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medio ambiente y desarrollo

rban poverty and habitat precariousness in the Caribbean

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Santiago, Chile, April 2004

This document was prepared by Mr. Robin Rajack with the collaboration of Shrikant Barhate, in the framework of the Project "Urban Poverty: an actionoriented strategy for urban governments and institutions in Latin America and the Caribbean", supported by the United Nations Development Account.

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United Nations Publication ISSN impreso 1564-4189 ISSN electrónico 1680-8886

ISBN: 92-1-121441-6 LC/L.2105-P

Sales number: S.04.II.G.43

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Printed in United Nations, Santiago de Chile

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Abstract

This report focuses on urban poverty and habitat precariousness in the Caribbean countries with an emphasis on current and former British territories.

Chapter 1 looks at the different sets of related indicators. Firstly, an overview of population growth and urbanization is presented. Next a synopsis of poverty indicators is given. Chapter 2 analyzes available information by countries mainly referred to habitat conditions such as housing, sanitation, land titles, water, public services, in order to present an evaluation of poverty conditions and precariousness in Caribbean urban areas. Preliminary profiles of informal settlement are given for three territories in which informal settlement is most prevalent in the region: Trinidad, Jamaica and Guyana. In certain sections, data is presented in categories such as 'most developed countries', 'less developed countries' and Eastern Caribbean Countries. Distinction is also made on the basis of economic ranking accorded to different countries by the World Bank and Caribbean Development Bank. Chapter 3 includes an analysis of land markets in the Caribbean countries, emphasizing on current and former British territories; their structure, evolution and tendencies and their impact on land access by poor families and on spatial exclusion. The document then evaluates different types of upgrading and land regularization programs and compares their operation in different countries, identifying impacts on poverty reduction, elements and conditions that determine successfulness, institutional responsibilities at different governmental levels and funds sources for program financing.

Finally, the authors develop guidelines to improve regularization policies in the Caribbean region. The smallness of most Caribbean territories dictates that for the most part both the analysis and the operational proposals should focus upon national level institutions rather than local bodies, including a review of institutional reforms related to the implementation of regularization programs in various territories of the region. But having in mind the potentialities at local level for managing programs, attention should also be given to the integration and relation of regularization with other programs of habitat development, in order to favor urban poverty reduction.

Introduction

In a world which operates under the juxtaposed forces of opulence and deprivation, social entitlement for a sizable section of society that has been traditionally alienated from national growth phenomena, remains a priority for structures of governance. The underlying rationale for such entitlement lies not only in its connection to socio-economic stability but also in the very validation of the moral arguments embedded in democratic obligations. The urban spaces are some of the most disturbing displays of poverty.

What routes different States adopt in their pursuit to eradicate poverty is an open question, as answers depend upon the degree of commitment, level of resources, institutional capabilities and the clarity of public policy foundations. Yet public policies cannot be examined in isolation deprived of their adjacent features including the habitat, the players and the rules of the game, which are either catalysts or constraints for their subtle design, conveyance, and mapping.

It is not an easy task to detect the constitutive features of the different interfaces among the channels of public policy conveyance. The World Bank (2000) articulates the important role of four relevant actors. The role of the public administration is to achieve more efficient, accountable and responsive implementation of public policies. The legal system should promote legal equity by being accessible to the poor, recognizing a poor person's vulnerability. The central and local governments can make possible to adopt decentralized mechanisms to ensure maximum and broader participation in the delivery of public services. Finally, the role of civic participation is important to guarantee pro-poor approaches

through political empowerment, common agenda formation and wider public action.

While presenting the nature of poverty as an 'outcome of interacting economic social and political forces', the World Development Report 2000-01 acknowledges a significant shift from a classical view that perceives poverty as an outcome of economic processes only (World Bank, 2000). Multi-level involvement of institutional factors and complementary action frameworks are postulated as cornerstones if not the centripetal attributes of poverty alleviation strategies. The urban dimension of poverty is a significant attribute in the context of this modern understanding of the nature of poverty as a cumulative impact of distributional inequality, socio-political marginalisation, deprivation and entitlement, institutional imbalance and insufficient governance.

The 1995 World Summit for Social Development placed poverty eradication as a principal priority by acknowledging the urgency to have a collective and consensual approach and an action-framework of the United Nations with an emphasis on improving the lives of the urban poor, and slum dwellers. Towards this end, the United Nations Development Programme (UNDP) has been involved in slum upgrading and poverty eradication policies. These policies include water and sanitation, sustainable energy services, solid waste management and central municipal services, and are supported by the partnerships among national and local governments, civil society organisations and private sector associations (UN-HABITAT, 2003).

Perhaps the most significant reflections come through UN-HABITAT's Habitat Agenda which puts the onus on the strategic role of security of tenure as an instrument in its impact on the poverty cycle and the relationship between sustainability and the income generation capabilities of the urban poor. At the same time, aligned to the conceptual fibres of what the World Bank defines as the Comprehensive Development Framework, the Habitat Agenda also recognises the need for an approach that involves enablement and participation as well as smart allocation of resources including subsidies; social capital and its direct incorporation in development projects; and a strong focus on reinforcing the links between local government institutions and the urban poor (UN-HABITAT, 2003). In this vein, the Global Campaign for Secure Tenure was recently linked to the Global Campaign for Good Governance.

I. Urban poverty in the Caribbean region¹

1. Poverty and habitat characteristics

Mass poverty... cannot be viewed as a pocket phenomena or as a mere aberration of the system. It is a reflection of the total malfunctioning of the economic order... Hence any attempt to analyse the problem in terms of one or two variables such as low capital formation or absence of policy measures to ensure adequate distribution of income must be viewed with suspicion...²

Poverty conditions have traditionally been perceived in the context of variables associated with consumption patterns. Yet recent conceptual shifts suggest growing admission of qualitative implications of poverty, including access to basic services and the asset formation capabilities of the poor.

¹ The Caribbean region includes the Greater Antilles (Cuba, Jamaica, Haiti, the Dominican Republic and Puerto Rico), the Bahamas, British Virgin Islands, the U.S. Virgin Islands, the Lesser Antilles including the Leeward Islands (Anguilla, St. Martin, St. Barts, St. Kitts and Nevis, Antigua and Barbuda, Guadeloupe and Montserrat) and the Windward Islands (Dominica, Martinique, St. Lucia, St. Vincent and Granadines), Barbados and Trinidad and Tobago. On the South American Mainland, Guyana, Suriname and Belize are included. Also included are the Cayman Islands, west of Haiti and the Turks and Caicos Islands east of Cuba, the Netherland Antilles and off of Venezuela, Margarita and Aruba. This report focuses upon former and current British territories in the Caribbean. Of these countries, the current British territories are The Cayman Islands, Turks and Caicos Islands, Anguilla, Montserrat and the British Virgin Islands.

² C. T. Kurien, (1997) "Rural Poverty in Tamil Nadu" in Poverty & Landlessness in Rural Asia, (International Labour Office), Geneva p. 127.

Issues related to secure tenure and shelter have direct connections to poverty conditions since the urban poor tend to live in informal settlements and many without any formal access to basic amenities. The relationship between habitat precariousness and poverty, however, is not always presented with quantitative certainty in the absence of data that could be used to measure the impact of habitat conditions on poverty levels. Part of this data deficiency is the product of flaws in developing nations' national accounting systems. Part of the explanation also lies in the lack of institutional support for accounting in informal settlements and its clear distinction from the formal shelter sector.

It is the data distinction between formal and informal settlements, which can bring out the direct impact of and the subsequent corollaries between, habitat conditions and poverty indicators. Given the principal subject matter of this report, key reflections should include data sets from informal settlements to characterize the nature and depth of the relationship between habitat precariousness and urban poverty. However, only limited data could be located specific to informal settlements, either in the arena of social or habitat conditions. Consequently, the report focuses primarily on national indicators and reflects on general poverty and habitat conditions. Data is, however, sometimes presented for capital cities, recognizing that they are perhaps the best reflectors of urban growth in most of the Caribbean region.

2. Population growth and urbanization

Before taking a look at the poverty conditions in the Caribbean region it is useful to have an overview of population growth and urbanization patterns. According to Brown (2002), over the period of 1950 to 1970, the Caribbean urban population grew at more than twice the rate of the rural population. In Guyana, the urban population growth was recorded as 6.8% with internal migration's total contribution being 51%. Jamaica experienced a 3.8% urban population growth rate with internal migration contributing 53% and Trinidad and Tobago experienced a 2% urban population growth rate with internal migration contributing 42%.

