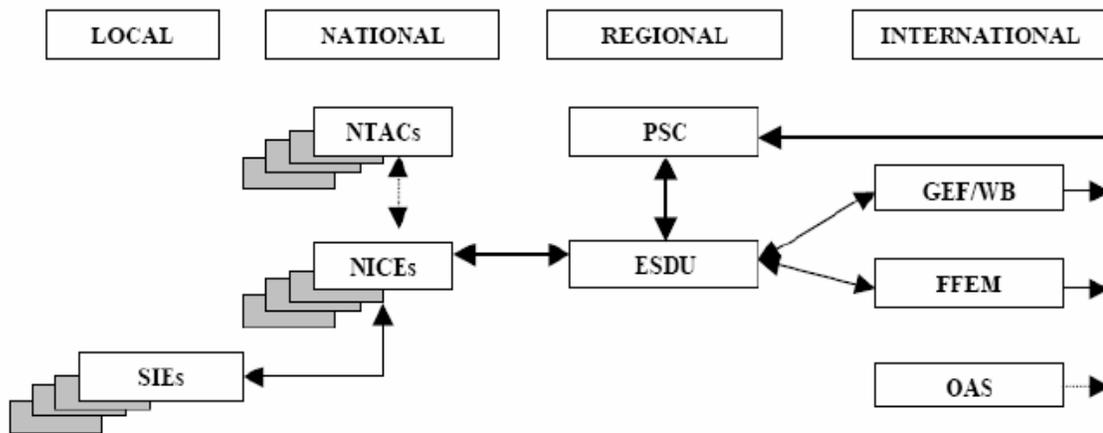
OPAAL will also support marketing research, consultations and interviews with key governmental and NGO agencies, and on-site visits with local entrepreneurs and businesses where needed. In all cases, the project would address livelihood issues of affected populations in a manner which is fair, just, and in accordance with local laws, as well as consistent with the World Bank's Safeguard Policies on Involuntary Resettlement (OP 4.12) and Natural Habitats (OP 4.04).

### **Administration**

In order to facilitate implementation at the national level, ESDU will implement the project, in close collaboration with the national implementing entities (see below) for project activities at national and local levels. ESDU's main tasks will be to: (i) administer and manage the project; (ii) ensure coordination of project activities with participating countries, relevant regional and international institutions (such as the CCA, CEHI, CARICOM, UNEP and UNDP, etc.) and other stakeholder (civil society, communities, NGOs and private sector); (iii) work with the participating countries for the implementation of country -level activities; (iv) procure goods, works and services; (v) monitor and evaluate project progress, (vi) ensure proper project accounting and financial management, (vii) contract annual external auditing of project accounts, and (viii) represent the project before the Project Steering Committee (PSC).

To carry out its responsibilities under the project, ESDU will hire, with grant funds, a protected areas specialist who will also serve as field officer, a communications officer, and an administrative assistant all of whom will be housed at the offices of ESDU. The Project Coordinator who is the Programme Officer responsible for the Biodiversity and Protected Areas functional area will report directly to the Head of ESDU who will serve as Project Director. All ESDU staff and other function managers (Sustainable Livelihoods, Environmental Planning and Management, and Education Training & Awareness) are assigned specific project responsibilities and will assist the Project Coordinator as necessary and appropriate. The Figure below outlines the proposed organizational structure of the project.

**Project Organisational Structure**



At the national level, each participating country will identify a National Implementation Coordinating Entity (NICE) that will have the responsibility for: (i) preparing national annual work plans and budgets, (ii) day -to-day implementation of project activities at the national level, (iii) managing/supervising the implementation of local site activities in collaboration with the Site Implementing Entities (SIEs) and beneficiaries of livelihoods subprojects, and (iv) liaise directly with the ESDU on matters relating to project implementation. Whenever possible, the PMS intend to use already existing institutional structures (government agencies, NGOs, etc) to serve as NICES.. The NICE will also participate in the PSC on a rotating basis (discussed under PSC below). All NICE will designate a National Coordinator who will be directly responsible for project coordination and implementation at that level. The activities of the National Coordinator will also be supported by other government agencies with relevant mandates.

At the sites of project-supported PAs, Site Implementing Entities (SIEs) will be set up with a PA Manager assisted by relevant staff (including rangers and others) to undertake the day -to-day management of the PA and related site-specific project activities.

Community groups living in and around the PAs, appropriate public and private agencies and relevant local stakeholders will also have representation in the SIE in an advisory capacity to assist the PA Manager. The SIE will participate actively in the implementation of component 2 and 3 of the project. SIEs will also participate in the National Technical Advisory Committees

(NTACs) and will advise and/or collaborate closely with the NICEs on the implementation of site activities.

Regional oversight will be provided by the Project Steering Committee (PSC) which will (i) approve the annual work plans and associated budgets, (ii) monitor project progress; (iii) review, analyze and provide guidance to the ESDU on project issues during the course of project implementation in accordance with a project operational manual acceptable to the Bank. The PSC will consist of 2 representatives from 2 PMS, the latter, which will be rotated annually. The representation from each PMS will comprise: (i) the Head of the national agency responsible for parks and protected areas and/or a representative of the NICE where appropriate; and (ii) the ESDU National Technical Focal Point who is also the most senior technical officer in the Ministry of Environment of the relevant PMS. The OECS Secretariat will chair the PSC; ESDU staff will be exofficio members. The PSC will meet twice a year in the first year and annually thereafter.

At the national level, the project will be monitored and guided through a National Technical Advisory Committee (NTAC), an inter-sectoral, inter-agency body that will include representatives from relevant government agencies and public and private institutions, including NGOs, involved in environmental management in general and biodiversity management, in particular. The NTACs will: (i) provide broad technical and policy advice to the National Implementation Coordinating Entities or NICEs and (ii) review national strategies/workplans and associated livelihood subprojects. Participating Member States will be encouraged to use existing National Biodiversity Committees as NTACs for the project.

The OECS OPAAL project is co-financed under parallel funding arrangements by the Organization of American States (OAS) and the Government of France through its Fonds Francais de L'Environnement Mondial (FFEM) with US\$0.35 million and Euro 1.32 million respectively. The Global Environment Facility will provide US \$3.7 million through the World Bank, with the PMSs and the OECS Secretariat US \$ 1.88 in in-kind contributions bringing the total project cost to approximately US \$7.57 million. This five year project which was launched in December 2004 is envisaged as the initial stage of a 15 year programme for the management of Protected Areas in the OECS. This essentially means that post-project activities will aim to secure the sustainability of the protected areas management and hopefully securing the long-term inclusion of the natural environment in general into the sustainable development portfolio of OECS Member States.

## **APPENDIX 2: Terms of Reference**

### **POLICY, LEGAL AND INSTITUTIONAL REVIEW: OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS (OPAAL) PROJECT**

#### **1. Background**

The OECS Secretariat through its Environment and Sustainable Development Unit (ESDU) has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. This initiative is being executed in partnership with the International Bank for Reconstruction and Development (the World Bank) acting as an Implementing Agency of the GEF; the Fonds Français pour l'Environnement Mondial (FFEM) of the Government of France; and the Organisation of American States (OAS).

Recognizing the importance of the sustainable management of its natural resources and rich biodiversity, the Governments of the OECS Participating Member States (PMS) have made significant commitments to protecting their countries' resources. Some of these include their status as signatories to international conventions, the formulation and adoption of policy statements, legal and institutional instruments, recent environmental programs, and financial support of conservation activities through budget allocations. At the sub-regional level, the OECS Member States in the year 2000 issued and subsequently endorsed the St. George's Declaration of Principles for Environmental Sustainability in the OECS, which includes a commitment to the conservation of biological diversity and the protection of areas of outstanding scientific, cultural, spiritual, ecological, scenic and aesthetic significance. Member States have also begun translating their international and regional commitments into tangible actions at the national level. An example of this is the production of the National Environmental Management Strategy, the outcome of the commitment to the regional OECS Environmental Management Strategy. The international commitment to the SPAW protocol under the Cartagena Convention is of even greater relevance to the context of this TOR. The recognition of the importance of this protocol and national commitment has crystallized in the establishment of protected areas (PAs) as the primary method of preserving biodiversity and conserving valuable natural resources assets.

Despite these positive achievements, significant impediments continue to exist in terms of an effective framework for establishing and managing protected areas (PAs) which can ensure that the integrity of the region's fragile biodiversity is not further compromised. Existing institutional arrangements within PMSs are weakened by gaps in the present policy framework. These include limited incorporation of environmental and social costing into economic decision making and inadequate systems that encourage and promote integrated planning, information sharing and collaboration among agencies and other stakeholders.

