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National Preparatory Process

ST. KITTS AND NEVIS

STOCKTAKING REPORT

Submitted by

Island Planning Services

Preface

This stock taking report is based on a review of the legislative, regulatory, policy and institutional framework for sustainable development in St. Kitts and Nevis. It has been prepared as a component of the national preparatory process for the United Nations Conference on Sustainable Development (Rio+20). The Rio+20 National Preparatory Process is being undertaken by the Ministry of Sustainable Development in collaboration with United Nations Development Programme (UNDP).

The stocktaking exercise is intended to ascertain the level of progress that has been made by the Federation of St. Kitts and Nevis with regards to sustainable development. Also, the report focuses on remaining gaps, experiences and opportunities with regard to advancement of sustainable development initiatives. It is expected that the report will guide the discussions at the National Consultative Workshop and will assist in building the capacity that would allow for a more strategic engagement in the overall Rio + 20 process.

Executive Summary

This stocktaking report was prepared as part of the St Kitts and Nevis National Preparatory Process toward the United Nations Conference on Sustainable Development (Rio+10) to be held in Rio De Janeiro Brazil, June 2012. The Report provides an overview of the legislative, regulatory, policy and institutional frameworks for sustainable development in the Federation of St. Kitts and Nevis. Additionally, it provides a status update on the country's performance and requirements under the United Nations Framework Convention on Climate Change (UNFCCC), the United Nations Convention on Biological Diversity and the United Nations Convention to Combat Desertification. It provides an overview of the key stakeholders with responsibility for environmental management and sustainable development.

The Report has been developed in five sections. The first section of the report provides a situational analysis of the current legislative, regulatory, policy and institutional frameworks for sustainable development in St. Kitts and Nevis. Section two examines the key legislative and regulatory instruments that govern sustainable development. Sections three and four look at the key policy instruments and institutional framework that are relevant to the pursuit and management of sustainable development. Section 5 suggests several recommendations that can advance the national sustainable development agenda.

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SECTION 1: Situational Analysis

1.0 Introduction

The agenda for sustainable development on St. Kitts and Nevis is managed primarily by the Ministry of Sustainable Development. Generally, sustainable development initiatives have been supported by financing provided by the Global Environment Facility (GEF) through the implementation of multilateral environmental agreements (MEAs). Specially, under the UNFCCC, UNCCD and the UNCBD, the GOSKN has sought improve the management of environment by strengthening national capacities for sustainable development, including facilitating the increased involvement of the private and civil society sectors. An associated objective has been the promotion of greater productivity and support for sustainable livelihoods.

This Report for St. Kitts and Nevis as part of the Rio + 20 preparatory process catalogues the countries efforts to achieve the targets for sustainable development set out under Agenda 21. It seeks to facilitate more effective framework for evaluating the progress that has been made and discussion on remaining gaps and opportunities.

1.1 Methodology

The review of the legislative, regulatory, policy and institutional framework for sustainable development in SKN involved stakeholder consultations and an in depth analysis of existing instruments, procedures and institutional structures. Stakeholder interviews and literature review were under taken during the month of November 2011.

Information presented in this Stock Taking Report in part has been based on the outputs of national assessments and projects including but not limited to the following.

- National Adaptation Strategy (NAS),
- National Environmental Management Strategy (NEMS),
- UNCCD National Action Plan (NAP),
- UNFCCC National Communications.
- National Physical Development Plan (NPDP),
- Sustainable Land Management Project (SLMP),
- Integrated Watershed and Coastal Areas Management Project (IWCAM), and
- OECS Parks and Associated Livelihoods Project (OPAAL)

Information on institutional responsibilities for SLM was obtained from a review of legislative and operational mandates.

1.2 Status of the Legislative Framework

There are several laws that are relevant to the various aspects of sustainable development in SKN. These include the following:

- National Conservation and Environmental Protection Act, 1987
- Development Control and Planning Act, 2000.
- Nevis Development Control and Planning Ordinance 2005

- Solid Waste Management Corporation Act
- National Housing Corporation Act
- Whitegate Development Corporation Act, No. 15 of 1999
- Forestry Ordinance 1904
- Water Courses Ordinance 41/56
- Public Health Act No. 22 of 1969
- Pesticide and Toxic Chemicals Control Act 1999
- Agricultural Development Act 1973

Despite the existence of legislations, there are gaps and/or conflicts in the legal coverage for sustainable development. Largely, this is attributable to the fact that the existing legislations are sector specific and were not intended to address sustainable development in a holistic and programmatic way. Also, in several instances there are no accompanying regulations and/or guidelines to directly govern the administration of these laws. Additionally, the provisions of the Constitution of St. Kitts and Nevis grants a level of autonomy to the Nevis Island Administration (NIA) which sometimes constrains the effective and uniform implementation of key pieces of legislation across the Federation.

Several Federal legislative instruments, such as the Development Control and Planning Act, the Solid Waste Management Corporation Act and the National Conservation and Environmental Protection Act, among others, are not applied across the Federation. This peculiar situation also limits the scope of authority for the relevant line departments, particularly on Nevis. However, the passage of the Development Control and Physical Planning Ordinance has helped to put in a place a development control and planning structure for Nevis.

1.3 Status of the Regulatory Framework

While the term sustainable development has gained popularity post 1992, the underlying basic concept has been around for decades. In SKN there has been a long history of addressing various aspects of sustainable development, particularly soil and water conservation. It is noteworthy that this historic precedence parallels the operations of the 350 year old sugar industry which eventually closed in 2005. Land management activities, including conservation activities, were integral to the overall operations of the sugar estates as is evidenced by the distribution and layout of estate roads, diversion ditches, culverts, check dams and other basic infrastructure elements.

The risk of accelerated land degradation as an environmental problem has become more apparent following the 2005 closure of the sugar industry. This has led to the implementation of the SLMP by the GOSKN. Among the outputs of the SLMP, a set of draft sustainable land management guidelines have been developed. Apart from the guidelines alluded to above, the immediate challenge is that while there is an adequate enabling legislative environment for sustainable development, there are no specific regulations.

Notwithstanding the above, the planning authorities in SKN have been using the St. Kitts-Nevis Building Regulations, Code and Guidelines to manage land development practices. Additionally, the DPPE on St. Kitts and the DPPNRE on Nevis, supported by the Development Control and Planning Act and the Nevis Development Control and Planning Ordinance respectively, have developed guidelines to direct the conduct of Environmental Impact Assessments (EIA) as an environmental protection measure.

1.4 Status of the Policy Framework

In recent times, more so since the closure of the sugar industry, the GOSKN and civil society organizations have been engaged in promoting various aspects of sustainable development. Generally, this 'new' activism has been influenced by considerations for the following thematic areas of sustainable development.

- i. Poverty reduction
- ii. agricultural diversification
- iii. environmental management
- iv. water resources management
- v. land use planning
- vi. housing and infrastructure development
- vii. HIV/AIDS and other health issues
- viii. Climate change
- ix. Land degradation
- x. bio-diversity conservation

Further trending toward a programmatic approach to sustainable development is supported by policy directions in the **Medium Term Economic Strategy Paper (MTESP) 2005-2007** and the **National Adaptation Strategy (NAS)**, which identify environmental management as an integral component of overall national development. The focus areas of the NAS include (a) the maintenance of macro-economic stability to reduce vulnerability and facilitate investment; (b) improvement competitiveness in the production and export of goods and services; (c) the adoption of social policies to support economic development and protect the most vulnerable; (d) the promotion of a sustainable development agenda; (e) restructuring and transformation of the economy; (f) the development of appropriate legal and regulatory frameworks; and, (g) the efficient provision of public goods (such as education and health).