High rates of urbanization are characteristic of the region, as reflected in Table 1 where urban population in eight countries out of the fourteen presented is above 50%. In the case of Jamaica, Trinidad & Tobago, Bahamas and Dominica, total urban population is recorded above two thirds of the total population. It is noteworthy that these four countries are classified by the World Bank as lower middle income, upper middle income, high income and lower middle income respectively, demonstrating that sizable urban populations are not the domain of any one economic group of countries.

Haiti, with the largest population among the presented countries as well as St. Kitts and Nevis with the smallest population, have the lowest proportion of urban population (34%). It is noticeable that their respective income groups are different to a measurable extent whereby Haiti is classified as low income and St. Kitts Nevis as upper middle-income. Likewise Bahamas and Jamaica record high proportions of urban population, 80% and 67% respectively, regardless of their disparities in other regards.

Table 1
POPULATION CHARACTERISTICS OF SELECTED CARIBBEAN TERRITORIES

Country	Income Classific.	Population	Pop/sq. Km	Percentage urban population
Antigua & Barbuda	UMI	67 000	152	36
Barbados	UMI	266 000	618	49
Greneda	UMI	96 000	283	37
Guyana	LMI	849 000	4	37
Jamaica	LMI	3 000 000	196	67
St. Kitts Nevis	UMI	41 000	113	34
St. Lucia	UMI	152 000	249	38
St. Vincent & Granadines	UMI	113 000	290	52
Trinidad & Tobago	UMI	1 300 000	251	73
Belize	LMI	239 000	10	53
Bahamas	HI	294 000	29	88
Dominica	LMI	73 000	97	70
Dominican Republic	LMI	8 000 000	171	64
Haiti	LI	8 000 000	277	34

Source: World Bank Little Data Book 2000, UNCHS Human Settlement Indicators 2003.

Notes: HI: High income; UMI: Upper middle income; LMI: Lower middle income; LI: Low income.

Caribbean Development Bank data of 2002 presented in Table 2 reveal highest population growth in St. Kitts Nevis followed by Antigua and Barbuda. The only significant negative growth is recorded for Montserrat due to the atypical geographic conditions and subsequent mass immigration.

Table 2 POPULATION GROWTH RATES FOR SELECT CARIBBEAN TERRITORIES

Country	Population growth rate
MDC's	
Bahamas	1.2
Barbados	0.4
Guyana	0.3
Jamaica	0.5
Trinidad & Tobago	0.4
LDC's	
Belice	2.5
OEC's	
Antigua & Barbuda	5.4
Dominica	-0.4
Greneda	1.2
Montserrat	-18.4
St. Kitts Nevis	14.1
St. Lucia	1.3
St. Vincent & Granadines	0
OTHER LDC's	
Anguilla	3.6
British Vergin Islands	1.5
Cayman Islands	3
Turks & Caicos Islands	5.3

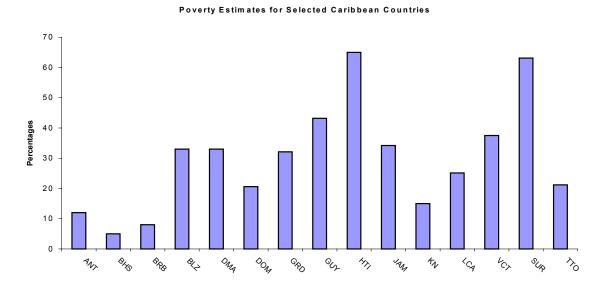
Source: Caribbean Development Bank, 2002.

Notes: MDC's: More developed countries; LDS's: Less developed countries; OEC's: Organization of Eastern Caribbean States

3. Poverty indicators

Figure 1 indicates highest poverty head count indices for Haiti and Suriname (between 60%-70%). For the majority of the presented countries including Belize, Dominica, Grenada, Jamaica, and St. Vincent and Granadines the proportion ranges between 30% and 40%. Barbados and the Bahamas record the lowest poverty head count indices.

Figure 1
POVERTY ESTIMATES FOR VARIOUS CARIBBEAN TERRITORIES
(Head count index)



Source: ECLAC 'Education and its impact on poverty: equity or exclusion', Trinidad and Tobago, West Indies, February 2000.

The Caribbean Development Bank distinguishes between 'income poverty' and 'non-income poverty' in order to accommodate quantitative and qualitative aspects of poverty conditions. The CDB conducted Country Poverty Assessments (CPA) for various territories employing both quantitative and qualitative measures. Table 3 reflects some of the summary findings.

Despite the fact that in certain instances the Country Poverty Assessments represent relatively old data, the findings are cause for alarm, especially the population proportions below the indigence line. High percentages of people under the indigence line³ suggest potential survival vulnerability. Out of the eleven territories (including Nevis counted separately), six territories were found to have approximately one third of their total populations under the poverty line. These were Belize, Grenada, Guyana, Nevis, St. Kitts and St. Vincent and Granadines. These countries with high percentages of people under the poverty line also have high percentages of people below the indigence line (typically between 10% and 20%), and in some instances higher poverty gaps. In the absence of disaggregated data it is risky to characterize these numerical reflections in the urban context, except that inequality can be attributed to the urban environment in a more relaxed fashion than to the rural setting where income gaps are generally less skewed. It is noteworthy that the

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³ The indigence poverty line is the market cost of a nutritionally adequate diet for a reference family of four - two adults and two children under the age of 12 years. This is based on a 2400 calories requirement for the adults and 720 calories for children under age 12. The items making up the food basket to attain the caloric requirement are estimated as the lowest cost to satisfy the nutritional level needed and most importantly reflect the cultural eating habits in the respective countries. An indigent household's expenditure is less than that of the indigence poverty line.

poverty gap in three countries, Grenada, Guyana and St. Vincent and Granadines, is over 12%. The combined implications of higher poverty gaps, indigence indicators and severity indices suggests a profile of high unemployment, lesser access to basic services and limited entitlement, including secure land tenure.

Table 3
POVERTY INDICATORS FOR SELECTED CARIBBEAN COUNTRIES⁴

Country	Year	Percentage below Poverty line	Percentage below Indigence line	Poverty gap	FGT P2 severity
Barbados	1997	13.9	0	NA	NA
Belize	1996	33	13.4	8.7	4.3
Grenada	1999	32.1	12.9	15.3	9.9
Guyana	1999	35	19	12.4	NA
Jamaica	2001	16.8	NA	NA	NA
Nevis	2000	32	17	2.8	1
St. Kitts	2000	30.5	11	2.5	0.9
St. Lucia	1996	25.1	7.1	8.6	4.4
St. Vincent & Granadines	1996	37.5	25.7	12.6	6.9
Trinidad & Tobago	1992	21.2	11.2	NA	NA
Turks & Caicos Islands	1999	25.9	3.2	5.7	2.6

Source: Thomas, Mc Donald and Wint E. (2002) 'Inequality and the Poverty in the Eastern Caribbean', citing Country Poverty Assessments conducted by Caribbean Development Bank as its source.

Note: NA: Not available.

Table 4 reveals the income inequality in the region where half of the listed countries have Gini Coefficients in excess of 0.40. These include Guyana, Trinidad and Tobago, Grenada, Belize and St. Vincent and Granadines. However, a valid observation is made by Thomas (2002), that a separate study of Gini Coefficient based on the land distribution patterns in the context of factors such as ethnic differentials, is yet to be attempted for the Caribbean. Such an undertaking would give insight into the role played by the lack of land ownership in the economic inequality and poverty conditions prevailing in the region.

⁴ The head count index only provides information on the proportion whose level of consumption is less than that of the poverty line. It does not to indicate the extent to which those persons are poor. This is provided by the poverty gap, which is based on the aggregate poverty deficit of the poor relative to the poverty line. It indicates the depth of poverty and shows distances of the poor to the poverty line. The severity or intensity of poverty is provided by the Foster-Greer-Thorbecke P2 (FGT P2), which assesses aggregate poverty.

Table 4
ESTIMATES OF GINI COEFFICIENTS FOR VARIOUS CARIBBEAN TERRITORIES

Country	Year	Gini Coefficient
MDC's		
Guyana	1997	0.45
Barbados	1997	0.39
Jamaica	2001	0.38
Trinidad & Tobago	1992	0.42
LDC's		
Anguilla	2002	0.31
Belize	1996	0.51
British Vergin Islands	2002	0.23
Turks & Caicos Islands	1999	0.37
OEC's		
Dominica	2002	0.35
Greneda	1999	0.45
St. Kitts	2000	0.4
Nevis	2000	0.37
St. Lucia	1995	0.5
St. Vincent & Granadines	1995	0.56

Source: Thomas, Mc Donald and Wint E. (2002) 'Inequality and the Poverty in the Eastern Caribbean', citing Country Poverty Assessments conducted by Caribbean Development Bank as its source.