The need to upgrade existing laws and institutional arrangement for environmental management in the OECS has been recognized. Presently one initiative is facilitating a review of environmental legislation and development of model OECS environmental frame legislation. A UNEP review of legal and institutional arrangements for biodiversity-related MEAs is also

being undertaken within the OECS. With respect to protected area establishment and management, many existing laws and the have been in existence for a considerable time and as such do not embrace contemporary approaches to environmental management and should therefore be updated. At national levels, present legal structure fails to provide a comprehensive framework for biodiversity conservation and the establishment and management of protected area (PA) at both national and regional levels. Currently, the responsibility for PA management is legally granted to multiple agencies without articulating the strategies by which for collaboration and integration of the assigned responsibilities. In some cases, this has resulted from new legislation being enacted without the amendment or rationalization of existing laws, leading to redundancy and jurisdictional conflict. In other cases, existing laws have yet to yield the promulgation of necessary rules and regulations necessary for effective control and enforcement. Certain laws recently created for the establishment of National Parks and other categories of PAs have demonstrated deficiencies as they have been implemented, and thus require some degree of adjustment. In addition to all these technical aspects, institutional capacity within PMSs remains limited and requires urgent attention. In this regard, legal and institutional frameworks in support of PA establishment and management must be so construed so as to provide for efficient and effective use of available resources.

Component 1 of OPAAL seeks to facilitate more effective institutional framework for conservation management through providing a critical focus on the existing natural resources, legal and institutional frameworks to promote conservation and protected area establishment and management. As such, the project aims to facilitate a harmonised approach to the creation and management of protected areas (PA) in the OECS region Protected Area. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

## **2. Objective**

The objective of this exercise is to undertake preliminary work towards achieving policy, legislative and institutional arrangement reforms in PMSs. These will facilitate the evolution of a harmonised approach to the creation and management of PAs in the OECS region. The required work falls reflects the Policy, Legal and Institutional Arrangements Reform sub-component of Component 1 of the OPAAL Project.

## **3. Task Methodology**

The Contractor will be required to:

- a. Conduct reviews of existing policy, legal and institutional frameworks in support of PA establishment and management in PMSs;
- b. Undertake a comparative analysis of national frameworks to identify existing weaknesses and strengths in terms of existing policy, legislation and institutional arrangements for PA establishment and management in the region;

- c. Report the outcome of the aforementioned tasks to ESDU, highlighting suitable approaches for enhancing PA establishment and management through improved policy, legal and institutional arrangements at both national and regional levels. Specific detailed recommendations regarding the development of harmonized policy, legislation and institutional arrangements in support of PA establishment and management within the region are to be incorporated and will subsequently inform the development of harmonised policy, legislation and institutional framework for Protected Areas within the OECS.

#### **4. Scope of Services**

The Assignment will be divided into the following three phases.

- a. National PA Framework Reviews

The first phase of the consultancy will include a review of relevant literature and on-going initiatives related to policy, legal and institutional arrangements within the PMSs that is of relevance to the OECS region (including the work related to the development of environmental frame legislation and legal and institutional arrangements for biodiversity conservation mentioned earlier and the respective National Environmental Policies and National Environmental Management Strategies of the PMSs). This information should be incorporated into the following phases of the work.

- b. Consultation with PA establishment and Management Stakeholders

In order to adequately interpret the level of efficacy of existing policy, legal and institutional arrangements and to assess the practical implications of existing measures, the Contractor is to consult with all relevant management agencies and stakeholders at both national and regional levels, including government and non-government agencies which, consequent to existing or proposed laws or policies, are responsible for PA establishment and/or management. All relevant private sector entities, community-based organisations, and resource users who either contribute to PA management or whose livelihoods are affected by the establishment and operation of PAs are to be included.

- c. Comparative Analysis for Developing a Harmonised PA Framework

Pursuant to the outputs generated within the first and second phases, the Contractor will, identify existing weaknesses and strengths in terms of existing policy, legislation and institutional arrangements for PA establishment and management at both country and OECS levels, making determinations as to the adequacy of the legal instruments and arrangements in meeting the various obligations re: protected areas under the various MEAs. This phase is also to consider existing policy, legal and institutional aspects in terms of the degree to which they may promote or impede the development of a harmonised approach. It should also suggest relevant synergies and operational aspects which may be required for such an approach, including the creation of synergies with other relevant initiatives being presently undertaken within PMSs and the region. For this phase of the work the Contractor will collaborate with relevant Staff of OPAAL

Project in finalising potential approaches for the way forward and related administrative concepts for the harmonised approach towards PA establishment and management within the OECS.

The Contractor will present the reports of the national reviews and comparative analysis to ESDU for consideration and discussion, prior to their finalisation.

## **5. Outputs**

Using the phased approach identified above, the following outputs will be delivered:

- a. Six reports outlining and critiquing the adequacy/effectiveness of existing policy, legal and institutional frameworks in support of PA establishment and management within each PMS.
- b. A report on the comparative analysis of national frameworks, including specific recommendations for improvements in the policy, legal and institutional systems in place and implications in terms of the establishment of a harmonised framework for the OECS.

## **6. Project Execution and Administration**

The Project Coordinator-OPAAL or any other officer designated by him will administer all aspects of this contract.

This is a fixed price contract. Travel within the six PMSs will be a necessary part of this contract and the cost of other such travel for aspects such as transportation, accommodation, consultation with stakeholders and per diem, etc., is to be incurred by the Contractor as part of this Contract.

All communications between the Contractor and the Project Coordinator-OPAAL for the assigned work should be copied to the Head of Unit - ESDU.

The Project Coordinator-OPAAL will collaborate with the Contractor on the preparation of a brief plan of action that identifies activities necessary to achieve the deliverables identified in this Terms of Reference. This requirement is in order to ensure the deliverables identified in this Terms of Reference are achieved in an effective and efficient manner.

The Contractor will manage his/her time and responsibilities to ensure timely delivery of outputs required under this Terms of Reference.

## **7. Qualifications and Experience of Contractor**

The Contractor is expected to possess skills and at least ten (10) years experience in the following areas:

1. Institutional Analysis (including aspects of national/international environmental policy);
2. Environmental Law.

The Contractor should also have a demonstrated familiarity with theoretical and technical aspects of Protected Areas development and management.

## **8. Timing**

It is anticipated that the Contractor will be selected by the OECS-ESDU and that the contract will commence as of November 1st 2005 and be completed no later than February 28<sup>th</sup>, 2006. As the first activity, the Contractor will submit for approval of the ESDU a proposed plan of work containing timing for completion of foreseen tasks. The OPAAL staff will facilitate consultation with Governments and other national and regional partners, as and when necessary. The reports on the review of national policy, legal and institutional frameworks for the six PMSs will be due no later than February 15<sup>th</sup> 2006.

## **9. Reporting**

The Contractor will provide the following:

1. Six country reports detailing and critiquing the existing national policy, legal and institutional frameworks in each PMS;
2. One report on the comparative analysis of national frameworks

All reports will be issued in Word format and will each take the form of one hard copy and one electronic copy, submitted to the Project Coordinator- OPAAL .

**APPENDIX 3: Institutions Consulted**

<b>Name of Person</b>	<b>Designation</b>	<b>Contact</b>
<b>Office of the Prime Minister</b>		
Mr. Godfred Pompey	Permanent Secretary	Tel: 784-457-1426 pmosvg@caribsurf.com
Mr. Edwin Snagg	Director of Grenadines Affairs	Tel: 784-456-1111
<b>Fisheries Division</b>		
Mr. Raymond Ryan	Chief Fisheries Officer	Tel: 784-456-1178 fishdiv@vincysurf.com
<b>Forestry Department</b>		
Mr. Brian Johnson	Chief Forestry Officer	784-453-3340 forestrysvg@vincysurf.com
Mr. Fitzgerald Providence	Manager, Integrated Forestry Management Unit	784-457-8594 fitzpro@yahoo.com
<b>Ministry of Tourism &amp; Culture</b>		
Ms Laverne Grant	Permanent Secretary	784-457-1502 tourism@caribsurf.com
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Ms Faylene Scrubb	Tourism Planner	784-457-1502 tourism@caribsurf.com
<b>Environmental Services Unit</b>		
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<b>National Emergency Management Office</b>		
Mr. Howie Prince	National Disaster Coordinator	784-456-2975 nemosvg@yahoo.com
<b>Central Planning Division</b>		
Mr. Arden Nelson	Physical Planner	784-485-6374
Mr. Bently Browne		babesvg2001@yahoo.com
Mr. Berisford George	Economist	784-456-1111 berisfordg@yahoo.com
Mr. Rohan Stowe	Projects Officer	784-456-1111 nubian22@hotmail.com

Name of Person	Designation	Contact
<b>National Maritime Administration</b>		
Cmdr. David Robin	Director of Maritime Administration	784-456-1378 office.natsec@mail.gov.vc
<b>North Leeward Tourism Association</b>		
Ms Julita Edwards	CREP Project Manager	784-485-7870 jedwards@vincysurf.com
Ms Dora James	Board Member	784-458-2051 cool@caribsurf.com
Mr. Emerson Edwards	Board Mamber	784-531-9940
Mr. Erasto Robertson		
Ms Currel Thompson		currel@gmail.com
Mr. Clem Derrick		784-485-7401 derrickjill@hotmail.com
Hon. Jerrol Thompson	Minister of Telecommunications, Science, Technology and Industry	
<b>St. Vincent and the Grenadines National Trust</b>		
Ms Kathy Martin	Chairperson	svgnatrust@vincysurf.com
<b>Tobago Cays Marine Park Board</b>		
Father Andrew Roache	784-458-8405	

**APPENDIX 4:  
Questionnaires for Protected Areas Management Institutions**

**OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT**

**REVIEW OF POLICY, LEGAL, AND INSTITUTIONAL FRAMEWORKS  
FOR PROTECTED AREAS MANAGEMENT**

**PROFILE OF PROTECTED AREA MANAGEMENT INSTITUTION  
FOR  
COUNTRY REPORT**

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The OECS Secretariat, through the Environment and Sustainable Development Unit (ESDU), has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. Component 1 of this Project seeks to facilitate the development of a harmonised approach to the creation and management of protected areas in the OECS region. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

This questionnaire is part of the review of existing policy, legal, and institutional frameworks in support of protected areas establishment and management, and is **to be completed by institutions that have direct management responsibilities for protected areas.**

The completed questionnaire should be submitted in digital form (PDF or Microsoft WORD format) to Lloyd Gardner at: [lgardne@uvi.edu](mailto:lgardne@uvi.edu). For additional information, call Lloyd Gardner at: 340-513-3562.