Additionally, the ongoing implementation of **National Environmental Management Strategy (NEMS)** seeks to:

- reduce current and potential environmental degradation particularly in the area of solid waste and marine pollution;
- reduce the adverse environmental effects of current and future economic development;
- educate and raise awareness on current and potential environmental issues;

- research and promote the available environmentally friendly alternate technologies in the energy and water sector; and
- protect and conserve those threatened biodiversity.

The **Agricultural Strategic Plan (2005-2009)** was developed in response to the new European Union (EU) sugar regime and closure of the sugar industry. The Plan aims to expand significantly the development of non-sugar agriculture and increase its contribution to the country's Gross Domestic Product (GDP). The report proposes a market-led approach toward increasing productivity, with an emphasis on crop and livestock production. Specific objectives include developing farmer groups, strengthening the programme of services to farmers, and maximizing irrigation applications in production.

The **National Physical Development Plan (2005)** for St. Kitts also highlights a general framework that targets sustainable development in the context of land use planning. The purpose of the NPDP is to identify appropriate physical planning and land use strategies that allow for sustainable exploitation of the natural resource base and to direct the use of public sector and private industry resources for planned and orderly development.

A draft Physical Development Plan has been prepared for Nevis. The plan includes policies and guidelines for sustainable development and seeks to guide location of housing, industry, parks/conservation areas, hotel and tourism development with regards to land suitability and other physical and environmental attributes.

At the sub-regional level the **St. George's Declaration of Principles on Environmental Sustainability** and the **Barbados Programme of Action** have placed priority on the management of land resources. Strategies for implementation of these agreements at the national level such as the NEMS have provided the opportunity to capitalize on synergies toward for mainstreaming sustainable development.

The **UNCCD National Action Plan (NAP)** was prepared in 2007. The NAP sought to identify the factors that have contributed to land degradation and physical measures required to combat land degradation and mitigate the effects of drought. Also, it specified the respective roles of government, local communities and land users and resources available and needed.

The **United Nations Framework Convention on Climate Change (UNFCCC)** was ratified by St. Kitts and Nevis in 1993. The United Nations Convention on Biological Diversity (UNCBD) was ratified by the Federation in 1993. A Biodiversity National Action Plan (NBSAP) has been prepared under this convention.

The **Montreal Protocol on Substances that deplete the Ozone Layer** was ratified in 1992. There were two components to this project, the refrigeration management plan and the institutional strengthening component. To date there has been training for refrigeration technicians. A public awareness programme was launched and a national ozone unit at the DPPE has been established under the institutional strengthening component.

SKN ratified the **Kyoto Protocol on climate change** in July 2007. The Protocol targets the ultimate objective of the UNFCCC: "stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system." The Kyoto Protocol was adopted in Kyoto, Japan, on 11 December 1997 and entered into force on 16 February 2005.

Generally SKN has been working towards meeting the **Millennium Development Goals (MGDs)**. In particular, the country's efforts at addressing extreme poverty and seeking to ensure environmental sustainability have been reflected in several national plans and programmes including the NAS and the Poverty Reduction Strategy.

1.5 Current Status of the Institutional Framework

As a component of sustainable development, the responsibility for the land management in SKN is shared among several institutions. These include:

- Department of Physical Planning and Environment (DPPE)
- Department of Department of Physical Planning, National Resources and the Environment (DPPNRE)
- Department Land and Surveys (DOLS)
- Department of Agriculture (DOA)
- Water Services Department (WSD)
- Public Works Department (PWD)
- National Housing Corporation (NHC)
- Nevis Land and Housing Development Corporation
- Whitegate Development Corporation (WGDC)
- St. Christopher National Trust (SCNT)
- Nevis Historical and Conservation Society (NHCS)
- Ministry of Justice and Legal Affairs

The DPPE and the DPPNRE have primary responsibility for the implementation of environmental sustainable development initiatives and activities in SKN.

Prior to the establishment of the Ministry of Sustainable Development and the implementation of the DCPB, DPPE and DPPNRE development control and planning application review procedures, there has been no institutional coordinating mechanism for sustainable development in SKN. The Guidelines for Mainstreaming Sustainable Land Management into National Development and the Strategic Framework for Investment Planning and Resource Mobilization for Sustainable Land Management Interventions, both outputs of the SLMP, should assist in cultivating coordinating mechanisms for advancing sustainable development as a national priority.

1.6 Current Status of Sustainable Development Interventions in St. Kitts and Nevis

In 2005 the GOSKN created the Ministry of Sustainable Development. The MSD assumed the land and survey functions of the Ministry of Agriculture and Housing and the environment management portfolio from the Ministry of Health. The ministry now includes the following departments:

- Administration
- Economic Affairs and PSIP
- Physical Planning and Environment
- Lands and Surveys
- Statistics

The MSD has been spearheading the implementation of the National Adaptation Strategy (NAS) in response to the closure of the Sugar Industry. The implementation of programmes to address sustainable development is a focal area targeted by the NAS. Although not readily quantified, the NAS highlights the cross sectoral benefits to be derived from the application of sustainable development practices on the former sugar lands.

In July 2010, the GOSKN through the MSD formally commenced the implementation of the Sustainable Land Management Project. Initially conceived as a three year undertaking, delays in execution necessitated accelerated implementation. The key project outputs included the following:

- i. Guidelines on Mainstreaming Sustainable Land Management into National Development.
- ii. The Strategic Framework for Investment Planning and Resource Mobilization for Sustainable Land Management Interventions
- iii. Review of Legislation, Regulation, Policy & Institutional Framework for SLM
- iv. Report on knowledge Management for SLM: Databases on Land Use, Land Tenure, Land Degradation and Land Zoning
- v. SLMP GIS Training Needs Assessment
- vi. Training Manual for Managing Land Resources in St. Kitts & Nevis

Environmental management has been placed high on the socio-economic and political agenda of the GOSKN. The GOSKN has participated in the OECS Parks and Associated Livelihoods Project (OPAAL) and the Integrated Watershed and Coastal Areas Management Project (IWCAM). Under the OPAAL Project, the GOSKN has designated the Central Mountain Range as the Central Forest Reserve and is presently developing the management plan for this protected area. The establishment of the CFR was done in accordance with the National Conservation and Environment Protection Act of 1987.

Under the IWCAM project, the GOSKN is designating the lower coastal section of the Basseterre Valley as a National Park. The project seeks to demonstrate the proper management and protection of a critical aquifer and well-field through a parallel process of mitigation of threats from contaminants, on-the-ground protection, and improved user-resource management.

Before the designation of the CFR as a protected area and the impending classification of the Basseterre Valley as a National Park, Brimstone Hill National Park Fortress on St. Kitts and the Bath Hotel on Nevis were the only two effectively declared protected areas in the Federation. In 1999 the Brimstone Hill Fortress National Park was declared a World Heritage Site.

The major issues for sustainable development in St. Kitts and Nevis identified during this Review are:

(a) There is no comprehensive national policy or plan that addresses sustainable development. However, the increased emphasis on sustainable development interventions to meet national development priorities should provide the supporting framework for the articulation of a national policy or plan.