Notes: MDC's: More developed countries; LDS's: less developed countries; OEC's: Organization of Eastern Caribbean States.

Table 5 shows the consistent low rankings of Guyana and Haiti in the Human Development Index (HDI) prepared by the United Nations Development Programme (UNDP) while Barbados and the Bahamas consistently rank well. The 2002 UNDP Report shows improvements in the rankings of most of the Caribbean countries in 2000 compared with 1997. However countries such as Belize, St. Kitts and Nevis, St. Lucia, St. Vincent and Granadines and more noticeably Haiti, show decreases in their respective rankings (see Table 6). Table 6 also presents groups based on the HDI, other related statistics, as well as the rankings of a few Latin American countries for comparative purposes. In the high human development category, Barbados ranks best and Antigua worst within the Caribbean. Cuba and Belize occupy the equivalent positions in the Medium Human Development Category. Haiti remains in the cellar position in the Low Human Development Category.

Table 5 HUMAN DEVELOPMENT INDEX. SELECTED CARIBBEAN COUNTRIES

HUMAN DEVELOPMENT INDEX. SELECTED CARIBBEAN COUNTRIES										
Country	1990		1992		1994		1995		1997	
	val	rank								
Antigua and Barbuda	.785	60	.840	55	.892	29	.895	29	.828	38
Bahamas	.875	32	.894	26	.894	28	.893	32	.851	31
Barbados	.928	20	.900	20	.907	25	.909	24	.857	29
Belize	.689	82	.883	29	.806	63	.807	63	.732	83
Cuba	.711	75	.769	72	.723	86	.729	85	.765	58
Dominica	.819	51	.776	69	.873	41	.879	41	.776	53
Dominican Republic	.586	97	.705	96	.718	87	.720	88	.726	88
Grenada	.787	59	.786	67	.843	54	.851	51	.777	52
Guyana	.541	105	.622	105	.649	104	.670	100	.701	99
Haití	.275	137	.362	148	.338	156	.340	159	.430	152
Jamaica	.736	69	.721	88	.736	83	.735	84	.734	82
St. Kitts/Nevis	.697	79	.873	37	.853	49	.854	50	.781	51
St. Lucia	.720	72	.732	84	.838	56	.839	58	.737	81
St. Vincent & Granadines	.709	76	.761	79	.836	57	.845	55	.744	75
Suriname	.751	65	.762	77	.792	66	.796	65	.757	64
Trinidad & Tobago	.877	31	.872	39	.880	40	.880	40	.797	46

Source: ECLAC 'Education and its impact on poverty: equity or exclusion', Trinidad and Tobago, West Indies, February 2000.

Table 6
GREATER CARIBBEAN HUMAN DEVELOPMENT STATISTICS (1999-2000)

		GREA'	TER CAR						(1999-2000)	
	HDI		a	LEB b	ALR c	GER (%)	GDP p/cap	HDI ^f	GDP-HDI	
	rank						e –		rank ^g	
High human development										
1	31	Barbados	CM	76.8	98.0	77	15,494	0.871	5	
2	41	The Bahamas	CM	69.2	95.4	74	17,012	0.826	-9	
3	43	Costa Rica	CA	76.4	95.6	67	8,650	0.820	14	
4	44	St. Kitts & Nevis	CM	70.0	97.8 n	70	12,510	0.814	-3	
5	50	Trinidad & Tobago	CM	74.3	93.8	65	8,964	0.805	6	
6	52	Antigua & Barbuda	CM	73.9	86.6 n	69	10,541	0.800	-5	
	Medium human development									
7	54	México	G3	72.6	91.4	71	9,023	0.796	1	
8	55	Cuba	NG	76.0	96.7	76	-	0.795	35	
9	57	Panama	NG	74.0	91.9	74	6,000	0.787	18	
10	58	Belize	CM	74.0	93.2	73	5,606	0.784	24	
11	61	Dominica	CM	72.9	96.4	65	5,880	0.779	16	
12	66	St. Lucia	CM	73.4	90.2	70	5,703	0.772	15	
13	68	Colombia	G3	71.2	91.7	73	6,248	0.772	4	
14	69	Venezuela	G3	72.9	92.6	65	5,794	0.770	10	
15	74	Suriname	CM	70.6	94.0	82	3,799	0.756	29	
16	83	Grenada	CM	65.3	94.4	65	7,580	0.747	-22	
17	86	Jamaica	CM	75.3	86.9	62	3,639	0.742	18	
18	91	St. Vincent & Granadines	CM	69.6	88.9	58	5,555	0.733	-8	
19	94	Dominican Republic	NG	67.1	83.6	72	6,033	0.727	-20	
20	103	Guyana	CM	63.0	98.5	66	3,963	0.708	-4	
21	104	El Salvador	CA	69.7	78.7	63	4,497	0.706	-13	
22	116	Honduras	CA	65.7	74.6	61	2,453	0.638	2	
23	118	Nicaragua	CA	68.4	66.5	63	2,366	0.635	4	
24	120	Guatemala	CA	64.8	68.6	49	3,821	0.631	-19	
			Low h	uman de	evelopmen	t				
25	146	Haiti	CM	52.6	49.8	52	1,467	0.471	-2	

Source: UNDP, Human Development Report, 2002.

Notes: a) CA =Central America; CM = CARICOM; G3 = Group of Three; NG = Non-grouped; b) Life expectancy at birth (years); c) Adult literacy rate (% age 15 and above); d) Combined primary, secondary & tertiary gross enrolment ratio (%); e) GDP per capita (US\$); f) Human development index (HDI) value; g) GDP per capita (US\$) rank minus HDI Rank (a positive number indicates that extent by which a country's HDP rank is better than its per capita rank, a negative number the reverse).

II. Urban precariousness

1. Access to water

Water access in the Caribbean region is consistently recorded over 80%, both in the urban as well as rural areas with Haiti being the lone exception (see Table 7). Barbados, the Bahamas, Dominica, Grenada, St. Kitts and Nevis and St. Lucia all record over 95% access to improved drinking water sources. Urban populations consistently fare better than rural populations with the greatest differentials occurring in Suriname and Cuba among the countries for which data is presented.

Table 7
ACCESS TO IMPROVED DRINKING WATER FOR VARIOUS CARIBBEAN TERRITORIES

ACCESS TO INTROVE	ED DRINKING WATE	TOR VARIOUS CARII	DDEAN IERRIIORIES
Country or area	Total	Urban	Rural
Antigua and Barbuda	91	95	89
Bahamas	97	98	86
Barbados	100	100	100
Belize	92	100	82
Cuba	91	95	77
Dominica	97	100	90
Dominican Republic	86	90	78
Grenada	95	97	93
Guyana	94	98	91
Haiti	46	49	45
Jamaica	92	98	85
Saint Kitts & Nevis	98		
Saint Lucia	98		
S. Vincent & Granadines	93		
Suriname	82	93	50
Trinidad & Tobago	90		

Sources: World Health Organization (WHO) and United Nations Children's Fund (UNICEF), Global Water Supply and Sanitation Assessment 2000 Report and updates provided by UNICEF to the United Nations Millennium Indicator Database.

2. Access to sanitation

Recent United Nations data suggest that Caribbean populations enjoy considerable access to improved sanitation. Table 8 shows that of the 16 countries depicted, 10 enjoy over 90% access. The Bahamas and Barbados are the best served territories followed by Trinidad and Tobago and Jamaica. The lowest access was recorded by Haiti (28%) followed by Belize (50%) and the Dominican Republic (67%). Generally urban populations are better served than rural populations with the differential being most marked in Belize and Haiti.

Table 8
ACCESS TO IMPROVED SANITATION FOR VARIOUS CARIBBEAN TERRITORIES (YEAR 2000)

	Percentage of population with access to improved sanitation					
Country or area	Total	Urban	Rural			
Antigua and Barbuda	95	98	94			
Bahamas	100	100	100			
Barbados	100	100	100			
Belize	50	71	25			
Cuba	98	99	95			
Dominica	83	86	75			
Dominican Republic	67	70	60			
Grenada	97	96	97			
Guyana	87	97	81			
Haiti	28	50	16			
Jamaica	99	99	99			
Saint Kitts and Nevis	96					
Saint Lucia	89					
S. Vincent/Grenadines	96					
Suriname	93	99	75			
Trinidad and Tobago	99					

Sources: World Health Organization (WHO) and United Nations Children's Fund (UNICEF), Global Water Supply and Sanitation Assessment 2000 Report and updates provided by UNICEF to the United Nations Millennium Indicator Database.

3. Access to electricity

Data on access to electricity for a broad cross-section of Caribbean territories was not accessed during this study. Instead profiles of three countries, the Bahamas, Jamaica and St. Lucia were obtained. These are presented below.