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**NAME OF INSTITUTION:**

1. Contact Information:
  - Address:
  - Telephone:
  - Facsimile:
  - E-Mail:
  - Name & Position of Officer in Charge:
2. Legal Basis for Institution (laws providing mandate):
3. State Organisational Mandate and Current Objectives:
4. Staffing Levels (Number and qualifications of professional and technical staff):
  - Number of full-time employees and assigned positions
  - Qualifications relative to job descriptions

- Number of volunteers
5. Information Systems
    - Available Library/Documentation Facilities:
    - Type of Computerised Data Systems in Place (PC, LAN, etc.):
    - Databases Available:
    - Involvement in Regional Information Network (e.g. SIDSNET, CaMPAM, etc.):
    - Programme/Project Review Procedures:
  6. Reporting Mechanisms (receiving institutions, format, frequency):
    - National:
    - Regional:
    - International:
  7. Annual Budget:

Budget Head	Fiscal Year				
	2000/01	2001/02	2002/03	2003/04	2004/05
Recurrent					
Capital					
Grants					
<b>Total</b>					

8. Sources of Funds:
9. Activities and Constraints
  - a) List the types of activities that the institution executes routinely
  - b) List the type of activities that the institution would like to execute routinely, but does not because of resource constraints
  - c) List the major resource constraints that affect the execution of the institution's activities
  - d) List the major government policy constraints that affect the execution of the institution's activities
10. Project Execution History
  - a) Number of projects planned or designed in the last five years.
  - b) Number of projects started in the last five years.
  - c) Number of projects completed in the last five years

11. Public Participation
  - a) Who are the stakeholders with which the organisation interacts?
  - b) How do the stakeholders impact on the efficacy of the organisation in carrying out its functions?
  - c) Describe the external network(s) of which the organisation is a part?
12. List the opportunities and obstacles which exist in the operating environment?
13. List the Major Issues for your Institution (with #1 being the most important).
14. What are the Priority Issues to be addressed for Protected Areas Management in your Country (with #1 having highest priority)?

Name of person completing the questionnaire:

Position:

Date:

**OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT**

**REVIEW OF POLICY, LEGAL, AND INSTITUTIONAL FRAMEWORKS  
FOR PROTECTED AREAS MANAGEMENT**

**PROFILE OF PROTECTED AREAS PARTNER INSTITUTION  
FOR  
COUNTRY REPORT**

The OECS Secretariat, through the Environment and Sustainable Development Unit (ESDU), has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. Component 1 of this Project seeks to facilitate the development of a harmonised approach to the creation and management of protected areas in the OECS region. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

This questionnaire is part of the review of existing policy, legal, and institutional frameworks in support of protected areas establishment and management, and is to be completed by institutions that **do not have direct management responsibilities**, but whose mandates and/or activities affect protected areas programming and management.

The completed questionnaire should be submitted in digital form (PDF or Microsoft WORD format) to Lloyd Gardner at: [lgardne@uvi.edu](mailto:lgardne@uvi.edu). For additional information, call Lloyd Gardner at: 340-513-3562.

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1. Name of Institution:
2. Address:
3. Telephone; Fax; Email:
4. Primary Area of Focus of Institution (one paragraph description):
5. Secondary Area(s) of Focus of Institution (one paragraph description each):
6. Activities of Institution that are Relevant to Protected Areas:

7. Resources Committed to Protected Areas Activities in the past 5 years:

<b>Fiscal Year</b>	<b>Financial Resources (US\$,000)</b>	<b>Human Resources (Person Days)</b>	<b>Other (quantify)</b>
2000/01			
2001/02			
2002/03			
2003/04			
2004/05			
<b>Total</b>			

8. Laws/Regulations of Institution that are Relevant to Protected Areas:

9. List Policies/Mandates of Institution that are Relevant to Protected Areas:

10. Describe the Nature of any Existing Relationship with any Protected Areas Management Institution:

11. What are the Most Relevant Issues for Protected Areas Management in your country (list in order of priority, with 1 being the highest priority):

12. Name and Contact Information for Officer dealing with Protected Area Issues in your Institution:

Name:

Position:

Telephone:

Fax:

Email:

Name of person completing the questionnaire (if different from No. 12):

Post:

Date:

Thank you for taking the time to complete this questionnaire.

**APPENDIX 5:  
Summary of Land Use Policies for St. Vincent and the Grenadines**

Source: Draft National Physical Development Plan

By 2021, the population of St Vincent and the Grenadines will grow from 105,501 to 130,765, an increase of some 25,264 persons. According to present trends, it is expected that the majority of these will be living in urban areas. In addition, it is expected that economic progress will continue in the major sectors of agriculture and fisheries, manufacturing, tourism, services, etc. The future increased population, greater urbanization and expanded economic activities of the country, and rising affluence of Vincentians will create great demands – for employment; for the full range of public and private services; and especially for land to be developed with housing, work places, commercial establishments, schools, parks and all the myriad of facilities that Vincentians will require to achieve and maintain a good way of life.

In order to meet the many existing and anticipated future needs of the country, it is essential that national physical planning policies be adopted as guidelines for development so that it can proceed in an orderly and balanced manner. It is essential also that such physical development policies be integrated with those adopted for economic and social progress so that each policy reinforces the other. This plan presents proposed long-range physical development policies for the entire country. Long-range regional and urban plans are also being prepared at a more detailed level within the framework of this national policy plan. From these long-range plans, Government's five-year plans can make specific recommendations for economic, social and physical development for short-term periods.

The major policies of this National Physical Plan are summarised below in accordance with the major sections of the Plan. In each section, the most general recommendation is listed as Number 1.

**AGRICULTURE, FORESTRY AND FISHERIES**

1 Provision for significantly increased income levels and living standards of persons engaged in agriculture, based on integrated rural and small town development, and for highly increased agricultural production that would satisfy domestic demands and be competitive in export trade in the global economy,

2. Preservation and maintenance of lands with high agricultural capability for agricultural use only, except where change of use of specific areas is justified as being in the public interest, based on detailed socio-economic and feasibility studies;

3. Zoning /Designation of particular areas for specific crops based on ecological suitability, infrastructure development and accessibility to markets;

4. Zoning/Designation of specific areas for intensive vegetable cropping to serve urban and tourism markets and food processing industries;

5. Rapid development of lands specifically designated as pasture for beef, dairy cattle and poultry production in ecologically suitable areas for domestic markets and export;

6. Legislation of “Idle Lands” laws.
7. Afforestation of large areas, mostly in Central St. Vincent, for commercial use and in many places for watershed protection and recreation;
8. Restriction of development activity above the 1000 ft Contour except where justification satisfies critical national goals;
9. Change of use of cultivated lands of marginal ecological suitability to tree crops, forest and conservation;
10. Preservation of good fishing beaches through the application of Beach Control Laws; and development of major fishing harbour facilities in the Barrouallie, Calliaqua, Kingstown, Chatueabelair and Grenadines areas.

### **TOURISM**

1. Integration of Tourism related policies and strategies into land use planning and so provide a destination/market that is globally competitive based on comparative advantage related factors;
2. Provision for a significant number of additional tourist rooms and additional jobs in tourism;
3. Development of two general types of tourist facilities resort centres and resorts focused on the several different types of Vincentian environments and attractions including the Villa area, designated rural areas and the entire Grenadines;
4. Application of a specific locational strategy, based on zoning, in order to provide a guide to developers and to encourage concentration of development in order to minimize infrastructure costs. C
5. Continued development of the Cruise ship and Ferry Facility in Kingstown;
6. Rapid development of a full range of tourist attractions which reflect the Vincentian landscapes and cultural heritage;
7. Improvement of transportation facilities to benefit tourism, as well as other economic sectors,
8. Reconciliation of tourism and domestic demands on attractions, especially beaches;
9. Subject sensitive/high impact tourism development proposals to Environmental Impact Assessments (EIA)
- 10 Focus on up-marketing tourism instead of mass tourism which has the potential to be more damaging to the fragile environment,

### **MANUFACTURING INDUSTRY**

1. Provision for a significant number of additional jobs in manufacturing and reservation of an additional amount of land for further industrial expansion.
2. Development of an industrial region in the Diamond estate area with a major focus on facilities to support light and medium industries.