(b) The Ministry of Sustainable Development provides a general institutional coordinating mechanism for sustainable development in SKN. However, there is need for greater inter agency cooperation and collaboration at the national level to make the model more effective.

(c) Data management systems for sustainable development are inadequate. Additionally, insufficient research capacity affects the availability and quality of data that is relevant to sustainable development.

(d) Insufficient capacity for the design and management of sustainable development interventions. The Strategic Framework for Investment Planning and Resource Mobilization for Sustainable Land Management Interventions developed under the SLMP can be used to further sustainable development activities in SKN.

SECTION 2: Review of Key Legislative & Regulatory Instruments

2.0 Introduction

Several key legislative and regulatory instruments exist that guide the sustainable development agenda in SKN. While some of these are out dated others require some aspects of institutional strengthening to make implementation more effective. Several of these are discussed below.

2.1 National Conservation and Environmental Protection Act, No. 5 1987

The National Conservation and Environmental Protection Act (NCEPA) is regarded still as one of the most advance pieces to environmental legislation that has been developed in the English speaking Caribbean. In a general way it provides a rather comprehensive authority for the management and development of natural and historic resources in the Federation. NCEPA outlines a framework for the declaration of sensitive ecological and historic sites as protected areas.

Areas chosen as protected areas under this piece of legislation must have the following purposes and objectives:

- to preserve the biological diversity of wild flora and fauna that may be endemic, threatened or of special concern, and the land and marine habitats upon which the survival of these species depends;
- to protect selected examples of representative or unique biological communities, both on land and on marine areas;
- to sustain natural areas important for the protection and maintenance of life support systems, and basic ecological processes including water recharge and soil regeneration; and
- to protect selected natural sites and scenic beauty of special scientific, ecological, historical or educational value, including sites that are already degraded and need protection for restoration or sites that may become degraded if not protected.

The purposes and objectives of NCEPA are consistent with the guiding principles established under Agenda 21. Specifically, it is keyed to the following areas:

- Agriculture and rural development,
- Environmental protection,
- Water resources management,
- Land use planning,
- Climate change adaptation, and
- Biological diversity conservation.

NCEPA is managed by the DPPE on St. Kitts and the DPPNRE on Nevis. The MSD has commenced preliminary work on the development of a National Conservation and Environmental Management Bill to replace NCEPA. When enacted, the emphasis of this new piece of legislation will be on the management of the environmental resources.

2.2 Development Control and Planning Act, No. 14 of 2000

The Development Control and Planning Act makes provisions for the orderly and progressive development of land in both urban and rural areas of St. Kitts. It supports NCEPA in that it provides for the protection of the environment and improvement of associated amenities. With regard to land use planning and management, the Act sets out the framework for the grant of development permission and for the design and implementation of a National Physical Development Plan (NPDP) to direct spatial development through time.

Planning and development control functions include but are not limited to the following:

- review of building and development applications;
- zoning;
- review of EIAs;
- Design and implementation of development plans;
- Etc

Key provisions of the DCPA as with NCEPA are aligned with Agenda 21 principles. These include:

- i. Agriculture and rural development,
- ii. Environmental protection,
- iii. Water resources management,
- iv. Land use planning, and Infrastructure.
- v. Climate change adaptation.
- vi. Biological diversity conservation

The DCPB is responsible for the implementation of the DCPA. The DPPE in the MSD is the Secretariat of the DCPB and is charged with the day to day management of the Act.

2.3 Nevis Development Control and Planning Ordinance 2005

Development control and land use planning on Nevis are administered under the Nevis Development Control and Planning Ordinance. The Ordinance provides the legislative framework for the Nevis Island Administration to prepare physical development plans that would guide the development and management of land use on the island. Also, it provides for the exercise of development control, including building activities.

The Ordinance has a similar scope to the DCPA on St. Kitts as it makes provisions also for the following:

- review of building and development applications;
- land use zoning;
- review of EIAs;
- Design and implementation of development plans;
- Natural and heritage preservation;

- Etc

The DPPNFE oversees the administration of the Ordinance.

2.4 Solid Waste Management Corporation Act (1996)

Introduced in 1996, the Solid Waste Management Corporation Act for SKN provides for the management of solid waste in conformity with the best environmental practices. The Act provides the legislative framework for the storage, treatment and disposal of solid waste, in order to prevent environmental degradation. Section 28 (1a) of the Act, requires that no individual shall not deposit or knowingly cause to be deposited solid waste in or on land, beach, foreshore, marine waters or river banks.

2.5 National Housing Corporation Act and the Nevis Housing and Land Development Corporation Ordinance 1984

The GOSKN carries out its affordable housing programme through the National Housing Corporation (NHC). The National Housing Corporation Act provides the NHC with the statutory powers to conduct its business. In theory, the NHC is required to seek land development approval from the DCPB. However, this has not been a consistent practice.

The Nevis Housing and Land Development Corporation (NHLDC) Ordinance provides the legislative and operational framework for the Nevis Land Development Corporation. The purpose of the Ordinance is to provide for the systematic development and alienation of land by the Corporation in respect of residential development, agriculture, industry, and tourism. As with the NHC Act, the primary purpose of the NHLDC is to provide affordable housing with related infrastructure on Nevis.

2.6 Whitegate Development Corporation Act, No. 15 of 1999

This Act sets out the operational framework for the Whitegate Development Corporation. The objectives of the Corporation as outlined in the Act are to:

- i. Attract new development that would take full advantage of the unique quality of the development area.
- ii. Attract sufficient independent new investment and development.
- iii. Create new job opportunities and businesses so as to enhance the physical, social and economic standard of the existing communities in the development area and the entire development area.
- iv. Enhance the value of land and the quality of life of residents of the development area.

Though not specifically outlined, the objectives of the Whitegate Gate Development Corporation Act are supportive of sustainable development principles.

2.7 Forestry Ordinance No. 10, 1903

The Forestry Ordinance No. 10, 1903 was amended by Ordinance No. 22, 1921 and No. 5, 1928. Regulations for implementation of the legislation are found in the Forestry (St. Christopher)

Regulations, the Forestry (Fuel Supply) (St. Christopher) Regulations, 1927 and the Forestry (Nevis) Regulations, 1940. These regulations mostly addressed the granting of permits for exploitation, with specific requirements for charcoal burning, control of fires and land clearing.

The Ordinance declared as forest reserves, all land covered with trees above the existing line of cultivation which was generally taken as the 1000' contour on both islands. These reserves were never officially surveyed, gazetted or demarcated until the recent official declaration of the CFR on St. Kitts. All building activity remains restricted beyond the 1,000' contour on both islands.

On Nevis, land above 1000' contour is now totally protected through administrative means rather than an actual declaration of protected status. However, there is interest in developing the appropriate mechanism(s) which would provide authority to declare areas as protected.

The objectives of the Forestry Ordinance are supported by NCEPA, the DCPA on St. Kitts and the DCPO on Nevis. Additionally, it can be interpreted that the Forestry Ordinance has provided the historic impetus for the country's involvement in the UNCCD, UNFCC and UNCBD.

2.8 Water Courses and Water Works Ordinance (Cap 185 of 1956)

The principal water legislation is the Watercourses and Waterworks Ordinance (Cap 185 of 1956) and the Watercourses and Waterworks Regulations. This Ordinance establishes legislative and regulatory powers for the WSD on both islands to, regulate the supply of water to consumers, prevent waste, misuse and pollution of water and control sanitation of watersheds. It addresses issues of water supply and protection of watercourses.