Bahamas

Global Urban Observatory (GUO) 2001 Data from UNCHS (now UN-HABITAT) indicated that 6% of occupied urban housing units in the Bahamas lacked formal access to electricity with almost 90% of these households relying upon oil/kerosene as an alternate source. Table 9 presents the details.

Table 9
BAHAMIAN HOUSEHOLDS IN OCCUPIED HOUSING UNITS BY TYPE OF LIGHTING, TOTAL COUNTRY,
URBAN/RURAL AREAS, CITIES

	TOTAL	Electricity	Gas	Oil/Kerosene	Other	N/stated
TOTAL	61 906	52 267	181	8 864	594	-
URBAN	50 252	47 464	121	2 431	236	-
RURAL	11 654	4 803	60	6 433	358	-
Nassau	39 864	37 428	109	2 139	188	-
Freeport, Gr.Bahama	10 388	10 036	12	292	48	-

Source: Global Urban Observatory (GUO) 2001, UNCHS 2001.

Jamaica

Global Urban Observatory 2001 Data from UNCHS (now UN-HABITAT) indicated that of those occupied Jamaican urban housing units with a stated energy source, almost one quarter (24%) lacked formal access to electricity with 90% of these relying upon oil/kerosene as an alternate source. A sizeable number of households, 7566, were not recorded as having any of the stated energy source. Table 10 presents the details.

Table 10

JAMAICAN HOUSEHOLDS IN OCCUPIED HOUSING UNITS BY TYPE OF LIGHTING, TOTAL COUNTRY,

URBAN/RURAL AREAS. CITIES

•	TOTAL	E1 4 * *4	-	0.11/17	0.41	NT/ 4 4 1
	TOTAL	Electricity	Gas	Oil/Kerosene	Other	N/stated
TOTAL	588 340	381 443	-	193 134	1 931	11 832
URBAN	353 195	267 782	-	76 503	1 344	7 566
RURAL	235 145	113 661	-	116 631	587	4 266
KINGSTON	147 279	127 354	-	15 664	739	3 522
Spanish Town	26 666	19 412	-	6 512	90	652
Portmore	22 030	20 076	-	1 396	34	524

Source: Global Urban Observatory (GUO) 2001, UNCHS 2001.

St. Lucia

Global Urban Observatory 2001 Data from UNCHS (now UN-HABITAT) indicate that in three major towns in St. Lucia with a total population of 18,181 households, 14,522 households have access to electricity. This implies that 20% of urban occupied housing units do not have formal access to electricity with 75% of these households relying upon oil/kerosene as an alternate source. Table 11 presents the details.

ST. LUCIAN HOUSEHOLDS IN OCCUPIED HOUSING UNITS BY TYPE OF LIGHTING, TOTAL COUNTRY, URBAN/RURAL AREAS, CITIES

	TOTAL	Electricity	Gas	Oil/Kerosene	Other	Not stated
TOTAL	33 079	24 101	136	7 105	1 733	
Castries	13 179	11 097	39	1 529	501	
Vieux-Fort	3 097	2 069	12	722	291	
Soufriere	1 905	1 356	4	497	48	•••

Source: Global Urban Observatory (GUO) 2001, UNCHS 2001.

4. Other habitat indicators

Apart from the above presented indicators, there is a general paucity of available habitat indicators in most parts of the region. The Caribbean Community (CARICOM) Secretariat, the Organisation of Eastern Caribbean States (OECS) and the United Nations Centre for Human Settlements (now UN-HABITAT) did attempt to partly fill this void through a joint initiative, the Human Settlements Indicators Programme. Although some seventeen territories in the region were listed as participants, UN-HABITAT's headquarters in Nairobi could only retrieve partially completed submissions from five countries in 1996. These territories were: Jamaica, Guyana, Belize, Barbados and Antigua and Barbuda. Certain pertinent data contained in these 1996 reports are depicted in Tables 12 and 13.

Table 12 indicates a pattern of high levels of house ownership (typically over 60%) although land ownership may be considerably lower. Private rentals typically account for one fifth to one third of households. The next most popular grouping is 'rent free tenure' whereby households occupy housing formally owned by someone else and with the latter's permission, but without paying rent.

Table 12
DISTRIBUTION OF PERCENTAGE OF TENURE TYPES FOR VARIOUS CARIBBEAN TERRITORIES

Tenure Group	Jamaica	Belize	Guyana	Barbados	Antigua & Barb.
Owned	52.5	65.8	63.2	76.1	65.0
Private Rental	31.6	20.2	20.2	15.5	29.0
Social Housing	1.5	-	-	4.9	0.5
Rent Free	9.3	10.2	12.0	2.6	3.8

Source: Government of Jamaica, 1996; Government of Belize, 1996; Government of Guyana, 1996; Government of Barbados, 1996; Government of Antigua and Barbuda, 1996.

Table 13 shows considerable variation in House Price to Income Ratios among the three countries for which data was available, with affordability being least in Jamaica and greatest in Guyana. The Table also shows that floor areas per person range between 10 and 20 square metres with space being more constrained on the South American mainland territories of Belize and Guyana.

Table 13
OTHER SELECT HABITAT INDICATORS FOR VARIOUS CARIBBEAN TERRITORIES

Indicator	Jamaica	Belize	Guyana	Barbados	Antigua & Barbuda
House Price to Income	16.0	-	2.5	5.1	-
Ratio Floor Area p/person	15.3 sq. m.	10.3 sq. m.	10.7 sq. m.	17.2 sq. m.	18 sq. m.

Source: Government of Jamaica, 1996; Government of Belize, 1996; Government of Guyana, 1996; Government of Barbados, 1996; Government of Antiqua and Barbado, 1996.

5. Profiles of informal settlements

Limited available data on the extent of informal settlements in Caribbean territories is presented in Chapter 3. This section presents some of the known characteristics of informal settlements in three territories where the phenomenon is most marked among the former and current British territories: Jamaica, Trinidad and Guyana.

Jamaica

Preliminary findings of a 2003 survey of squatting in Jamaica are given in the table 14

Table 14
PRELIMINARY FINDINGS OF A 2003 SURVEY OF SQUATTING IN JAMAICA

Total number of squatter sites	595
Total surveyed	380
Parish with the most squatter sites	Kingston & St. Andrew (95)
Parish with the least squatter sites	Manchester (11)
Total number of urban squatter sites	(Approx 192) 32.27%
Years of existence of settlements (over 20 years)	(137) 35%
Note: Hanover has no settlements under 10 years.	
Note: recent squatting is ocurring mostly in St. Catherine -22 of 56 sites- 39%	
Ownership of lands (Government)	(290) 74%
Responsibility for Management of land: Commissioner of lands	(164) 41.94%
In St. Catherine squatting is taking place on the canal reserved lands	
Total population based on sites returnig population estimates	104 810
Most populated sites	Tollgate-Truro Pen & Russia-
	Hudson Street and Ricket St. (9500 persons)
Average household size	3-6 persons (211) 53.97%
Most households headed by	Males (193) 49.3%
Main male occupation	Farmer (156) 66% of squatter sites
Main female occupation	Helper (126) 32% of squatter sites
Employment status	Self employed (131) 33.5% of squatter sites
Major land uses	Residential and Farming
Predominant material for housing within the sites	board
Main toilet facilities	Private pit
Roads are generally in poor condition and are unpaved	

Source: Ministry of Land and the Environment, Government of Jamaica, 2003.

Trinidad

Socio-economic and dwelling quality profiles of a sample of Trinidadian squatter households are given in Table 14. The Schedule of the State Land (Regularisation of Tenure) Act of 1998 contains 251 squatter sites which are thought to be on State land. Over 23,000 squatter households applied for Certificates of Comfort.⁵ A similar number of households are thought to be squatting on private lands.

Table 15
SOCIO-ECONOMIC AND DWELLING QUALITY PROFILES OF A SAMPLE OF TRINIDADIAN SQUATTER-HOUSEHOLDS ON STATE LANDS WHO APPLIED FOR CERTIFICATES OF COMFORT

HOUSEHOLDS ON STATE LA	Percentage	Number
Household Size	rercentage	Number
	11	57
1 Person	11	57
2 to 4 persons	51	258
5 to 7 persons	31	155
8 to 10 persons	5	24
> 11 persons	2	9
Fotal	100	503
Employment Status (Head of Household)		
Full Time	41	204
Part Time	21	106
Pensioner	5	25
Public Assistance	9	48
Home maker	1	6
Unemployed	7	34
Unknown	16	80
Total Total	100	503
Employer (Head of Household)		
Government	16	83
Private enterprise	31	157
Self employed	16	79
Not applicable	32	159
Unknown	5	25
Fotal	100	503
Monthly Income-US\$ (Head of Household)		
< 82	11	57
33 to 163	23	114
164 to 327	27	136
328 to 490	14	69
> 490	11	56
No response	14	71
<u> </u>	100	503
Duration on Site	<u> </u>	
< 4 years	11	57
5 to 9 years	19	96
10 to 14 years	18	90
15 to 19 years	14	69
20 to 24 years	10	49
	I	Table 15 (continuatio

⁵ A Certificate of Comfort is an intermediate tenure instrument that assures the holder of somewhere to live, either the core occupied plot or an identified alternative.