3. Continued development in the Campden Park industrial zone
4. Provide necessary infrastructure to accommodate industrial duty-free zone - best located in close proximity to international airport;
5. Staged development of small industrial estates in all political constituencies, based primarily on local supplies of raw material, employment needs and service to local markets.
6. Provision of a variety of types of new industrial areas including: isolated sites for heavy industry; large industrial estates with varying lot sizes for general manufacturing; and mini-estates for small factories;
7. Opportunities for development of new and very small industrial operations;
8. Integration of industrial areas with the transportation system in comprehensive regional plans,
9. Subject high impact development proposals to Environmental Impact Assessment (EIA).

### **URBAN STRUCTURE AND POLICY**

1. Provision for the continued development of Kingstown as the primate city by offering a greater choice of urban living environments throughout the country in order to relieve population pressures in Kingstown;
2. By the provision of a higher level of services to rural areas, and promote integrated regional development;
3. Designation of an urban structure comprised of Kingstown as capital; and regional centres at Barrouallie, Mesopotamia and Georgetown; sub regional centres at Troumaca, Layou, Vermont, Calliaqua, Stubbs, Biabou, North Union, Colonaire, Georgetown and Sandy Bay in urban development based on appropriate studies;
4. Adoption of a national urban policy, based primarily on the urban structure, to include:
  - (a) development and distributions of new sources of employment;
  - (c) development of integrated town centres with public and commercial activity areas; and
  - (d) encouragement and incentives given to private enterprise to follow national urban policy.

### **POPULATION AND HUMAN SETTLEMENT**

1. Based on the economic and urban development policies, provision for a future distribution of population which is better balanced among regions, sub regions and towns than that experienced by current trends;
2. If the National Plan policy recommendations are followed, the population distribution would generally be:
  - (a) a somewhat slower rate of growth in the Kingstown to Prospect area, although

there would still be a substantial population increase in these areas;

- (b) an increased rate of growth in Central Leeward and Central Windward areas and other areas outside of Kingstown;
3. Integrate pre-disaster planning in human settlement planning;
  4. Protect critical areas including coastal zones and fragile ecosystems from negative impacts of human settlement;
  5. Provide and enforce legislation to prevent squatting.

### **HOUSING**

1. Provision of better housing for all Vincentians, especially to fill the large gap between existing and projected needs and supply. Because, of the importance of housing in economic and social development; this will require construction of a significant number of housing units for all income groups by 2021;
2. Adoption of various techniques to reduce land and infrastructure costs.
3. Increase on the availability of housing mortgage money.
4. Development of planned self-improvement areas in strategic urban and rural locations, with provision by Government of the land, proper subdivision of the land, the essential community facilities and utilities and some technical assistance.
5. Regularisation, upgrading and relocation in designated squatter settlements.
6. Provision of an effective land management and delivery system for housing development in order to prevent planning related problems such as squatting.

### **UTILITIES**

1. Provision of adequate water supplies, sanitary sewerage, electricity, telephone and other utilities for domestic, tourism, industrial and agricultural purposes when and where required;
2. Conservation, through a variety of techniques, of water supplies;
3. Availability of electric power to all households and all industrial and commercial establishments.
4. Availability of telephone service to all households and all industrial and commercial establishments.
5. Provision of pipe borne water supply to all households.

### **SOCIAL FACILITIES**

1. Provision for the full range of properly located facilities required for the social development of Vincentians to be in concert with economic development;
2. Availability of educational facilities when and where needed so that all children ages from kindergarten level and 5, through to 18 can attend school;

3. Rapid development of facilities for vocational-technical education, literacy classes, basic school education and other special programmes so that education is responsive to the specific need of the society;
4. Development of new district hospitals, expansion of existing hospitals and continued development of health and family planning centres in concert with needs of the society;
5. Continued development of community centres, learning resource centres, youth centres, youth camps, hostels and old age homes throughout the country.

### **PARKS, RECREATION AND CONSERVATION**

1. Provision for an integrated national system of a wide range of park, recreation and conservation reflecting St. Vincent and the Grenadines social needs and natural environments.
2. Reservation and, where appropriate, development of:
  - (a) public recreation beaches strategically located along the coastline to serve urban and rural areas;
  - (b) inland recreation areas offering a variety of activities;
  - (c) national parks representing large multi-purpose recreation and conservation areas;
  - (d) marine parks for observation of marine life; and
  - (e) specific conservation (preservation) areas which represent unique features of St. Vincent and the Grenadines natural environment and are ecological important
3. Application of conservation measures to all of the offshore reefs because of their economic and aesthetic value.
4. Development of a system of scenic roads and hiking trails and proper maintenance of existing ones
5. Designation preservation of national monuments and numerous sites of historic and archaeological interest.

### **TRANSPORTATION**

1. Provision of an integrated transportation system to serve St. Vincent and the Grenadines economic and social needs.
2. Development of airports, seaports and bus transits. Development of an international airport at an appropriate location - based on recommendations from feasibility studies.
3. Expansion of a national road system to consist primarily of the main arterial system connecting the regional and sub-regional urban centres and a secondary system to serve the district towns.
4. Development of major highways from Fancy to Richmond and a Cross Country road to link

the Leeward and Windward communities - based on recommendations of feasibility studies.

5 Greater integration of transportation planning with land use planning and development.

### **ENVIRONMENTAL QUALITY**

1 Maintenance and enhancement of the quality of St Vincent and the Grenadines diverse environments and ecosystems for the safety and enjoyment of both residents and visitors without unduly inhibiting economic and physical development.

2. Enforce carrying out of Environmental Impact Assessments in all sensitive development proposals.

3. Greater application of water (surface, underground and marine) and air pollution controls and eventual adoption of noise level controls.

4. Greater application of environmental design techniques and controls including:

- (a) afforestation and other erosion controls;
- (b) rehabilitation of the degraded Rabacca area,
- (c) carefully designed roads, especially in hilly terrain;
- (d) improved subdivision design in hillside areas;
- (e) tree-cutting controls and landscaping programmes;
- (f) prohibition of large advertising signs and control of small signs;
- (g) undergrounding of utility lines, where feasible
- (h) litter controls,

5. Preservation of open space in and near urban areas.

### **AESTHETICS**

1. Maintenance and preservation of the natural beauty of St.Vincent and the Grenadines through the enforcement of standards, legislation and regulations.

2. Ensure that the built environment focuses on a specific Vincentian image which facilitates the maintenance and preservation of the natural beauty of the country.

### **PLAN IMPLEMENTATION**

1. Adoption of this plan as national policy for physical development;

2. Use of this plan as the framework for preparation of regional and urban plans;

3. Maintenance of a permanently continuing physical planning programme at the national level to include the functions of:

- (a) data collection and analysis

- (b) review and adjustment to existing physical plans and preparation of new plan;
- (c) co-ordination of the long-range public investment programmes, including co-ordination of establishment of priorities of all Ministries concerned with physical development
- (d) guidance and direction of private investment through the use of various techniques.

### **LEGISLATION AND INSTITUTIONAL FRAMEWORK**

1. Revise the Town and Country Planning Act No. 45 of 1992 in order to remove existing ambiguities so that the act would be more effective in its mandate to manage planning and development in St. Vincent and the Grenadines,
2. Develop and legislate necessary regulations, standards and guidelines to implement the provisions of the Town and Country Planning Act.
3. Enforce the provisions of the Planning legislation in a purposeful, fair and transparent manner,
4. Promote mechanisms for integrated approach to development planning to achieve production relationships among various Government, private sector, NGO's and general public:
5. Increase and improve human resource capability to adequately address issues related to sustainable development planning.
6. Increase use of appropriate technology to facilitate planners at work.

**APPENDIX 6:**  
**Priority Issues to be Addressed in the Development of the System of Protected Areas**

Source: Master Plan for a System of Protected Areas and Heritage Sites (2004)

***Issue #1: The level of public knowledge, understanding and appreciation of protected area categories and their management objectives:***

- Various stakeholders and the public at large are not fully aware that various management categories can and should be used to achieve the aims of a protected area and heritage sites system. Additional public awareness on the meaning and value of the various protected area management categories is required.
- The enabling National Parks legislation does not recognize any other protected area category besides National Parks and would therefore need to be amended to make provisions for others, such as Cultural Landmarks and Natural Landmarks.
- The desired level of public support for the system will not be attained until the public understands and appreciates the benefits to be achieved from active management of protected areas and heritage sites.

***Issue #2: Protection status of island endemic species.*** The island endemics of St. Vincent and the Grenadines are species found no other place on earth. Their habitats, which in some cases comprise a single contiguous land area, are not adequately protected:

- For example, the habitat of the best known island endemic, the St. Vincent Parrot, is not fully protected; the existing St. Vincent Parrot Reserve covers much less than the natural range of this important bird.
- Information available on some island endemics is not enough to inform management about production (nesting, mating and breeding), range, feeding and dietary requirements, habitat and ecological preferences. Additional research to fill information gaps is critically needed.
- Periodic census of the Parrot occurs but mapping for geophysical referencing is not done to establish a baseline so that habitat limits can be compared from one census to the next.
- The approximate habitats of other island endemics, such as the Whistling Warbler and the Black Snake have not been mapped.
- Without geophysical mapping, reliable estimates on the disturbance and loss of island endemic habitats cannot be made.