Under this legislation it is an offence to put any rubbish or offensive solid or liquid matter into a watercourse, or to pollute water flowing into or out of a watercourse. Regulations provide details on water supply, water meters and the control of standpipes.

The management of watersheds in SKN is shared between several agencies. These include the:

- Water Services Department;
- Department of Physical Planning and Environment;
- Department of Physical Planning Natural Resources and the Environment; and
- Department of Agriculture

2.9 Public Health Act No. 22 of 1969

Despite being outdated, the Public Health Act is still the main legislative instrument for managing environmental health issues in SKN. Initially, the Act did not address important issues of wastewater management including the discharge of untreated sewage, waste reduction, collection, storage transport, recycling or any of the present day concepts regarding waste management. As such, the scope of the legislative authority for environmental health revolves mainly around the maintenance of general sanitary conditions and cleanliness. The introduction of the Solid Waste Management Corporation Act in 1996 provided a legal framework to undertake waste management.

There is a need to further revise the Public Health Act and/or consolidate the environmental management provisions of other legislations toward establishing more appropriate institutional arrangements to support, co-ordinate and direct relevant environmental health activities.

2.10 Agricultural Development Act 1973

The Agricultural Development Act makes provisions for the more efficient use and economic development of agricultural lands. It sought to promote the development of income and employment opportunities for farmers, particularly in the rural areas of SKN. The Act provided for the establishment and incorporation of an Agricultural Land Authority to manage the provisions of the Act and to inform agricultural development policies. The Departments of Agriculture on St. Kitts and Nevis manage the administration of the Act.

Under the Act, the DOA is required formulate general plans for utilization of agricultural lands and establish an adequate mode of use on the basis of the natural environments of agricultural lands, social and economical factors, technical conditions and farmers' vulnerability.

2.11 St. Kitts-Nevis Building Regulations, Code and Guidelines (No.7 of 2000)

The SKN Building Regulations, Code and Guidelines (commonly referred to as the Building Code) provide the regulatory framework for the management of construction and built developments. The of the Code scope applies to the construction of new buildings and structures, alterations, renovations, remodeling, demolitions, removal, relocation, maintenance and occupancy of existing buildings.

The DCPA is the parent legislation that guides the implementation of the Code. Generally, various provisions of the Code are tied with those of other legislative, regulatory and policy instruments such as NCEPA, the Forestry Ordinance, the Solid Waste Management Corporation Act and the Public Health Act.

2.12 Substances that Deplete the Ozone Layer (Control) Regulations (No. 06 of 2004)

The Substances that Deplete the Ozone Layer Regulations reflect the GOSKN's commitment to meet its requirements under the Montreal Protocol. The Montreal Protocol is an international agreement that seeks to control the production and consumption of certain ozone-depleting substances.

Established under the authority of NCEPA, the Regulations are intended to reduce further emissions of ozone-depleting substances by controlling the import and export of ozone-depleting substances, products containing ozone-depleting substances and products designed to contain ozone-depleting substances.

SECTION 3: Review of Key Policy Framework

3.0 Introduction

For the purposes of this report, policy is described as a deliberate plan of action by government to guide decisions and achieve rational outcome(s) to the benefit of the wider community. Here, the term is not used to denote what have actually been done, but rather focuses on expressions of intent.

Several key national policy instruments have relevance to sustainable development in SKN. These include the:

- Country Environmental Profile
- National Environmental Action Plan
- Medium Term Economic Strategy Paper
- National Adaptation Strategy
- National Physical Development Plan
- Nevis Physical Development Plan
- National Environmental Management Strategy
- National Capacity Self Assessment
- St. Kitts Agricultural Development Strategy
- Country Poverty Assessment
- UNCCD National Action Plan
- National Biodiversity Strategy and Action Plan
- Natural Hazard Management and Mitigation Policy

3.1 Country Environmental Profile

The preparation of the Country Environmental Profile in 1991 was the first attempt at constructing a general sustainable development policy framework, which identified a number of relevant issues, and articulated policy recommendations for environmental management in SKN. It has provided the background to SKN' regional and international environmental reporting requirements and obligations. It describes the natural resource base of the country and includes a review of the extent and economic importance of natural resources and changes in the quality or productivity of those resources.

The CEP involved a review of institutions, legislation, policies and programs for environmental planning, economic development and natural resource management. It identified major issues, conflicts/problems in natural resource management and opportunities for effective responses. Additionally, it presented the environmental setting of the country and reviewed historical economic and demographic features. It discussed agriculture, tourism, historical resources, national parks and protected areas, pollution control and environmental health, land use planning, and development control, institutional framework for environmental management.

Though developed prior to the 1992 Earth Summit, the CEP remains a useful starting point for basic environmental investigations and research.

3.2 National Environmental Action Plan

The National Environmental Action Plan (NEAP) discusses the environmental issues affecting SKN in a comprehensive, multi-sectoral framework and sets forth a long-term strategy for maintaining the country's natural environment, the health and safety of its population, and its cultural heritage as economic development occurs. It proposes practical measures to prevent or remedy environmental problems and considers cross-sectoral links that affect renewable and non-renewable resources, as well as human activity. The key objective of the NEAP is to set forth a long term national environmental policy and investment strategy based on comprehensive environmental analysis.

It examines the quality of the environment; biodiversity; and the use of natural resources, including air, land, water, forest, and wildlife. Furthermore, it assesses how economic and institutional issues associated with the management of these resources are affecting development, and human health and well-being. The NEAP outlines priorities and related policy recommendations in the following areas:

- Public awareness of environmental issues;
- A national strategy for environmental protection;
- Specific legislative actions, programmes, and investment projects to address priority problems;
- The management of natural resources, particularly endangered species and habitats;
- The reversal of environmental degradation; and
- Protection of the public from environmental pollution and natural hazards.

The NEAP is aligned closely to the key principles of Agenda 21

3.3 Medium Term Economic Strategy Paper (MTESP)

The Medium Term Economic Strategy (MTESP) establishes the sectoral priority areas of the GOSKN. While traditionally it has focused primarily on the economic sectors, in recent times environmental considerations have been included. The 2005-2007 MTESP identified the following objectives as the Government's priority for the environment over the medium term:

- To reduce current and potential environmental degradation;
- To reduce the adverse environmental effects of current and future economic development;
- To educate and raise awareness on current and potential environmental issues; and
- To raise the profiles of the available alternative sources of energy.

It indicated further that the objectives will be implemented through projects or programmes in the following areas:

- i. Land Degradation;

- ii. Watershed/Forestry Management;
- iii. Coastal Area Management; and
- iv. Energy Conservation.

3.4 National Adaptation Strategy (NAS)

The GOSKN adopted the **National Adaptation Strategy** for the period 2006–2013 in response to closure of the sugar industry in 2005. The NAS outlines the policy framework for restructuring the national economy around a more diversified economic base and to implement a comprehensive and integrated adjustment programme. To a large extent, the NAS has been supported by the European Commission (EC) within the framework of its 2007-2013 support strategy to promote fiscal sustainability, private sector development, market liberalization, skills development, poverty reduction and institutional strengthening.