> 25 years	24	122
No response	4	20
QUALITY OF DWELLING		
Total	100	503
Main Exterior	,	1
Metal Sheeting	1	6
Concrete	28	139
Wood	57	285
Boxboard	1	3
Concrete/Wood	6	34
Mixed	3	14
None	4	22
Total	100	503
Roof	,	1
Metal Sheeting	96	482
Other	1	5
None	3	16
Total	100	503
Bathroom Facilities	,	1
Indoor not shared	25	127
Indoor Shared	1	2
Outdoor Not shared	65	331
Outdoor Shared	2	8
None	3	15
No response	4	20
Total	100	503
Toilet Facilities	<u>, </u>	
Indoor Not Shared	23	119
Indoor Shared	1	3
Outdoor/Pit Latrine Not Shared	69	349
Outdoor/Pit Latrine Shared	1	5
None	1	2
No response	5	25
Total	100	503
Kitchen Facilities	•	
Indoor Not shared	92	464
Indoor Shared	1	6
Outdoor Not shared	3	14
None	0	1
No response	4	18
Total	100	503

Source: Land Settlement Agency, Ministry of Housing and Settlements, Trinidad and Tobago, March 2001.

Notes: The sample data was gathered during the period 1996 to 1999. The sample data was drawn from a geographically diverse selection of sites with a bias to northwest Trinidad where squatting is most concentrated. The sampling frame was, however, imperfect and therefore the Land Settlement Agency does not give the assurance that the sample profiles are totally coincident with the parent population profiles.

Guyana

A draft 2001 document emanating from the Central Housing and Planning Authority (CH&PA) of the Government of Guyana identified 216 squatter sites nationally as at September 2001. Of these 117 are to be considered for regularization with the balance (99) slated for relocation or enforcement alternatives. Table 15 gives a more detailed breakdown of the policy classification of the 216 sites.

Table 16
CATEGORISATION OF GUYANESE SQUATTER SITES

	CATEGORIOATION OF COTANEGE ORGATIER OF		
Category	Category description	Number of	
code		squatter sites	
HPI	High Priority Investment: Area is a pre-1998 squatter settlement which satisfies at	63	
	least 70% of the criteria for regularization		
MPI	Moderate Priority Investment: Area is a pre-1998 squatter settlement which	17	
	satisfies 40% to 70% of the regularization criteria		
LPI	Low Priority Investment: Area is a pre-1998 squatter settlement which satisfies less	37	
	than 40% of the regularization criteria but which can incrementally progress toward		
	regularization if the purpose for which the occupied land is reserved is NOT		
	deemed absolute and the area can be made habitable, whether or not some squatters		
	may have to be relocated to facilitate the process.		
ZT	Zero Tolerance: Area is a squatter settlement that came into being in January 1998	99	
	or later, or regardless of its inception date, will not be regularized because the land		
	is demarcated or reserved for community, regional or national purposes (including		
	roads, drainage canals, schools, cemeteries, recreational parks etc.) and/or is		
	assessed as being unsuitable for housing development.		

Source: Central Housing and Planning Authority (CH&PA), 2001.

III. Land markets in the Caribbean

The structure and efficiency of land markets has been closely linked to the poverty debate. Land is seen as a vital resource and asset in breaking the inter-generational scourge of poverty. In this context, the efficiency of the land market in making land available to all economic strata of the population and with secure tenure, is a key aspect of the poverty dialogue. Towards this end, this Chapter discusses the structure of land markets in the Caribbean beginning with a historical overview and then focuses upon the central issue of access and the poor. In the process, a number of key issues are identified and discussed including institutional and policy matters.

1. Historical overview

As the oldest colonial sphere, early land use and human settlements in the Caribbean for the most part developed around the plantation system with the Caribbean territories serving as satellite production centers of the European colonizers, in the context of emerging capitalism. In the Eastern Caribbean, the early commodity crops included tobacco, indigo and spices but like the rest of the British West Indies, sugar production later dominated. The plantation system provided not only the basis of the Caribbean economies, but also dictated where people lived, thereby forming the dominant human settlement pattern by the mid-18th century. In the islands of the Eastern Caribbean, the roughness of the terrain coupled with low levels of functional linkages between plantations, limited the integration of these settlements and encouraged the formation of one main town in each island carrying trade and political functions (Rojas, 1989).

Indigenous land was dominated by European land law, legal systems and land tenure forms, with Britain being recognized as the foremost regional power by the early nineteenth century. Legal freehold was the basis of the English plantation system with the oldest 'legitimate' son being accorded precedence in inheritance, giving rise to the European male-dominated elite planter classes (Besson, 2003).

The European conception of land as a commodity governed by private rights for the most part did not match the cultural and social norms of the societies from which the slaves were brought. Slave rebellion gave rise to 'un-official' or informal land tenure systems in the Caribbean including 'marronage' and various proto-peasant adaptations. Maroon communities, the most enduring of which can be found in Jamaica and Suriname, were typically squatter communities mostly located in forests, mountains and ravines, enhancing their strategic advantage for guerilla warfare. Over time, some were accorded legal rights through treaties with the colonizers, whereby legal freehold was superimposed upon customary systems. Customary systems persisted, however, with 'sacred landscape' being created by rituals, oral traditions and ancestral burial grounds reinforced by family lines with rights of use to house yards, provision grounds and family cemeteries. Proto-peasant adaptations also characterized by customary rights, arose through the allocation of small plots unsuitable to sugarcane cultivation to the slaves to serve as provision grounds at a time when feeding of the large numbers of slaves was a concern. Within the British West Indies, they occurred in numerous territories including Jamaica, Dominica, St. Lucia, St. Vincent, Grenada, Tobago, Guyana, the Bahamas and Barbuda while a smaller scale variant existed in Barbados, Antigua, Montserrat and Nevis (Besson, 2003).

The human settlements structure underwent changes after emancipation (1833). In some cases the ex-slaves gained access to marginal lands close to the plantations, which they used for housing and subsistence farming. Schematically the settlement structure comprised three layers: the primary town; the plantations located on the best agricultural lands; and the farming communities on surrounding marginal lands. The replacement of sugar by bananas as the main export crop in the Windward islands in the middle of the twentieth century, reinforced this structure and strengthened the linkages between the rural areas and the primary town where trade services resided (Rojas, 1989).

Land access to slaves and former slaves after emancipation was, however, constrained by legislation and policies in various territories including Jamaica, Guyana, Trinidad and to a lesser extent, the Bahamas. In Jamaica, Trinidad and elsewhere, setting of sale prices for Crown land beyond the reach of the ex-slaves was an inhibiting mechanism. Hindrance was also created in Trinidad and elsewhere by 'block policies' that mandated that Crown land could only be sold in parcels that exceeded a specified minimum acreage. In Jamaica, ex-slaves were further dispossessed when the Crown on the eve of emancipation overturned a ruling of its own Governor, the Earl of Sligo, to grant to the slaves, hillside lands which they had cultivated for generations (daCosta, 2003a). These policies inevitably led to new communities of ex-slaves being established through squatting. In Barbados, however, the option of squatting was severely restricted by the very small Crown estate.

The non-planter land owning class also found some encouragement through colonial, non-conformist missionaries who propagated 'free villages' in conjunction with the ex-slaves, sometimes through active intermediation with the planter class. In Jamaica and elsewhere, Christian missions, purchased land in order to establish these 'free villages' for the people. And even where church sponsorship was absent, the impetus of the sponsored free villages encouraged the formation of other free villages (Mintz, 1989).

Towards the end of the nineteenth century, land settlement schemes began to characterize colonial Crown land policy, a trend that continued to feature in the post-independence policies of many of the British West Indian territories. This shift started with the 1897 Royal Commission

addressing planter opposition to peasantisation in St. Vincent and was later supported by the Sugar Commission of 1929-30 and the Moyne Commission of 1938-39. Post-independence land settlement schemes in the agricultural sector occurred in several territories including Jamaica, Trinidad, Grenada, Dominica, St. Vincent, St. Lucia, Montserrat and Nevis.