**Issue #3: *Duplication and uncertainty in the legal responsibility for managing protected areas.*** It would appear that the process used to draft new legislation does not include sufficient consultation and analysis, so that:

- Both the NPA and Marine Parks Board were given legal authority to manage marine parks, without clarification on how such responsibility would be divided. The National Parks Act, 2002 did not rescind the Marine Parks Act of 1997, which allows for the creation of marine parks other than the Tobago Cays Marine Park; the only marine park created to date.
- The National Parks Act, 2002 was created without a realistic analysis of the institutional and organizational challenges posed by its wide mandate and the funding required to effectively carry out its duties.
- The Wildlife Protection Act, No. 16 of 1987 does not appear to provide the legal clarity for dealing with development on privately owned islands that were declared wildlife reserves; thus private owners appear not to respect the designation or feel obligated to help achieve the objectives of the law.
- The Fisheries Regulations 1987, made under the Fisheries Act, 1986 do not make provisions to allow relevant management control over recreational fishing and scuba diving activities. User levels continue to grow in connection with these expanding markets. Some level of regulation is therefore necessary to limit adverse environmental and social impacts.
- Legal provisions for the management of mangroves not included in protected areas are weak and there are no regulations dealing specifically with their use and maintenance. This is a critical void that must be filled.

**Issue #4: *Use of mechanisms for effective coordination between resource management agencies or to achieve other resource management objectives.*** When personnel and other resources are limited as they often are in small developing countries, mechanisms to promote effective coordination of functions between agencies must be maximized. The protected areas and heritage sites system will require creative use of such mechanisms. Current weaknesses include:

- The failure to use mechanisms written into law that would allow stakeholders more involvement in resource and protected area management activities. These include the Wildlife Conservation Committee under the Wildlife Protection Act, the Fisheries Advisory Committee under the Fisheries Act and Conservation Councils under the Forest Reserve Conservation Act.
- Poorly constituted Boards of Directors under resource or protected area management legislation, thus missing the opportunity to allow key resource management agencies the opportunity to provide experience and oversight to knowledge based decision making.

- Absence of adequate infrastructure and procedures for collecting, storing and sharing geophysical data critical to documenting biodiversity, monitoring changes in habitats and species, tropical forest, critical landscapes and stream flow at recreational waterfalls.
- Failure to define opportunities for sharing personnel and resources for research and monitoring activity for mangroves and offshore cays; areas where the collaboration of the Forestry Department and Fisheries Division could bring significant benefits.

**Issue #5: *Gap in the management of marine recreational uses.*** An inherent gap exists in managing marine recreational uses, so that:

- Statutory responsibility for the management of dive sites, yacht anchorages and recreational fishing is not clear.
- Awareness targeted to recreational users on standards for recreational boating has not been adequately promoted.
- The true economic and social value of scuba diving to the SVG economy has not been determined, nor has its environmental impacts been studied.
- No agency is responsible for providing strategic guidance on policies to maximize the benefits of recreational uses. Given the importance of yachting and scuba diving to the country, this is an area of weakness requiring urgent attention.
- Currently, there is no structured programme to monitor impacts on dive reefs, anchorages and to devise measures to mitigate impacts. This is an area where collaboration between the public sector agencies and private enterprise could prove beneficial.

**Issue #6: *Institutional structure for the management of rivers.*** Rivers should not be managed in isolation from the river basins in which they fall. Therefore, statutory bodies and government agencies, such as CWSA, VINLEC, NPA, the Forestry Department and the Environmental Board/Environmental Health Division, should have clear and unambiguous understanding of their roles, resource and funding limitations. They should also seek to find ways to achieve active management on the ground. Mechanisms for collaboration between such bodies require strengthening:

- The authority granted to the NPA for rivers under the National Park's Act, 2002, should be clarified to avoid conflict or duplication with the legal authority of other agencies.
- Existing uncertainties over NPA's role could be resolved through a consortium type approach to the management of river basins in which the NPA's primary niche would be recreation and tourism, including trails and camping within river belts.

- An existing framework for collaboration started with the involvement of the Forestry Department, CWSA and VINLEC should be expanded to include the NPA and the Environmental Health Division (EHD). EHD's mandate for public health comes from the Environmental Services Act, No. 14, 1991.
- CWSA can, through its Minister, have areas declared for the protection of water catchments under the Water and Sewerage Act, 1991. Most, if not all, of the critical catchments mapped by CWSA have not been declared for protection under this act, presumably because most fall within existing or proposed forest reserves. Practically, the Forestry Department is best equipped to manage forested water catchments. Thus, any existing agreement in this respect should be consummated using a legal instrument which confers on the Forestry Department the responsibility to protect the economic water and energy interests of the CWSA and VINLEC in exchange for funds to cover part of Forestry's operating budget.
- This and other mechanisms for collaboration between agencies should be tested in a pilot river basin management project.
- A River Basin Management Consortium could be established to coordinate the pilot project and one of the consortium members, such as the NPA or the Forestry Department, could function as the River Basin Management Consortium Secretariat.
- Catchments vital to the interests of CWSA and VINLEC not yet declared for protection should be included within the boundaries of existing or proposed forest reserves or the proposed Soufriere National Park.
- Rivers and river basins providing major economic and recreational benefits should be considered major features in the protected areas system and be given full attention in protected area planning and public awareness. Awareness should seek to maximize public appreciation for the multiple objectives for managing rivers, including energy production, water quality and public health maintenance, recreation, tourism, subsistence fishing and biodiversity.

**Issue #7: *Economic benefits from the use of natural and cultural resources.*** SVG is far from realizing the potential economic and social benefits from its wealth of natural and cultural resources. Evidence suggests that:

- Opportunities for revenue generation from heritage sites, through gate fees, sales and events are not being realized.
- Management of Tobago Cays National Park, the Botanic Gardens, the Soufriere Trail, waterfalls and other sites results in a financial burden for Government and tax payers; development and use of additional sites without a policy to charge user fees will add to this burden.

- Already, sites are not adequately managed because of the shortage of funds and the situation could get worse unless options for income generation to assist with management are explored.
- Although a fee schedule for the Tobago Marine Park has been proposed and considered, introduction of the user fee system, a highly accepted practice to help meet management costs for parks, has been delayed for this site and for other sites with strong tourist or visitor appeal, e.g. Soufriere Volcano Trail, Botanic Gardens and Falls of Baleine.
- There is a corresponding failure to introduce a user fee for diving at coral reefs.
- Despite stated intentions, the use of permanent moorings as a management tool to achieve efficient use of space in anchoring, to minimize seabed and reef damage and to collect fees from users have not been done.

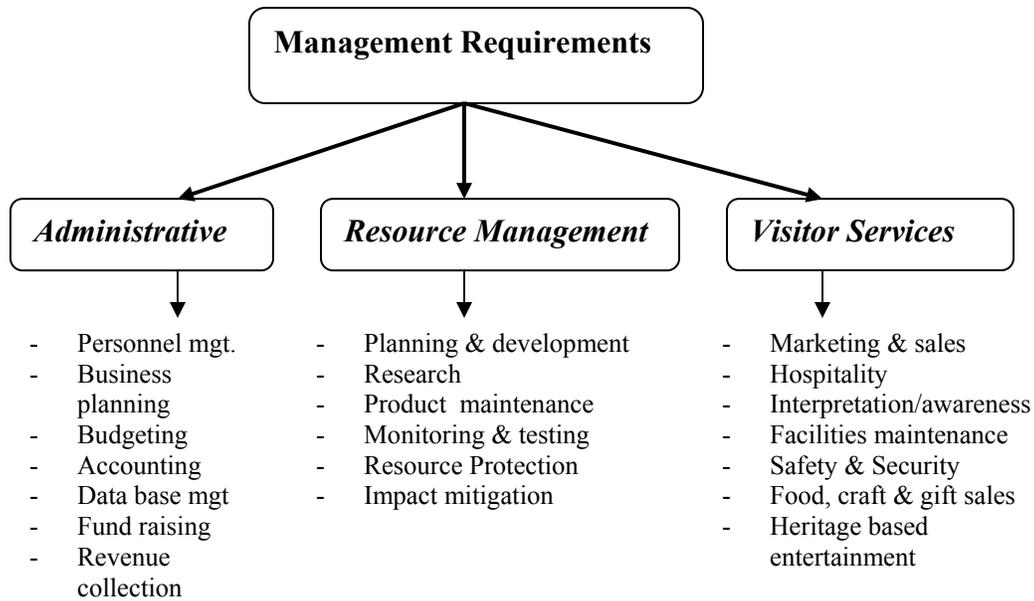
**Issue #8: *Gaps in the management of cultural resources.*** SVG has had the benefit of archaeological surveys, inventories of historic buildings and sites but a lot more effort is required to advance historical building or site preservation and reuse and to ensure the protection of artifacts:

- Procedures for cataloguing or classification and storage of artifacts found at various archaeological sites should be established through the joint efforts of the National Trust and the Archaeological and Historical Society.
- Adequate legal and administrative arrangements for controlling the export of artifacts are needed.
- No central data base to assemble research data or findings from archaeological investigations and historic inventories exists. An adequate data base would assist with building “institutional memory” and prevent costly duplication or repeats of research and investigations.
- Management deficiencies also result in the loss of valuable artifacts through inadequate storage and uncertainties over who has the ultimate responsibility for the stewardship of historic resources. For example, until recently, artifacts from the old archaeological museum at the Botanic Gardens existed in an exposed and unprotected state.
- A register of historic buildings for the country does not exist and should be created. To reduce the rate of loss of buildings of historical importance, incentives that are practical and attractive to property owners should be provided to encourage the restoration of buildings of national interest.