The primary focus areas of the NAS include the following:

- i. the maintenance of macro-economic stability to reduce vulnerability and facilitate investment;
- ii. improvement competitiveness in the production and export of goods and services;
- iii. the adoption of social policies to support economic development and protect the most vulnerable;
- iv. the promotion of a sustainable development agenda;
- v. restructuring and transformation of the economy;
- vi. the development of appropriate legal and regulatory frameworks; and
- vii. the efficient provision of public goods (such as education and health).

3.5 National Physical Development Plan (NPDP)

A National Physical Development Plan for St. Kitts was prepared in 2005. The NPDP has been designed to promote the orderly and progressive development of land. Additionally, the plan seeks to promote the preservation of and improvement to various environmental assets/resources that provide amenity value to the country.

The following critical planning goals are outlined in the plan.

- Provide a guide for the physical development and the rational allocation of the limited land resource of the country.
- Devise appropriate measures which increase accessibility to essential services, adequate shelter for all, and to ensure sustainable livelihoods.
- Provide guidance for future development control.
- Design policies that relate to land development and management for the long-term objective of improving livelihoods for all.
- Provide a basis for coordinating physical development including plans, programmes, and investment activities of individual, public, and private sector agencies involved in development.

- Link socio-economic planning with physical planning.

The implementation of the NPDP has helped to direct growth by serving as a decision guide in evaluating the following:

- land use applications;
- land use zoning;
- subdivision development;
- environmental preservation and conservation;
- heritage conservations;
- Site planning and development; and
- Infrastructure planning and installation.

3.6 Nevis Physical Development Plan (2008 DRAFT)

A draft Physical Development Plan for Nevis has been developed to promote the sustainability of the island's resources through the improved regulation of land-use. The Plan was designed to address land development over a fifteen year period. It includes policies and guidelines for sustainable development and seeks to prescribe locations of housing, industry, parks/conservation areas, hotel and tourism development with regards to land suitability and other physical and environmental attributes.

Though not formally approved by the NIA, the Plan has been used as a guide to inform decision making on land use and development applications; zoning; environmental management; heritage matters; and infrastructure development. Generally, the objectives of the Plan support the island's sustainable development agenda.

3.7 National Environmental Management Strategy (NEMS)

The preparation of a National Environmental Management Strategy and Action Plan (NEMS) for SKN was guided by the country's obligations under the St George's Declaration (SGD) of Principles for Environmental Sustainability in the OECS, 2001. The NEMS helps to guide SKN's programmes in environmental management over the long term. The principles outlined in the NEMS remain relevant.

The NEMS has assisted in streamlining the annual OECS reporting requirements on the SGD and has harmonized the reporting needs for UNFCCC, UNCBD and UNCCD. The continuous implementation of the NEMS offers an opportunity to support and expand on the delivery of the MTESP and build on local efforts for sustainability. The guiding principles of the NEMS are:

- i. Foster Sustainable Improvement in the Quality of Life
- ii. Integrate Social, Economic and Environmental Considerations into National Development Policies, Plans and Programmes.
- iii. Improve on Legal and Institutional Frameworks
- iv. Ensure Meaningful Participation by Civil Society in Decision Making.
- v. Ensure Meaningful Participation by the Private Sector.

- vi. Use Economic Instruments for Sustainable Environmental Management
- vii. Foster Broad-based Environmental Education, Training and Awareness
- viii. Address the Causes and Impacts of Climate Change
- ix. Minimize and Manage the Causes and Impacts of Disaster
- x. Prevent and Control Pollution and Manage Waste
- xi. Ensure the Sustainable Use of Natural Resources
- xii. Protect Cultural and Natural Heritage
- xiii. Protect and Conserve Biological Diversity
- xiv. Recognize Relationships between Trade and Environment
- xv. Promote Cooperation in Science and Technology
- xvi. Manage and Conserve Energy
- xvii. Negotiate and Implement Multi-lateral Environmental Agreements

3.8 National Capacity Self Assessment (NCSA)

The National Capacity Self Assessment (NCSA) project was funded by the GEF, implemented by the UNDP, and executed by the DPPE in the MSD. The NCSA has identified and analyzed priorities and needs at the country level for capacity development related to the implementation of the UNCBD, UNFCCC, and the UNCCD.

Several crosscutting issues related to the implementation of these three conventions by the GOSKN were identified in the NCSA report. These include: national policy, legal and regulatory framework; monitoring and enforcement; awareness and exchange of information; institutional management and performance; Individual skills and motivation; information management and reporting; mobilization of science in support of decision-making; financial resources; and incentive systems and market instruments.

The cross cutting capacity needs identified in the NCSA stocktaking exercise were used as the priority elements for attention in the Capacity Development Action Plan (CDAP). As an output of the NCSA, the CDAP was expected to be implemented over a three year period. At the end of this period, a review of implementation was anticipated and a new action plan for capacity development with respect to the three conventions would be developed. The objectives of the CDAP were to:

- Improve the policy framework for implementation of multilateral environmental agreements.
- Enhance the ability of select government departments to monitor the impacts of development projects and compliance with prescribed measures.
- Raise the awareness of key sectors of society on the benefits of implementation of selected multilateral environmental agreements.
- Establish an improved coordination mechanism for environmental matters.
- Enable staff to improve their performance with respect to implementation of the environmental conventions.
- Develop a system to assist in human resources management.

- Improve the system for information management within key government agencies.
- Mobilize scientific opinion in support of decision making.
- Increase the level of trained and qualified staff in key government agencies.
- Establish at least one economic incentive to encourage environmental sustainability.

The DPPE in the MSD has been the lead agency for coordinating the implementation of the CDAP.

3.9 St. Kitts Agricultural Development Strategy (ADS)

Following the 2005 closure of the sugar industry, like tourism, the agriculture sector has been identified as a key area of growth in the national economy. Accordingly, the ADP was developed as a guide to support the GOSKN's policy to significantly increase non-sugar agriculture production in a competitive and sustainable manner. The plan has put farmers at the forefront of this new agricultural thrust. The ADP proposes a market led approach with an emphasis on new areas of penetration.

It stresses an integrated production and marketing system which is expected to contribute significantly to the economic diversification programme. Much emphasis is being placed on the development of medium size holdings and commercial of farmers in an attempt to transform the sector from a largely subsistence base into one that is wholly competitive. Generally, the proposed new agriculture investments included in the ADS are aligned with other macroeconomic sectoral targets/objectives outlined in the NAS.

3.10 Country Poverty Assessment Report

Country Poverty Assessments reports for the Federation of St. Kitts and Nevis were conducted during the period 1999- 2001 and 2007-2008. The reports examined the economic and social conditions in the country and were founded on three main components:

- A Survey of Living Conditions (SLC)
- A Community Situational Analysis (CSA)
- An Institutional Analysis (IA)

The SLC generated quantitative information on households and individuals in both islands. The CSA was conducted through focus group discussions, community meetings, participant observation, open-ended interviews, and foot surveys in selected communities. The IA was conducted mainly through interviews with key personnel in the organisations identified by the National Assessment Team (NAT) in both islands. Secondary data were also reviewed in generating information on the respective institutions.