The post independence period beginning in the 1960s, saw the gradual urbanization of the Caribbean economies although in some territories such as Trinidad, this process began several decades earlier on account of the oil industry. Government activities, tourism and the growing services sector, together with light manufacturing encouraged by fiscal incentives in various territories were the catalysts of this urbanization (Rojas, 1989).

With urbanization, the concentration of relatively large populations on small territories has been more evident, particularly with the increasing restrictions on the traditional migration of Caribbean peoples to North America and Britain. This has led to increasing demand for housing in urban areas with the conversion of agricultural lands to urban uses. In the context of small-island States, this in turn has the potential to harm food security. Moreover, in many of the islands of the Eastern Caribbean including Antigua, Dominica and Saint Lucia, this urbanization has been so concentrated to the primary town that the rest of the settlement structure provides its population with only minimum services (Rojas, 1989). Accordingly, rural populations have high dependencies upon the capital cities of most Caribbean territories but due to the smallness of many of the islands, many are able to commute for employment without giving up their rural residences.

2. Structure of land markets

a. State ownership

In some territories of the region, the State has considerable leverage to influence the land market through relatively high proportions of publicly owned land. The ownership of these lands, however, is usually distributed among a variety of Government Departments, State Enterprises and Statutory Bodies.

Proportionate to country size, some of the bigger public land owners in the region include Trinidad and Tobago, Antigua and Barbuda, Dominica and St. Kitts and Nevis. In Trinidad and Tobago, public land ownership is just over 50% of all lands with more than half of these being forests. Over 40% of land is reported as State owned in Antigua and Barbuda although the proportion may be higher as the ownership of almost a quarter of all land is uncertain (Williams, 2003c). State ownership of land in Dominica is limited mostly to the forest reserves but forests account for more than 70% of the land and about one third of the forest reserves are privately owned (Williams, 2003b). In St. Kitts and Nevis, State land ownership is a substantial 82%.

Countries with smaller proportions of State land include Jamaica, Grenada and Barbados. In Jamaica, State land ownership is estimated at just under one fifth of all lands (18%) (daCosta, 2003a). Grenada has just 10% public land, the lowest in the Organisation of Eastern Caribbean States (Williams, 2003a). State land ownership in Barbados is a miniscule 0.1% (Maynard, 2003).

b. Concentration of ownership

In the territories of the Eastern Caribbean including, Antigua and Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia and St. Vincent, the colonial estate heritage led to a highly skewed pattern of land ownership and control whereby by the mid 1970s in most of these territories, less than 1% of the landowners controlled more than 90% of the total land under cultivation. Further, more than 80% of all farmers in the Eastern Caribbean control less than one hectare of land each, too little for surplus agriculture (Rojas and Meganck, 1987). In St. Lucia, Adrian (1996) noted

that small farmers controlled only 1% of the farmland area while middle and large-scale farmers controlled one third and two thirds respectively. Overall, however, land concentration in St. Lucia has improved in the direction of equity over the last three decades with the Gini index for land concentration moving from 0.90 in 1974 to 0.80 in 1996 (Vargas and Stanfield, 2003). In Dominica, 1.3% of the farming population control about one third of the agricultural land in large parcels (over 20 hectares) while three quarters of the farming population control less than one quarter of the agricultural land through small holdings of 2 hectares or less (Williams, 2003b). In Belize, as recently as 1971, 3% of the landowners owned 95% of the land (Iyo et al, 2003).

c. Land use patterns

Post-independence, Rojas and Meganck (1987) noted two trends in the Eastern Caribbean:

- i. The subdivision of some intermediate size estates into one to four hectares plots usually bought by urban local investors; and
- ii. The transfer of many large land-holdings to the governments through a variety of mechanisms including nationalization and land acquisition.

Human settlements however, have been evolving in a mostly unplanned fashion shaped by socio-economic processes influenced by the international economy and by somewhat sporadic sectorial policies (Rojas, 1989). Rojas' observation of a decade and a half ago, that insufficient attention is being given to existing and potential land-use conflicts as a result of development pressures in the small island states, remains true today.

In many territories of the region including Trinidad, Jamaica, Antigua and Barbuda and the Bahamas, planning authorities are struggling to manage the pressure for land use changes in response to urbanization.

The proportion of lands which are arable varies considerably across the region. Barbados and Grenada boast some of the higher proportions. In Barbados some 56% of land is agricultural (Maynard, 2003). The 1995 Grenada National Census estimated that 41% of the total land is used for agriculture, however this represents a considerable decline from 72% in 1961 (Williams, 2003a). 72% of all Grenadian farms are owned in freehold. In Dominica, just under one third of the land is considered arable and of this about half is currently used for agriculture (Williams, 2003b). In Antigua and Barbuda, only about 5% of all land is currently in agricultural production although almost one-fifth of Antigua is considered arable land. Over half of the arable land that was identified in 1960, three decades later had been alienated for built development. In St. Vincent and Granadines, the Planning Authorities estimate that about one third of all land is available for agriculture, although 1998 data suggests that less than one fifth of all land is actually so used (Williams, 2003d). Almost half of all land in St. Vincent and the Grenadines is under forest. In St. Lucia, some 23% of land is devoted to permanent crops whereas in Belize, some 30% of the total land area is used for agricultural purposes and over 45% of the total land is under some form of protection (Iyo et al, 2003).

In Montserrat, by 1995, a quarter of land suitable for agriculture was already in built occupation. The pressure for land use changes has been made much more acute post the 1997 volcanic eruption that rendered almost two-thirds of the island inaccessible. One of the areas under consideration is the use of 'exclusive residential subdivisions' initially intended to stimulate residential tourism (winter homes for North-Americans), as part of the resettlement strategy incorporating mixed uses. A fast-track approval process has also been initiated for 'temporary structures' in some areas (Greenaway, 2003).

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 $^{^6}$ Legal report on Antigua and Barbuda, by Nelleen Rogers Murdoch, March 2002, pp. 11-12.

Forests cover just over 10% of the land area of St. Kitts and Nevis whilst about one quarter of the total area is used for agriculture. Proportionately, there is twice as much agricultural land in St. Kitts as there is in Nevis. 12% of occupied land is reported to be rented (Williams, 2003c).

3. Land values

With increasing competition for limited land resources and relatively inefficient land management and regulatory frameworks, steep land price inflation is a feature of many parts of the region. In Grenada, land prices have experienced a sharp increase in the last two decades, a phenomenon that has been associated with increasing urbanization, the relative scarcity of housing plots and expatriate and non-nationals land purchases for retirement (Williams, 2003a). Land prices have also been continuously rising in St. Vincent and the Grenadines with growing competition among land uses. Increasing construction activity in St. Kitts and Nevis point to an active land market. Rabley and Turnquest (2003) observed that the real estate market in the Bahamas is also vibrant, particularly in New Providence and at the upper end in the Family Islands, with the overall monetary volume in 1997 having increased by almost 50% since 1989. They also note, however, that land administration deficiencies, mean that the potential of the market is far from realized.

Land and housing prices in Antigua and Barbuda are generally out of the reach of low-income earners. Unwillingness of some private land owners to sell land for housing as well as delays in construction on lots in approved sub-divisions already allocated to locals and foreigners have been cited as contributory to the level of these prices which generally see private land selling at about three times the price of State lands in similar locations (Williams, 2003c). Similarly, in Belize, Iyo et al. (2003) observed that a lot of land sold on the private market sells for five to seven times the price of an equivalent lot sold by the Government.

In Guyana, competition between agriculture and housing is concentrated to only a few areas on the outskirts of major cities and adjacent to river crossings and has allowed land prices to remain steady or even appreciate despite the economic downturn of recent years. Elsewhere declines in values of 20% to 50% are reported with neighbourhoods close to subsidized government housing being among those most affected (Bishop, 2003).

Apart from tourism related transactions, there is little evidence of an active open land market in St Lucia (Vargas and Stanfield, 2003).

Limited data is available on actual land prices in the region. Jones'(2000) Report contains data for Barbados, St. Kitts and Nevis and St. Vincent and the Grenadines. Typical land prices in Barbados were reported as US\$4.50-US\$5.00 per square foot with public sector lots offered at US\$2.25 to US\$3.00 per square foot. Market prices of US\$1.88 to US\$3.01 per square foot obtained in St. Kitts and Nevis. In St. Vincent and the Grenadines, the range was between US\$3.01 and US\$5.27 for developed lots, however Government developed lots were priced at US\$1.88.

4. Institutional issues in land management and administration

In the field of development interventions perhaps the single most influential factor remains 'institutions', in its broader sense where its defining attributes include not only mechanisms of policy conveyance such as administrative structures and structural balances among the executive and management arms of public policy, but also the very methodical foundations of policies, legislative recovery of past anomalies and measures of independence as counter guarantees for political arbitration and as a source of potential long term sustainability.