**Issue #9: Criteria and procedures for nominating, declaring and establishing protected areas.** SVG currently does not have published criteria for deciding which areas should be protected under law. Procedures for informing various stakeholders, including government agencies, communities adjacent to the areas and resource users, are not clearly articulated. Thus, while some degree of consultation occurs, it may not be broad-based or effective enough to build desired public support for area protection:

- Systematic resource inventory and conservation planning tools should be applied and adequate information on species, habitats and ecosystems used to fill gaps in the SPA.
- Tried and effective methods to assess the value of environmental goods and services to the economic and social welfare of the country should be applied and the results used to inform protected area designation and declaration.
- Criteria for protected area site nomination should be drafted and published along with procedures to be followed in site declaration. These could then be used in consultations involving resource and protected area management agencies, NGOs, communities and other stakeholders, to promote understanding and appreciation of area protection.
- Advantages of consolidating very small protected areas into relatively larger units should be recognized and reflected in agreed procedures. Because very small units sometimes get ignored, consolidation can lead to broadening the management objectives of a site, which in turn may widen public interest and encourage greater public support.

**Issue #10: Management Capacity.** Protected area and heritage sites management require a range of skills in administration and business, resource management and visitor services (see Figure 8.1), all of which may not be available to resource management agencies. Factors that adversely affect management capacity include inadequate budgets, insufficient staff, skill inadequacies and weak institutional or organizational structure. Attention to these and other factors is important in capacity building:



- As a new agency, NPA will require time to build skills and gain management experience. Capacity building can be fast tracked using targeted and intensive training.
- Despite existing resource management and administrative capacities of established agencies, such as the Forestry Department and Fisheries Division, continued training to improve capacity will be required.
- Because the National Trust has been inactive for some time, it will also need to fast track capacity building for the management of cultural and historic resources, including museums.
- Management weaknesses in Community NGOs and CVOs selected to participate in the management of heritage sites or protected areas in accordance with government’s policy will present the most critical hurdles for capacity building. Special effort will be required to provide training and management guidance to such groups.

**Issue #11: The level of Protection Afforded to Heritage Sites.** Because of the value of waterfalls and other heritage sites to tourism, there is a risk that focus on economic benefits could overshadow the need for protection of such sites. Thus, while it is important to develop strategies to increase the level of visitors to sites, equal emphasis must be placed on avoiding or minimizing impacts on the natural or historic resources that form the basis of heritage attraction. It is important therefore that:

- Where appropriate, waterfalls and other natural heritage sites are designated as Natural Landmarks so as to receive the level of protection afforded under this protected area management category.

- Worthy historic sites are given similar treatment under the Cultural Landmark protected area designation.
- Available impact assessment tools are used to monitor, evaluate and/or measure visitor impacts at all heritage and protected area sites.
- Interventions to effect mitigation of impacts are timed to ensure that the level of degradation does not reach the point where major financial resources are required for site restoration, or where the site's attraction for recreation and tourism diminishes to the point that business is adversely affected.
- River basins above waterfalls should be adequately protected, so as to maintain recreational water quality of acceptable standard and to minimize the threat of accidents linked to landslips and rock falls.

***Issue #12: The role of the private sector in sustainable use of protected areas and heritage sites.*** The private sector is a major beneficiary in nature based recreation and tourism and should be considered an essential partner in sustainable management of visitor activities:

- Cruiselines, yacht companies, scuba diving operators, shipping agents, tour operators and other service providers should be made to accept and support the principle of the "user pays".
- The private sector should be viewed as potential and critical investors in protected areas and heritage sites through joint ventures with public sector enterprises and through concessions or licenses to operate in or trade with such areas or sites.
- Service providers should be made to abide by regulations, code of conduct and standards of operation required by protected areas and heritage sites.
- Performance bonds could be used as an instrument to achieve compliance with standards and rules for operating in protected areas and heritage sites by private sector operators. This could be achieved by requiring operators to lodge an upfront cash payment of financial guarantee with the management authority. This would be held in an escrow account to pay for damage or rehabilitation costs resulting from negligence by operators.

**APPENDIX 7:**  
**Legislation Relevant to Protected Areas Management**  
**In St. Vincent and the Grenadines**

1. **Plant Protection Act (No. 10 of 1941) (Cap. 43)**  
Amended by Acts 3 of 1969, 3 of 1978, 20 of 1987, and 23 of 1988; and by SRO 38 of 1980.
  - *“An Act to provide for the prevention, eradication and control of diseases and pests affecting plants”.*
  - Section 4 – The Governor General may direct a number of actions as it relate to pests or disease, including controlling importation and export of any plant or article likely to cause infection.
  - Section (4(c)) – “direct, authorize or control the quarantine of infected areas.

**Implications for Protected Areas**

- (a) Authorised agents may enter any protected area for the purpose of dealing with any pest or disease outbreak. Past experiences dealing with simple outbreaks such as the pink mealy bug indicate that the institutional arrangements and protocols for dealing with these matters are not prevalent in protected area management regimes. This is obviously a matter to be addressed. Currently, agricultural officers and health officials discuss the possibility of avian flu reaching the Caribbean, but there is no indication that protected areas managers are part of that discussion.
  - (b) If affected areas can be quarantined, then access to a protected area that falls into such a zone would be prohibited.
2. **Fisheries Act (No. 8 of 1986) (Cap. 52)**  
Amended by Acts 32 of 1986 and 25 of 1989.
    - *“An Act for the promotion and management of fisheries and for matters incidental thereto and connected therewith”.*
    - Section 2 – Defines “fish” as *“any aquatic animal, whether piscine or not and include any shellfish, turtle, mollusk, crustacean, coral, sponge, echinoderm, its young and its eggs”.*
    - Section 4 – Requires the Chief Fisheries Officer to prepare and keep under review a national fisheries development and management plan. The Act also provides for public consultations in the preparation of the plan.

- Section 6(1) – Authorises the Minister to enter into cooperation agreements with other countries in the region or with regional organizations for the purpose of harmonizing procedures for various aspects of fisheries management in the region.
- Section 20 – The Minister may, by Order in the Gazette, declare any area of the fishery waters to be a fishing priority area, in which authorized fishing is not impeded.
- Section 22 – The Minister may declare a marine reserve for several reasons, including:
  - (i) for protection of flora and fauna, breeding grounds, and habitats of aquatic life;
  - (ii) to preserve and enhance natural beauty of such areas; and
  - (iii) scientific study.
- Section 23 – The Minister may grant permission for fishery research “... *on submission of a research plan approved by the Chief Fisheries Officer*”.
- Section 45(1) – The Minister may make regulations for management and development of fisheries in the fishery waters.
- Section 45(2) – Purposes for which regulations may be made include a number relevant to protected areas, including:
  - a) Licence and regulation and management of fisheries;
  - b) Fisheries regulation and conservation measures;
  - h) Regulating the use of spear guns or similar devices;
  - p) Regulating (i) management of marine reserves and fishing priority areas; (ii) taking of coral and shells;
  - q) Prescribe measures for protection of turtles.

### **Implications for Protected Areas**

- (a) The definition of fish opens the possibility that any marine protected area, not designated for the purpose of fishery enhancement, can be regulated by the Fisheries Division unless specifically denied by legislation, ministerial order, or some other policy directive. At the very least, it implies that the Fisheries Division should have an input into all programmes and plans dealing with aquatic animals.
- (b) The reasons for which marine reserves can be declared include the enhancement of natural beauty of areas, effectively making provision of the protection and maintenance of seascapes and coastal landscapes.
- (c) The requirement for the Chief Fisheries Officer to prepare, and keep under review, a fisheries management plan provides a mechanism for the articulation of the role of marine protected areas (MPAs) in fisheries management and marine resources management.

- (d) The provision in the Act for the Minister to enter into agreements with other countries and regional organizations provide a basis for establishment of trans-boundary protected areas, as well as harmonization of policies and procedures.

3. **Environmental Health Services Act, 1991 (No. 14 of 1991)**

Amended by Environmental Health Services (Amendment) Act, 1996 (No. 4 of 1996)

- *“An Act to make provision for the conservation and maintenance of the environment in the interest of health generally and in particular in relation to places frequented by the public”.*
- Section 5 – Establishes the Environmental Health Board to advise the Minister (of Health) on matters pertinent to the Act.
- Section 6 – Establishes the Environmental Health Division within the Public Health Department.
- Section 7 – Sets out the functions of the Environmental Health Division.

**Implications for Protected Areas**

- (a) The mandate of the Environmental Health Division provides it with the authority to permit or influence a number of operations pertinent to protected areas management, particularly the provisions of Section 7(a), which deals with solid waste management, effluent disposal, food handling, general sanitation, and pest control.

4. **Finance Administration Act, 2004 (No. 28 of 2004)**

- *“An Act to provide for the management and control of public money, for the operation and control of the Consolidated Fund, for the establishment of a Contingencies Fund, for the authorization of expenditures, for the establishment of special funds and deposit accounts, for the management and control of the public debt and the giving of guarantees, for the investment of public money, for the preparation of the Public Accounts, for the governance of statutory bodies, for the repeal of most of the provisions of the Finance and Audit Act, transitional matters and consequential amendments and to provide for matters connected therewith and incidental thereto”.*
- Section 39 – The Minister may, by Regulation, establish special funds.
- Section 40 – Deals with the administration of special funds, stipulating particular requirements such as the establishment of separate accounts and reporting within two months of the end of the financial year.