3.11 UNCCD National Action Programme (NAP)

It is a requirement under the United Nations Convention to Combat Desertification (UNCCD) requires that all contracting Parties prepare a National Action Programme (NAP). The purposes of the NAP as outlined in Article 10 of the UNCCD are:

1. To identify the factors that contributing to desertification and practical measures necessary to combat desertification and mitigate the effects of drought.
2. To specify the respective roles of government, local communities and land users and the resources available and needed.
3. To include specific measures to prepare for and mitigate the effects of drought.
4. Based on the circumstances and requirements specific to the country, the national action programme should include, as appropriate, *inter alia*, the following priority strategies as they relate to combating desertification and mitigating the effects of drought in affected areas and to their populations:
 - Promotion of alternative livelihoods and improvement of national economic environments with a view to strengthening programmes aimed at the eradication of poverty and at ensuring food security;
 - Demographic dynamics;
 - Sustainable management of natural resources;
 - Sustainable agricultural practices;
 - Development and efficient use of various energy sources;
 - Institutional and legal frameworks;
 - Strengthening of capabilities for assessment and systematic observation, including hydrological and meteorological services; and
 - Capacity building, education and public awareness.

The UNCCD NAP for SKN was completed in 2007. It described desertification, land degradation and drought issues affecting the country and identified long-term strategies to address them. These strategies included preventative and corrective institutional, legislative and physical measures as well as financing mechanisms. Recommendations for the adoption of appropriate technology, knowledge and know-how were included also.

Elements of the NAP that are of critical importance include:

- Identification of factors causing land degradation and practical measures to combat it;
- Specification of the role of government, local communities, land users and the resources available and needed;
- Development of long-term strategies that emphasize integration and implementation with national policies for sustainable development;
- Emphasis on preventive measures for land not degraded;
- Promotion of cooperation among all relevant groups;
- Provisions for effective participation; and,
- Building of reliable partnerships for sustained support.

3.12 National Biodiversity Strategy and Action Plan (NBSAP)

In 2004 the NBSAP was developed with financial assistance from the GEF with the support of UNDP. It is the Federation of SKN's first coordinated step in meeting its obligations under the UNCBD. Essentially, the NBSAP outlines the natural resource stock of SKN and highlights

strategies to effectively manage them. Specifically, the plan examines species population, distribution and protection status.

The Second National Report to the Convention on Biodiversity was prepared by the GOSKN in December of 2009.

3.13 Natural Hazard Management and Mitigation Policy

In 2001 a Natural Hazard Management and Mitigation Policy was developed for SKN. The purpose of this policy was to provide proactive approaches for reducing vulnerability to environmental hazards by enhancing capacity for mitigation and engendering a culture of adopting mitigation measures.

The policy sought to:

- Foster an environment supportive of resilient building and land use planning practices that were aligned with the principles of sustainable development.
- Encourage effective coordination among key stakeholders involved in national development.
- Increase community consciousness and commitment to carry out disaster mitigation and environmental risk reduction practices.

For the most part, the policy has been implemented with a moderate degree of success. Generally, natural hazard considerations have been factored into the national planning process. Natural Hazard Impact Assessment (NHIA) is now included in the Environmental Impact Assessment framework. Additionally, the Revised St. Kitts- Nevis Building Code makes provisions for improved building practices.

3.14 UNFCCC National Communication

The GOSKN submitted the Initial National Communication (INC) on the 30th November 2001 in supporting its fulfilment of certain obligations under the UNFCCC. This Report was constituted in accordance with the guidelines laid down by the UNFCCC Conference of Parties (COP) in decision 10/CP.2, and as required under Articles 4 and 12 of the convention. In addition to its role of fulfilling SKN's obligations under the UNFCCC, the National Communications document is also intended to be used as a resource document by national stakeholders and other persons at regional and international levels.

A major component of the National Communication is an assessment of green house gas emissions. Enabling activities for the preparation of the Second National Communication (SNC) to the UNFCCC have commenced. Work conducted under the SNC will build on activities undertaken during the INC, as well as under the CPACC, ACCC and MACC projects, led by the Caribbean Community Climate Change Centre (CCCCC). The main components of the SNC for SKN will include:

- National circumstances chapter including information on the country's social and economic characteristics, climate, natural resources, etc
- Greenhouse gas inventory (GHGI)
- Programmes containing measures to facilitate adequate adaptation to climate change
- Vulnerability and adaptation (V&A) assessments of various economic sectors and natural systems (e.g. agriculture, water resources, health, tourism, fisheries) in relation to climate change
- Review and identification of strategies and measures to reduce greenhouse emissions and mitigate the impacts of climate change
- Identification of constraints, gaps, and related financial, technical and capacity needs
- Other Convention-relevant information e.g. public awareness and education, technology transfer, research

SECTION 4: Review of Institutional Framework

4.0 Institutional Framework

Overall responsibility for sustainable development in SKN is shared among several public sector agencies. Supporting roles in heritage resources management and environmental education are performed by the St. Christopher National Trust and the Nevis Historical and Conservation Society. The primary institutions and their roles in sustainable development are discussed below.

4.1 Ministry of Sustainable Development

In 2005 the Ministry of Development and Planning was transformed into a Ministry with responsibility for Sustainable Development. The new Ministry of Sustainable Development (MSD) assumed the land and survey portfolios of the Ministry of Agriculture and Housing and the environment management portfolio from the Ministry of Health. As a result, the departmental components of the MSD now include:

- A. Administration
- B. Economic Affairs and PSIP
- C. Physical Planning and Environment
- D. Lands and Surveys
- E. Statistics

The MSD is responsible for spearheading the implementation of the NAS. Though not readily quantified, the NAS highlights the cross sectoral benefits to be derived from the application of sustainable development practices.

4.1.1 Department of Physical Planning and the Environment (St. Kitts)

The Department of the Environment was established first in 1996 within the Ministry of Health and Environment to enable the implementation of the NCEPA. In 2005 a Ministry of Sustainable Development (MSD) was established to spearhead the design and implementation of the countries development agenda and to better equip SKN to meet its international obligations to various bi-lateral and multilateral economic and environmental agreements.

In shaping the MSD the Department of the Environment was merged with the Physical Planning Division to create the Department of Physical Planning and the Environment (DPPE). The DPPE functions as the lead agency for physical planning, development control and environmental management. As lead agency for environment, the DPPE functions as the focal point in SKN for the UNFCC, UNCBD and the UNCCD. Accordingly, it plays a pivotal role in the administration of sustainable development in SKN.

4.1.2 Department of Lands and Surveys (St. Kitts)

The DOLS is responsible for the design, survey and implementation of residential land subdivision schemes. Overall, the general strategic objective of the DOLS is to establish a fixed boundary coordinated cadastral system after a systematic resurvey, cadastral plans, topographical maps, and the complete development of a Land Information System that would fully support the survey, registration, valuation and management of land. With representation

on the DCPB, the DOA works closely with the DPPE and other key public sector institutions to rationalize land use and land development decisions.

4.1.3 Department of Economic Affairs and Public Sector Investment Programme

This outfit of the MSD functions as the lead coordinating unit for local, regional, and international projects. The department operates as the in country contact for lending and donor agencies such as the Caribbean Development Bank (CDB); Organization of American States (OAS); United Nations Development Programme (UNDP); United Nations Environment Programme (UNEP); the Global Environmental Fund (GEF); World Bank; and the European Union (EU). It facilitates the coordination of requests for technical assistance, grant funding and loans between various government ministries and non-governmental institutions and external donor agencies.

The Department prepares and manages the GOSKN's Public Sector Investment Programme (PSIP) through close collaboration with line ministries and statutory corporations. The PSIP directs the preparation of the capital budget and assists in ensuring a holistic approach to inter-ministerial and inter-departmental programming, so as to avoid duplicity.