This section briefly touches upon some institutional elements of land management and administration as it pertains to habitat issues in the region, drawing mainly from the country papers presented at the 'Workshop on Land Policy Administration and Management in the English Speaking Caribbean' conducted in Port of Spain, Trinidad, in March 2003. This Workshop is acknowledged as the most recent and comprehensive attempt to address the above issues in the Caribbean. References are limited to Trinidad, Jamaica and Guyana where informal settlement poses the greatest challenges. The brief review which is far from comprehensive, is guided by elements coming under the reform agenda with liberal interpretations of the comprehensive development framework context including autonomy, sustainability and legislative reinforcement of development interventions.

The Guyana Country Paper presented at the March 2003 Workshop mentions the need for radical examination of legislations 'in order to deal with on-the-ground realities and to modernize the land sector'. The Report makes an observation about the complex nature of the squatting phenomenon while commenting "determining who is a squatter in Guyana is not straight forward, as many 'squatters' claim to owe their status to defects in the system which render them with land rights for prolonged periods" (Bishop, 2003).

As a part of the 1996 National Development Strategy, the Government of Guyana committed itself to a number of provisions targeting the poor including improved access to health care, schooling, housing, and potable water and also enhancement of nutrition. The steps taken by the Guyanese Government in line with the national development strategy, to establish a number of policy initiatives including tenure security and reduction of social vulnerability through the newly created semi-autonomous land agency, the Guyana Land and Surveys Commission, indicate the beginning of an integrated approach to habitat and poverty issues.

The Guyana Country Report quotes the Country Poverty Reduction Strategy Paper's (PRSP) reflections on the establishment of Guyana's Land and Surveys Commission (GLSC) Act, which focuses on management of all public lands and development of land use plans, policies and information systems, processing of all applications for agriculture, eco-tourism, and industrial and commercial development. It is unclear however, the extent to which the span of the operations of this institution covers the intermingled aspects of tenure, habitat conditions, poverty and participatory governance. Available literature also does not shed sufficient light on any complementary measures of coordination among the different arms of the State including utilities and financial institutions with a clear focus on vulnerable sections of the society and social services.

In Jamaica, the Programme for Resettlement and Integrated Development Enterprise (PRIDE), was perceived to be a vital tool in dealing with squatting and land supply to low income groups through an active Government role in land development. After some disappointment with outcomes and scope of this programme, today the role of government as a facilitator is emphasized, accompanied by a strong focus on comprehensive treatment of the shelter issues as consistently articulated in the various policy statements of the Government. Although it is maintained that the current approach to shelter stresses participatory mechanisms with additional cross-sector support (daCosta, 2003), available literature does not reflect on the specific relationships among the 'various sectors' and their exact contribution to the shelter sector in Jamaica.

The Ministry of Land and Environment created by the Jamaican Government in 2000 has been presented as the evidence of the government's 'long-term objectives for achieving economic, social and physical development'. The recently created, semi-autonomous, National Land Agency with its arms including the former Office of Titles, Survey Department, Land Valuation and Estates Department and the National Environment and Planning Agency are considered to be responsible for the goals and objectives of the comprehensive 1996 National Land Policy.

In his March 2003 Workshop paper 'The Trinidad and Tobago Experience' Mohammed asserts that "except for the Cabinet itself, there is no statutory or high level coordinating mechanism for divergent components of land policy and management". This comes against the backdrop of the 1992 land management policy of Trinidad & Tobago with 'ten Agencies in seven Ministries with responsibilities relating to land administration and distribution'. The same paper also highlights that apart from the agencies under one ministry, the remaining agencies are not coordinated in the context of 'management and administrative as well as sectoral and distributional functions'. Despite the good intention to ensure appropriate scrutiny and coverage, this multi-party approach creates considerable difficulty to efficiently and effectively administer and manage land.

Like the National Land Agency of Jamaica and the Land and Surveys Commission of Guyana, the Trinidad and Tobago Government also created a semi-autonomous organization in the Land Settlement Agency, in an effort to improve the delivery of shelter to the most vulnerable. This institutional reform is discussed in depth in Chapter 4.

5. Land access, spatial exclusion and security of tenure

Squatting and informality

Informality is prevalent in Caribbean land markets. Some characterization and classification of informal settlements in Trinidad, Guyana and Jamaica where they are most prevalent, was undertaken at the end of the last Chapter.

In Guyana, Bishop (2003) noted that the land market is characterized by a preponderance of informal transactions with little or no documentation. He attributes this to the perception that the transaction costs associated with both leasehold and freehold interests are high, so much so that even those with legally assigned rights have gradually entered the informal sphere for transfers and sub-letting – a process he refers to as 'de-formalisation'. Bishop also notes the response of the poorest households to land prices beyond their reach – squatting in order to satisfy their needs for housing, food and basic income.

Even where land ownership may be formal, in many parts of the region building often takes place outside of the formal sanction of Government regulations. Over 80% of all buildings constructed between 1980 and 1990 in Trinidad and Tobago, did not have full planning permission. Similarly, the Physical Planning Division of Dominica, estimated perhaps conservatively that 25% of all buildings on that island are unauthorized. Perceptions of the approval process being cumbersome and costly, contribute to this reality, especially where construction takes place without formal financing.

Squatting and other informal development in the region occur on both State and private lands as demonstrated in Jamaica and Trinidad. Indeed in the latter, squatting was estimated in 1985 to be almost equally divided between State and private lands. In Belize, squatting is also a challenge to the Government and private landlords. Some large and predominantly rural settlements, were created there by former refugees from Central America.

In some territories, however, squatting is primarily located on State lands. This is the case in Grenada where State lands in the urban areas are targeted and the phenomenon has been associated with rural to urban migration, attributed mainly to the failure of the rural economy to provide sufficient income opportunities (Williams, 2003a). In the Bahamas, squatting is also primarily located on Crown lands. In St. Vincent and the Grenadines, informality is also prevalent and manifests largely through squatting particularly on government owned land including forest reserves as well as through informal land rental arrangements. One estimate puts the number of

squatters there at 16,000⁷ and rental land accounts for almost one quarter of all land currently used for agriculture and includes government leases as well as more informal arrangements with private landowners (Williams, 2003d).

In Montserrat, squatting occurs primarily on private land. With increasing travel and emigration, land holdings of non-resident owners are particularly vulnerable. Towards this end, consideration is being given to extending the period for acquiring prescriptive rights on private lands from 12 to 20 years (Greenaway, 2003).

In St. Lucia, between 1986 and 1996, the proportion of squatter parcels identified in the Census decreased from 10.6% to 6.6% and by 1996, 60% of these were located on State land (Vargas and Stanfield, 2003).

Squatting in Antigua and Barbuda occurs in various areas including the St. Johns region where a settlement comprising persons mainly from the Dominican Republic occurs with the highest estimates placing its population at 3,000 (Williams, 2003c).

Squatting accounts for 214 hectares of land in St. Kitts and Nevis although there have been no formal attempts at regularization (Williams, 2003c).

Informal settlements are much less prevalent in Barbados than in the rest of the Caribbean.

Tourism and displacement

In several Caribbean territories, concern has arisen over the potential displacement of locals in the aggressive pursuit of tourism. This issue usually pertains to access to public beaches and to potentially adverse changes in land ownership patterns due to purchase of lands by non-nationals. Tourism promotion also often entails provision of land and concessions.

The issue of public access to beaches usually relates to the conflict between delineation of the boundaries of private coastal development and public access to beach lands including easements, as well as to obstruction of views of the sea due to private coastal development. In Barbados the latter issue prompted the Barbadian Ombudsman to stress in a 1999 Special Report, the need to retain and create windows to the sea. The issue of encroachment of private development upon accesses to beach lands is usually connected to ambiguity over the common law doctrine of accretion. In Barbados for example, the last quarter of a century has seen the significant increase in beach areas due to this doctrine (Maynard, 2003), the essence of which attributes to the owner of lands bounded by the sea, any 'gradual and imperceptible' accretion above the high water mark.