- Section 40(8) – Stipulates that monies in special funds are to be paid to the Consolidated Fund on dissolution of the special fund.

#### **Implications for Protected Areas**

- (a) The Act allows for the establishment of special funds, and thus a protected areas (trust) fund could be established.
- (b) Any entity created for management of a special fund for protected areas would need to possess the capability for meeting reporting requirements under this Act. The financial reporting requirements also apply to institutions that receive public funds for protected areas management, and may prove onerous for small civil society organizations.
- (c) Any special fund established to support protected areas should be made exempt from the provision (Section 40(8)) that requires transfer of monies from special funds to the Consolidated Fund when special funds are dissolved. Regulations to establish a protected areas fund should be quite clear as to the permanent nature of the fund. Any perception that the government may transfer the funds to the Consolidated Fund will act as a disincentive for significant private contribution to the fund.

#### **5. Town and Country Planning Act, 1992 (No. 45 of 1992)**

- *“An Act to enable the orderly and progressive development of land and other proper planning of town and country areas, to make provision for the control of development and for matters incidental to the foregoing and connected therewith”.*
- Section 3 – Established the Physical Planning and Development Board, which must, in addition to other functions, prepare national, regional, and local plans (Section 7(1)(b)).
- Section 8 – Stipulates that national plans must take into consideration the need for protected areas and other open spaces (Section 8(2)(e)).
- The provisions for environmental protection include the use of tree preservation orders (Section 22), environmental impact assessment (Section 29), and special Ministerial Orders (Section 30).

#### **Implications for Protected Areas**

- (a) The requirement for land use plans to include provisions for protected areas and other open spaces implies that protected areas should not be developed on an ad hoc basis, but should be part of the larger development planning process.

- (b) In addition to allocating land for protected areas and other conservation objectives, the Act also provides protection through the application of environmental impact assessment (EIA) procedures for development activities.

**6. Forest Resource Conservation Act, 1992 (No. 47 of 1992)**

- *“An Act to make provision for the conservation, management, and proper use of the forests and watersheds, the declaration of forest reserves, cooperative forests and conservation areas, the prevention and control of forest fires, and for matters connected with those purposes”.*
- Section 3 – Established the Forestry Department.
- Section 5 – Sets the functions of the Forestry Department, including the establishment and management of forest reserves and conservation areas (Section 5(1)(h)&(m)).
- Section 6 – Requires the Forestry Department to prepare a national Forest Resources Conservation Plan.
- Part III – Deals with the establishment of forest reserves, including the declaration of protected areas within a forest reserve (Sections 12 and 14(1)(e)).
- Establishment of funds for forestry management is permitted under Section 27 (Conservation Area Fund) and Section 32 (Forestry Development Fund).

**Implications for Protected Areas**

- (a) The requirement for the preparation of a national Forest Resources Conservation Plan implies that forestry management should be guided by a national plan, which would address both forestry and conservation issues.
- (b) The provision for the establishment of protected areas within forest reserves, and similarly the establishment of conservation areas, introduces a mechanism to deal with buffer zone issues as well as the conservation of outstanding natural features.
- (c) The Act provides for the establishment of two special funds. As such, while the supporting regulations for the operation of those funds may be lacking, the Act allows for the establishment of a sustained financing mechanism for protected areas development and management.

**7. Marine Parks Act, 1997 (No. 9 of 1997)**

- *“An Act to provide for the establishment of Marine Parks and for other related matters”.*

- Section 2 – Defines a marine park to include adjacent land forms part of a single or “complemental” ecological unit.
- Section 3(1) – Established the Marine Parks Board to be responsible for the administration of the Act.
- Section 5 – Authorises the Minister (responsible for parks) to declare marine parks, by Order published in the Gazette.
- Section 7 – Requires the Chief Surveyor to keep a map delineating each marine park established under this Act.
- Section 8 – Lists the purposes for which the Minister may make regulations under the Act, including protection of flora and fauna and regulation of use of the parks.
- The Schedule sets out the composition of the Marine Parks Board, and provides guidance on its functioning. Item 12 of the Schedule states how the expenses of the Board will be met, effectively making the Board responsible for generating its own revenues.

### **Implications for Protected Areas**

- (a) Marine parks may be declared for the purposes of recreation, scientific study and research, and preservation and enhancement of marine resources.
- (b) The definition of marine parks to ensure inclusion of complete ecosystems places an additional burden on the responsible management institution to define these ecosystems. There is growing consensus in the international protected areas management community that protection of complete ecosystems is preferable to parts of systems. If this requirement is followed to its logical conclusion, then St. Vincent and the Grenadines will have to enter into agreements with other States in the OECS for development of trans-boundary marine protected areas.
- (c) The requirement for the Chief Surveyor to keep maps delineating the boundaries of marine protected areas (MPAs) implies that boundary delineation should be undertaken or certified by the Chief Surveyor. This requirement should increase the accuracy of the maps, as well as increase the likelihood that the MPAs will be incorporated into the normal survey maps of the country.
- (d) The almost complete reliance by the Marine Parks Board on user fees to finance its operations creates a scenario wherein increased levels of use will have to be permitted in order to garner the required financial resources. If this is the only consistent source of financing, either the Marine Parks Board will become defunct, relying on institutions such as the Fisheries Division to support its functions, or the sites under its control will become degraded from overuse. This

is not a reasonable financing mechanism, and the law should be amended to allow the Board to access other pools of funds established specifically for conservation or protected areas management.

8. **Marine Parks (Tobago Cays) Declaration Order, 1997 (SRO No. 40 of 1997)**

- Declares the Tobago Cays Marine Park under Section 5 of the Marine Parks Act (1997).
- Identifies the group of islands that fall within the park (Petit Rameau, Petit Bateau, Petit Tabac, Baradal, and Jamesby).

9. **Marine Parks (Tobago Cays) Regulations, 1998 (SRO No. 26 of 1998)**

- These regulations for the Tobago Cays Marine Park are permitted by Section 8 of the Marine Parks Act (1997).
- Section 3 – Authorises the Marine Park Board to appoint a Park Manager, and sets the functions of the Manager.
- These regulations focus on regulating the use of the site, and setting a fee schedule for permitted uses. There is no provision for management planning or monitoring and evaluation, though the Park Manager is required to prepare annual reports on the state of the park<sup>10</sup>.

10. **Saint Vincent and the Grenadines National Trust Act, 1969 (Cap.329)<sup>11</sup>**

- *“An Act to establish a body corporate to be known as the Saint Vincent and the Grenadines National Trust”.*
- Section 4 – Sets the objects of the Trust. Objects focused on protected areas include conservation of areas of natural beauty (4(b)); conservation of buildings and other assets of archeological, architectural, artistic, historic, scientific, or cultural interest (4(c)); conservation of flora and fauna in areas of natural beauty (4(d)); public education related to natural and historical assets (4(g)); and collection and allocation of funds to further the objects of the Trust (4(i)).

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<sup>10</sup> No management plan was prepared for this site, and the required annual report has not been prepared in the eight years since the regulations were gazetted.

<sup>11</sup> Only a portion of the Act was obtained, thus rules dealing with audits, income tax relief on donations to the Trust, etc. were not reviewed.

### **Implications for Protected Areas**

- (a) The Saint Vincent National Trust can establish and manage a range of protected areas to address both cultural and natural heritage objectives. The Trust can also establish financing mechanisms to carry out its functions.

#### **11. Maritime Areas Act, 1983 (No. 15 of 1983)**

- *“An Act to declare the Maritime areas and for matters incidental thereto and connected therewith”.*
- Section 2 – Defines the “Waters” of St. Vincent and the Grenadines as meaning “... the internal waters, archipelagic waters, and territorial sea ...”.
- Section 10(3) – The Minister (responsible for Foreign Affairs) may make regulations for a range of purposes associated with the innocent passage of foreign vessels through the waters of St. Vincent and the Grenadines. The objectives pertinent to protected areas include conservation of living marine resources (10(3)(d)); pollution prevention (10(3)(f)); and marine scientific research (10(3)(g)).
- Section 20 – Authorises the Minister to make regulations pertaining to activities in the exclusive economic zone. Purposes relevant to protected areas include exploitation or conservation of living and non-living resources (20(a)); establishment of artificial structures (20(c)); marine scientific research (10(d)); and protection and preservation of the marine environment (20(e)).

### **Implications for Protected Areas**

- (a) This Act can support establishment of protected areas (including trans-boundary protected areas), resource extraction, establishment of artificial reefs, scientific research, and pollution control and remediation.

#### **12. National Parks Act, 2002 (No. 33 of 2002)**

- *“An Act to make provisions for national parks and the establishment of an authority for national parks, to make further provision for the preservation, protection, management and development of the natural, physical and ecological resources and the historical and cultural heritage of Saint Vincent and the Grenadines and for connected matters”.*
- Section 4(1) – Provides for the establishment of the National Parks, Rivers and Beaches Authority, a corporate entity to manage the various assets acquired under the Act.