4.1.4 Development Control and Planning Board

The Development Control and Planning Board (DCPB) receives its operational authority from the Development Control and Planning Act (No. 14 of 2000). The Board is responsible for the review and determination of all building and development planning applications on St. Kitts. Additionally, the DCPB is responsible for zoning, review of environmental impact assessments and the design and implementation of development plans and broader national policy instruments such as the NPDP. The operational scope of the DCPB generally addresses the broad sustainable development areas of:

- Agriculture and rural development,
- Environmental protection,
- Water resource management,
- Land use planning,
- Climate change adaptation, and
- Biological diversity conservation.

4.2 Department of Physical Planning, National Resources and the Environment

The Saint Christopher and Nevis Constitution Order 1983 gives the Nevis Island Assembly responsibility over the affairs of Nevis. The Department of Physical Planning, Natural Resources & Environment (DPPNRE) is responsible for land use planning, land conservation, and environmental management.

In 2005 the DPPNRE prepared a draft Physical Development Plan, which proposed land to be earmarked for various land use types including environmental conservation areas. The approval of that plan is still pending. Generally, the DPPNRE works closely with the DPPE on St. Kitts with

regard to the meeting country obligations under the key MEAs and other physical planning, development and environmental initiatives.

4.3 Water Services Department

The Water Services Department (WSD) is responsible for the identification, upkeep and protection of water supply sources on St. Kitts. The Watercourses and Waterworks Ordinance (1956) makes provision for the declaration of watersheds to protect waterworks and water sources. Watershed management is critical to maintaining both surface and groundwater sources. However, the WSD does not regard itself as a watershed management institution. Notwithstanding, the WSD working in close collaboration with the DPPE, has spearheaded the implementation of the first phase of the IWCAM project which seeks to rehabilitate the lower coastal section of the Basseterre.

4.4 Department of Agriculture

Agricultural development policies and programmes in SKN are developed and managed by the DOA on St. Kitts and on Nevis. Traditionally, the DOA has focused on agricultural extension services, focusing primarily on methods of cultivation and overall crop production. Generally, the DOA is responsible for a range of services related to agriculture and rural development in both St. Kitts and Nevis. Some of these include:

- Soil sampling and analysis
- Soil conservation
- Forestry
- Water conservation
- Integrated pest management
- Animal and plant health
- Food safety and nutrition
- Food security
- Marketing
- Natural resources management
- Etc

4.5 Public Works Department (PWD)

The Public Works Department oversees the design of new and maintenance of existing public infrastructure, including roads, drainage, bridges, and culverts. Also, it is responsible for overseeing the design, construction and repair of public buildings. As a member of the DCPB, the PWD provides technical support to the land development and building application review processes. It is a member of the existing PSIP framework that is managed by the MSD.

4.6 National Housing Corporation and the Nevis Housing and Land Development Corporation

National Housing Corporation on St. Kitts and the Nevis Housing and Land development Corporation on Nevis are responsible for the public supply of affordable shelter accommodation and related infrastructure. The NHC and the NHLDC are vested lands by the GOSKN and the NIA respectively. Both organizations are responsible for developing the said lands according to the guidelines established by the DCPB and the DPPNRE.

4.7 Solid Waste Management Corporation

Statutory authority for the SWMC on St. Kitts and on Nevis is provided by the Solid Waste Management Corporation Act. The SWMC is charged with the responsibility of developing solid waste management facilities for storage, collection, treatment and disposal of solid waste. While there are two private companies on St. Kitts involved in solid waste collection and disposal, the SWMC remains the primary collector and transporter of waste throughout the Federation.

4.8 Saint Christopher National Trust

The Saint Christopher National Trust (SCNT) is a non-governmental organization founded in 2009 with the goal of preserving the national heritage of St. Kitts. The Trust evolved from the St. Christopher Heritage Society which was incorporated as a private company in 1994. The SCNT currently manages the National Museum in the Old Treasury Building in Basseterre.

The main objective of the SCNT is to promote the protection, conservation, interpretation and enhancement of the natural environment of St. Kitts, including its animals and plant life. Also, it is intended that the Trust will provide a forum for the exchange of ideas, information and knowledge.

4.9 Nevis Historical and Conservation Society

The Nevis Historical and Conservation Society (NHCS) was established in 1980 to conserve the natural, cultural, and historic resources of the island and adjacent marine areas. The Society is a non-profit organization managed by an Executive Board. Since its inception the NHCS has instituted projects and policies designed not only to preserve Nevis' unique history and environment, but also to make that heritage accessible and intelligible to locals and visitors.

SECTION 5: Gaps, Initiatives and Recommendations

5.0 Gaps and Current Initiatives

The legal and institutional framework for sustainable development in SKN is derived from the existing legislations and regulations discussed in Section 2 above. In many instances however, legislation merely translates to implied policy and good intentions, both of which are undermined by lack of enforcement and weak and/or insufficient institutional strength. The absence of relevant regulations is cited often as the main factor that hinders effective operation and enforcement.

Other than regulations, there are several tools and strategies that can be employed in support of sustainable development objectives. The need for effective stakeholder involvement is a key ingredient for sustainable development. It is important that the GOSKN work together with the key stakeholders in the crafting and implementation of sustainable development interventions. This should assist the GOSKN in maintaining a clear vision for sustainable governance of all sectors involved in the national development process, including formulation, implementation, monitoring and evaluation of programmes.

Additionally, there are a number of issues that have to be addressed in order to effect an improvement in the institutional framework for sustainable development in SKN. These issues have been highlighted in the “**Guidelines for Mainstreaming Sustainable Land Management in National Development**” that was prepared as an output of the SLMP. The Guidelines seek to provide direction to users to help them mainstream SLM in national development policies, plans and projects.

The Guidelines are based on seven (7) key principles for mainstreaming SLM in national development which are closely linked with the outlined principles of Agenda 21. These are:

1. Political commitment, strong institutions and appropriate governance are essential to integrating SLM issues in development processes and to reducing environmental risks.
2. The integration of SLM in development is based on sound knowledge of, risk and risk reduction.
3. Awareness of risk and risk reduction measures conveys knowledge about SLM solutions.
4. Effectively incorporating risk considerations in development decision-making requires synergies between sustainable development and risk reduction initiatives.
5. Sound development investment in the face of hazards depends on consideration of risk issues.
6. Achieving the objectives of mainstreaming SLM depends on enhancing compensatory risk management to help reduce the legacy of accumulated risk.
7. SLM is a multi-thematic and multi-sectoral process; mainstreaming it in development involves its integration in development themes or sectors.

5.1 Summary of Recommendations

From the review of legislative, regulatory, policy and institutional arrangements suggests that the effective pursuit of sustainable development in the Federation of SKN requires several interventions. These include the following:

1. Development of appropriate regulations and or guidelines to effectively support legislative provisions.
2. Development and implementation of a clearly articulated policy to govern sustainable development.
3. Monitoring and evaluation of institutional and capacity development interventions.
4. Development and implementation of integrated financing and programme strategies such as the PSIP.

The development of regulations should target creating an enabling environment for private sector participation, technological transfer, physical investment, payment for environmental services and resources, and promoting fair, secure and effective sustainable development interventions.

The report on the Legislative, Regulatory, Policy and Institutional Framework for SLM conducted under the SLMP recommends the development of the St. Christopher and Nevis Sustainable Land Management Regulations. If adopted, these regulations would strengthen overall sustainable development policies, interventions and overall national physical development in SKN. Also, the regulations would assist in consolidating enforcements efforts in land management as required by the Development Control and Planning Act No. 14 of 2000 and the National Conservation and Environmental Protection Act.