- Section 5 – Dictates that the Director of National Parks be appointed by Cabinet. The Director is the head of the National Parks, Rivers and Beaches Authority, and is responsible for implementing the provisions of the Act.
- Section 6 – The staff of the Authority, other than the Director of National Parks, is appointed by the National Parks Board, though they are supervised by the Director.
- Section 7(1) – Lists the powers and functions of the Authority, giving the Authority “... *power and control over all rivers, streams, springs, swamps, waterfalls, waterpools and beaches in the State*”.
- Section 8(1) – Establishes the National Parks Board, and sets the composition of the Board.
- Section 9 – lists the powers and functions of the National Parks Board, including giving the Board responsibility for facilitating works necessary for supporting a range of uses in marine parks (Section 9(e)).
- Section 10 – Mandates the preparation of a national parks plan. The language in Section 10(1) implies a plan for all national parks, while the language in Section (2) implies that a plan should be prepared for each site. Section 10(2) also provides guidance on the contents of national parks plans. Sections 10(3)-10(5) make provision for a community consultations process for plan preparation and review, as well as the approval of any plan by the National Parks Board, Ministry responsible for parks, and the Cabinet.
- Section 11 – Authorises the Minister to declare a national park on Crown land and/or water where the area “... *by reason of its outstanding natural beauty, special historical, cultural or archeological value, geological or scientific importance, or the opportunity it affords for open-air recreation, requires proper management for the purpose of preserving and enhancing its natural beauty and state*”.
- Section 12 – Identifies the types of protected areas that can be declared under the Act as marine national park and terrestrial national park.
- Section 15 – makes provision for the inclusion of marine reserves and other fishery management areas within national parks.
- Sections 16-17 – Provide for private land owners to voluntarily request for the private land to be managed as a national park, and to have agreed provisions of the Act applied to the management of the land. Section 17(3)(c) allows for the payment of compensation for restrictions on the private land to support management as a national park.
- Sections 18-22 – Deals with the compulsory acquisition of lands for establishment of national parks. In addition to compulsory acquisition, land for national parks development may be acquired by lease, exchange, and purchase.

- Section 23 – Lists the prohibited activities within national parks, except where permitted by the Minister (Section 23(3)) or when the agreement with a private landowner provides for particular exemptions.
- Section 32 – Incorporates the offences and associated penalties under the Forest Resource Conservation Act (1992) and the Fisheries Act (1986)(Cap. 52).
- Section 35 – Mandates the Minister to establish a special fund, called the National Parks Fund, for the development and management of national parks. Fees and voluntary contributions are to be paid into this Fund.
- Section 37 – Deals with the accounting and annual audit requirements of the Authority.
- Section 40 – Authorises the Minister to make regulations for the use of national parks and the prevention of damage to assets within national parks. The maximum penalty for breaches of regulations is \$5,000.00 or imprisonment for one year.

#### **Implications for Protected Areas**

- (a) The Act can be interpreted to mean that all rivers, streams, springs, swamps, waterfalls, waterpools, and beaches can be brought within a protected areas management regime. Such an interpretation would have no logical ecological or management foundation. As such, it is important for the Authority to determine which resources should be managed as part of a general resource management regime, and which should be brought under the more strict protected areas management regime.
- (b) Despite the inclusion of historic resources in the list of assets to be managed by the Authority, the Act provides very little guidance on the treatment of such resources.
- (c) The requirement for community participation in the preparation and review of national parks plans supports the current practice of public participation in protected areas management. The Act now needs supporting regulations to develop standard guidelines for community participation and plan preparation and review. However, the law does not go far enough in providing for the delegation of management responsibility to community or civil society organizations, an arrangement that is now in place in St. Vincent and the Grenadines.
- (d) The provision for the inclusion of marine reserves within national parks introduces the matter of multiple designations and/or site-within-site. This provision again introduces jurisdictional overlaps, with the attendant possibility for institutional conflicts. The management arrangements for such designations have to be very clear.

- (e) The provision for private lands to be leased or managed as national parks open the possibility for conservation agreements for lands that may be deemed to be of particular ecological or heritage value.
- (f) The provisions for the establishment of a National Parks Fund provide a mechanism for ensuring sustained financing for national parks development and management.
- (g) The list of matters for which the Minister can make regulations is somewhat restrictive. Critical issues, such as control of invasive species and pollution control are not addressed.
- (h) The penalties under the Act are applicable only to routine breaches dealing with regular use of the sites. Breaches such as oilspills and disposal of waste are much more egregious breaches and should attract much stiffer penalties.

### **Legislative Instruments under Consideration**

#### **(a) Marine Parks Bill 2005**

The Bill, to be known as the Marine Parks Authority Act, seeks to repeal the Marine Parks Act (1997). The Bill include much wider definitions for protected areas than now exist in St. Vincent and the Grenadines, incorporating categories such as managed resource protected areas, species managed areas, and protected landscapes/seascapes.

The new law would establish the National Marine Parks Authority, a corporate entity governed by a Board of Directors. A new institutional arrangement is proposed, wherein the Board of Directors could appoint a Management Committee for every marine park established, as well as delegate management responsibility for a site to a person or non-governmental organisation. This is a significant departure from the current provisions in the Marine Park Act (1997) and the National Parks Act (2002), both of which seek to centralise protected areas management.

The proposed law would establish a Marine Parks Conservation Fund, with its own Trustees to manage the fund.

### **Relevant Legislation not Reviewed**

- Act for the Preservation of Historic Buildings and Antiquities, 1976
- The Wildlife Protection Act No. 16, 1987(Cap. 55) – An Act to provide for the protection of wildlife.
- The Central Water and Sewerage Authority Act No. 17, 1991 - Water resources conservation/management, water quality/pollution
- The Saint Vincent Electricity Services Act
- The Mayreau Environmental Development (Saint Vincent & the Grenadines) Incorporation Act No. 17, 1999.
- Public Health Act 1977
- Fisheries Regulations of 1987
- Beach Protection Act Cap. 331
- Electricity Supply Act Cap.288
- Preservation of Historic Buildings and Antiquities Act Cap. 247
- Passenger Boats Act Cap. 368
- Birds and Fish Protection Act, 1926
- Washing (River and Sea) Regulations, 1939 – Water quality/pollution, seawater quality/pollution, wastes.
- Crown Land Forest Produce Rules, 1946 – Forest conservation/management/exploitation.
- Proclamation about Youngs Island, Kings Hill, Government House Grounds including the Botanical Gardens, and Milligan Cay to be Birds Sanctuaries, 1947
- Crown Lands (Prohibited Areas) Order, 1948 – Forest conservation and protected areas.
- Crown Lands Forest Reserves (Declaration) Order, 1948
- Proclamation about Pigeon (Ramier) Island Isle de Quatre to be Birds Sanctuaries, 1950
- Central Water and Sewerage Authority Regulations, 1972
- Oil Pollution (Liability and Compensation) Act, 1977 – An Act to make Provision with Respect to Civil Liability for Oil Pollution Damage by Merchant Ships, to provide for the Payment of Contributions (by Importers of Oil and others) to the International Oil Pollution Compensation Fund and the Liability of the Fund to compensate Persons who suffer Pollution Damage, and for Purposes connected with and incidental to the foregoing.
- The Noise Control Act, 1988 – An Act to make new Provisions in respect of the Control of Noise and Vibration with a View to their Abatement.
- Mustique Company Limited Act, 1989 – Declared Mustique a conservation area.

**APPENDIX 8:  
Functions of the National Parks, Rivers and Beaches Authority**

Source: Section 7(2) of the National Parks Act, 2002

- (a) To manage and maintain national parks inclusive of all rivers, streams, springs, swamps, waterfalls, waterpools and beaches and other national and historic resources of the State as assigned by the Minister;
- (b) To advocate and promote conservation;
- (c) To foster the use of natural and historic resources for recreation and tourism;
- (d) To establish priorities and mechanisms for selecting, establishing and managing a national park;
- (e) To supervise the operation of a system of national parks once they are established, including the functions of planning, budgeting, financing and the recruiting and training of staff;
- (f) To ensure permanent protection of species and habitats, especially species which are threatened, rare, endemic and commercial species and representative habitats;
- (g) To undertake the replenishment or rehabilitation of depleted fish and invertebrate stocks, of damaged coral reefs and of other renewable natural resources;
- (h) To maintain the natural attractiveness of a national park as a tourism attraction;
- (i) To operate and provide for the operation of facilities for national enjoyment and for tourism;
- (j) To ensure that any development activities outside any national park do not adversely affect the national park;
- (k) To identify and resolve potential conflicts between users of the natural goods and services offered by a national park, particularly between fishermen and tourism interests;
- (l) To prepare management plans for each national park, including information gathering and research in order to provide the scientific basis for these plans;
- (m) To maintain a list of rivers, streams, springs, swamps, waterfalls, water pools and beaches in the State;
- (n) To establish and operate an effective interpretation programme;
- (o) To regulate exploitation in national parks and their adjacent buffer zones;

- (p) To ensure visitor safety;
- (q) To provide security and enforcement mechanisms;
- (r) To see the establishment of public information and education campaigns to create national conservation awareness;
- (s) To maintain liaison with other agencies managing marine national parks and conducting marine biological research; and
- (t) To advise the Minister on matters relating to the Board's functions and conservation generally.