The development of a basic land policy for SKN would achieve certain objectives relating to the security and distribution of individual and collective land rights, land use and land management. For the most part, land-use policy would become a general expression of the government's perception of the direction to be taken on major issues that relate to land use and the proposed allocation of the national land resources over time. It should consists of a production and a conservation component. A sound national land-use policy would become effectively part of the enabling environment for sustainable development in SKN.

In order to achieve the policy objective of sustainable production and conservation of natural resources, the GOSKN should pursue strategies which actively promote forms of land use which are both attractive to constituents and sustainable in terms of their impacts on land resources. By developing the national sustainable development policy through a participatory, integrated and iterative process, there is a much greater likelihood of achieving this.

Land-use Planning is a systematic and iterative procedure undertaken in order to create an enabling environment for sustainable development of land resources. It analyzes the physical, socio-economic, institutional and legal possibilities and constraints with respect to an optimal and sustainable use of land resources. The process empowers regulators to make decisions about how best to allocate and manage those resources. The 2005 NPDP and the Nevis PDP are

useful starting points to address comprehensive land use planning in SKN. However, there is a need to conduct mid term evaluations on the success of implementation to ensure that measured goals and targets are being met.

Capacity Development toward sustainable development should target the strengthening organizations charged with managing collective policy, infrastructure and technological systems. Importantly, emphasis should be equally place on strengthening community and watershed user groups and other organizations (particularly NGOs and CBOs) to encourage the mainstreaming of sustainable development interventions in the country.

A significant factor in achieving greater adoption of sustainable development practices and improving the success of investments that seek to support it is the quality of the broader enabling environment that supports economic activity and rural development. Important elements include rural roads, access to markets, private sector activity in agricultural inputs and output markets, and access to finance.

Sufficient improvements in infrastructure and market institutions will likely boost the profitability of agricultural production. This will have the effect of raising the value of land and hence incentives to use it sustainably, provided that the users of land have secure long-term rights.

BIBLIOGRAPHY

1. Agricultural Landscape after Sugar (2001), Department of Agriculture, Basseterre, St. Kitts.
2. Agricultural Development Act 1973
3. Caribbean Environment Programme. 1996. 'St. Kitts and Nevis Country Profile' in, Status of Protected Area Systems in the Wider Caribbean Region. CEP Technical Report No. 36 United Nations Environment Programme.
4. Development Control and Planning Act. No. 14 Of 2000
5. FAO/CDB Agricultural Diversification Project Preparation Report
6. Forestry Ordinance 1904
7. Government of St. Kitts and Nevis. 2004. St. Kitts and Nevis Medium Term Economic Strategy Paper 2005 – 2007. June 2004.
8. Guidelines for Mainstreaming Sustainable Land Management into National Development. Island Planning Services (2010)
9. Island Resources Foundation. 1991. St. Kitts and Nevis Environmental Profile. Caribbean Conservation Association and Government of St. Kitts and Nevis.
10. Government of St. Kitts and Nevis. 2001. Initial National Communications on Climate Change
11. Land Resources Information Systems In the Caribbean, Proceedings of a Sub-regional Workshop held in Bridgetown, Barbados 2-4 October 2000.
12. National Adaptation Strategy in Response to the New EU Sugar Regime 2006 – 2013, April 2006 Ministry of Sustainable Development
13. National Conservation and Environmental Protection Act (1987)
14. National Environmental Management Strategy, Ministry of Sustainable Development
15. National Capacity Self Assessment, Ministry of Sustainable Development
16. National Housing Corporation Act

17. National Physical Development Plan (2006), Development Control and Planning Board, Ministry of Sustainable Development.
18. Nevis Historical and Conservation Society: <http://www.nevis-nhcs.org>
19. Nevis Physical Planning and Development Control Ordinance No. 1 of 2005
20. Solid Waste Management Corporation Act
21. Strategic Framework for Investment Planning and Resource Mobilization for SLM Interventions. Island Planning Services (2011)
22. St. Kitts and Nevis National Biodiversity Strategy and Action Plan
23. St. Kitts and Nevis UNCCD National Action Programme (2007)
24. St. Kitts and Nevis Poverty Assessment Report 2009, Kairi Consultants (2009).
25. St. Kitts and Nevis: National Environmental Action Plan, (1994) Planning Unit, Ministry of Development and Planning, Basseterre, St. Kitts.
26. Operation Program on Sustainable Land Management, (Revised 2003), GEF.
27. Toppin-Allahar, Christine. 2004. Review of the Legal and Institutional Framework for Environmental Management in St. Kitts and Nevis. OECS Environmental & Sustainable Development Unit.
28. Policy and Financing for in Sub-Saharan Africa, Lessons and Guidance for Action, Version 1.0, The Global Mechanism of the UNCCD and FAO, August (2009)
29. Pesticide and Toxic Chemicals Control Act 1999
30. Public Health Act No. 22 of 1969
31. Sustainable Land Management in the Tropics- Explaining the Miracle. Edited by Burger, Kees and Zaal, Fred. University of Amsterdam, the Netherlands.
32. Water Courses Ordinance 41/56
33. Whitegate Development Corporation Act, No. 15 of 1999

ACRONYMS

ACP: African, Caribbean and Pacific
CBD: Convention on Biological Diversity
CDAP: Capacity Development Action Plan
CEHI: Caribbean Environmental Health Institute
CEP: Country Environmental Profile
CFR: Central Forest Range
CREP Caribbean Regional Environmental Programme (Project)
DOA: Department of Agriculture
DOLS: Department of Lands and Surveys
DPPE: Department of Physical Planning and the Environment
DPPNRE: Department of Physical Planning, Natural Resources & Environment
EIA Environmental Impact Assessment
EU: European Union
GEF: Global Environment Facility
GOSKN: Government of St. Kitts and Nevis
NHIA: Natural Hazard Impact Assessment
IWCAM: Integrated Watershed and Coastal Areas Management (Project)
MEA Multilateral Environmental Agreement
MSD: Ministry of Sustainable Development
MTESP Medium Term Economic Strategy Paper
NAS: National Adaptation Strategy
NAP: National Action Plan
NBSAP: National Biosafety Action Plan
NCEPA: National Conservation and Environmental Protection Act
NCSA: National Capacity Self Assessment
NDMC: National Disaster Mitigation Council
NEMS: National Environmental Management Strategy and Action Plan
NHC: National Housing Corporation
NHCS: Nevis Historical and Conservation Society
NHLDC: Nevis Housing and Land Development Corporation
NIA: Nevis Island Assembly
NPDP: National Physical
OECS: Organisation of Eastern Caribbean States
OPAAL: OECS Parks and Associated and Associated Livelihoods Project
SGD: St. Georges Declaration
SLMP: Sustainable Land Management Project (Project)
SWMC: Solid Waste Management Corporation
PSIP: Public Sector Investment Programme
PWD: Public Works Department
SCNT: St. Christopher National Trust
SKN St. Kitts and Nevis
TOR Terms of Reference
UNCBD: United Nations Convention on Biological Diversity
UNCCD: United Nations Convention to Combat Desertification
UNDP: United Nations Development Programme

UNFCC: United Nations Framework Convention on Climate Change
WGDC: White Gate Development Corporation