Concern over ownership of lands in the Caribbean by non-nationals has led to legislation restricting such ownership in various territories including St. Vincent and the Grenadines and Trinidad and Tobago, with the latter repealing its Alien Landholding legislation in the 1990s. Alien Landholding Licenses facilitate foreign ownership in St. Kitts and Nevis, Montserrat and elsewhere. In the Bahamas, the International Persons Landholding Act of 1993 facilitated ownership of land by foreign individuals and companies. Moreover, this Act facilitates the right of residence of close relatives of such foreign owners (Rabley and Turnquest, 2003). In several other islands including Tobago and St. Lucia, the perception of dispossession persists among some of the populace, however, supported by steep inflation in land prices with foreign purchasing. In Belize, sale of land to foreigners at high prices has also generated resentment among born-Belizeans (Iyo et al, 2003). A 1998 Special Select Committee of the Houses of Parliament of Barbados also considered this issue but observed that while non-nationals owned many lots of land in Barbados, these were not usually contiguous. The Committee eventually concluded that foreign ownership neither harmed the economy nor dispossessed Barbadians (Maynard, 2003).

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⁷ Land Consultancy Report for St. Vincent and Granadines by Nicole O.M. Sylvester, February 2002, p. 13.

Family land

Besson (2003) refers to family land as an unofficial transformation of official freehold tenure common among 'peasant communities' throughout the English-speaking Caribbean. She states that it contrasts with legal freehold in various features including the size of landholdings, the nature of land rights, the modes of validating and acquiring land rights, intestacy rules, house tenure and land use. Family land usually comprises small plots and is regarded as the 'inalienable corporate estate of the purchaser's descending family line'. Some of the features of family land identified by Besson are:

- Validation of rights through oral tradition
- Rights are primarily transmitted through intestacy
- Intestate heirs include all children and their descendants regardless of gender, birth order, 'legitimacy' or residence
- Symbolic value as the spatial dimension of a family line

According to the 1996 census, family land was the dominant tenure in St. Lucia accounting for more than 45% of all land. In Grenada, 15% of all land is family land. Family land is also common in St. Vincent and the Grenadines and other territories but official statistics often include this tenure grouping along with owner-occupiers, making it difficult to quantify.

A variant of family land, sometimes known as 'Generational land' is quite common in various territories including the Bahamas, Jamaica and Tobago. This variant arises where families neglected to probate wills sometimes over multiple generations, with the effect that title is now held by the descendants as tenants in common of undivided interests in the whole, without the actual title holders having ever been ascertained (Rabley and Turnquest, 2003).

Another form of communal land can be found in Dominica in a pocket of 1,497 hectares owned by the indigenous people, the Caribs. These lands were vested in the Carib Council through 1987 legislation. The Carib Council makes decisions concerning these lands in accordance with Carib traditions (Williams, 2003b).

Technocrats traditionally view family land as a legal oddity impeding the efficient functioning of land markets. But more compelling arguments are made in favour of this form of tenure as providing an economic safety net function extending to kin usually excluded by more formal systems (Vargas and Stanfield, 2003; Besson, 2003). Despite its prevalence in Caribbean land markets, and its perceived advantages, legislative or other institutional measures to protect claimants to family land are generally absent in the region.

Land distribution / land settlement

In Trinidad, there have been several post-independence attempts to distribute State lands, the largest being the Crown Lands Distribution Programme where some 10,000 hectares of agricultural lands were distributed in the 1960s. Production and sustainability expectations were generally not achieved and various explanations have been ventured including locational choices, beneficiary selection criteria and deficient complimentary infrastructure and extension services (Mohammed, 2003). Large scale housing estates were also developed in the 1960s, late 1970s and early 1980s in Trinidad. Despite substantial subsidies, arrears are high and several of the older buildings are now in a State of such disrepair that demolition is almost inevitable. Recent policy changes have concentrated resources for repairs, maintenance and aesthetic improvements to public housing estates with many new ones slated for construction after a long lapse in large-scale building.

Other land reform initiatives in Trinidad and Tobago include the agricultural regularization programme executed by the Land Administration Division, and the Sou Sou Lands programme. The latter is described further in the next Chapter.

In 1967, the then Grenadian Government introduced a 'land for the landless programme' whereby twenty-four large estates totaling over twelve hundred (1,200) hectares were acquired with the intention of being subdivided into small plots. Only about one fifth of these lands were actually distributed in this fashion, however, with the balance being assimilated into other State land programmes (Williams, 2003a). A new Government administration during the 1979 to 1983 period vested much of the lands in the Grenada Farms Corporation but after the historic collapse of that administration in 1983, many of the estates were returned to the original owners although some formed part of the Model Farms Project.

Over the past two and a half decades, more than 60 hectares of former estates have been vested in the Housing Authority of Grenada (HAG) for housing, about one sixth of which is reportedly being squatted upon. Just over half of these lands have been used to date for low and middle-income housing (Williams, 2003a).

Land Distribution has been articulated as the basis of national development by successive administrations in Belize. The 'Land Reform Programme' over the period 1968-1977, given life by the Land Acquisition Act, allowed significant numbers of people to gain secure tenure to lands that they were utilizing. Its gist was later adopted during the 1985 to 1989 administration in the strategy to 'Give Every Belizean a Piece of Land' but as Iyo et al. (2003) observed, a cohesive policy framework to translate these intentions into something more than sporadic, demand-driven interventions, has been lacking. The last administration (1998-2003) has embarked upon a sites and services program including houses and utilities in an effort to improve access, the coverage of which has been enhanced by similar private sector initiatives.

In Antigua and Barbuda, the State has accepted a role in providing some land for housing. During the 1970s and 1980s the Central Planning and Housing Authority (CHAPA) undertook projects including housing for the working and middle classes. The Lands Division also provides over 400 housing plots per year (Williams, 2003c).

In St. Vincent and the Grenadines, 'land reform' initiatives have been attempted including most recently a program started in 1990, whereby some eight estates were subdivided and sold as plots to individuals engaged in agriculture. Despite these efforts, however, land rental through informal arrangements is still prevalent.

In St. Kitts and Nevis, there have been some attempts at land distribution with some former sugar cane lands being leased to farmers for alternative cultivation. Likewise the National Housing Corporation has been developing State lands for low-income housing.

In Montserrat, policy was developed in the 1990s for the sale of government land for housing and initiatives were undertaken to broaden the scope to management of the country's land resource (Greenaway, 2003).

Planned land settlements programmes in Jamaica date back at least to 1895 when owner operated farms were encouraged through the sale of lands to small farmers at affordable prices and over long terms, typically 25 years. This programme gained substantial momentum after the 1935 formation of the Land Settlement Commission (daCosta, 2003a). Similar subsidies applied to State sponsored housing programmes. Titling remains a challenge, however, with an estimated 50,000 parcels without titles in both schemes combined.

More recent versions of such programs in Jamaica include the Jamaica Land Titling Project, the Emancipation Lands Programme, the Community Economic Centers Programme and Operation Pride (the Programme for Resettlement and Integrated Development Enterprise). Between 1989 and

1996, over 13,000 titles were issued through the Jamaica Land Titling Project to beneficiaries of the Land Settlement Programmes, primarily in rural farming areas. Significantly, the government of Jamaica recently took a policy decision to issue titles to beneficiaries of the Land Settlement Schemes and Housing Programmes with 'infrastructure as is', with a plan to incrementally improve the infrastructure on a priority basis (daCosta, 2003a). The Emancipation Land Programme was developed to divest 100 hectares of lands in each parish, wherever feasible, and primarily for agricultural purposes. The Community Economic Centres Programme seeks to provide land for small-scale, often informal, commercial and light industrial entrepreneurs, to build and operate their own facilities within the formal system. Operation Pride had both sites and services and squatter regularization components with an emphasis on human settlement development.

In Guyana land reform initiatives include the land settlement schemes spanning more than a century and well documented by Greenidge (2001), as well as more recent land titling programmes described by Bishop (2003).

Legislation has also been used to bring about dramatic changes in land settlement/ownership patterns. This was the case in St. Kitts and Nevis with the Village Freehold Purchase Act of 1996 and subsequent amendment of 1997; the Land Tenants Act of 1981 in Trinidad; and the Tenantries Freehold Purchase Act of 1980 and subsequent amendments in Barbados. In St. Lucia, the Land Registration Act, Land Adjudication Act, Land Surveyors Act and the Agricultural Small Tenancies Act created the legislative platform for the Land Registration and Titling Program.

IV. Upgrading and regularisation

Perhaps the most visible arena in which the conceptual understanding of the relationship between urban poverty and habitat has been translated into pragmatic development interventions, has been programs of squatter regularization or upgrading. This Chapter begins with an overview of the key poverty-alleviation hypotheses of regularization and then surveys Caribbean experience with this strategic development intervention. Greater emphasis is placed upon the experiences of Trinidad, Jamaica and Guyana, because the urban regularization programs of these countries are the most prominent in the English-Speaking Caribbean. A much more detailed analysis of the Trinidadian experience follows, since unlike urban upgrading programs elsewhere in the region, that country's experience with regularization has been the subject of several in-depth analyses.

1. Overview of upgrading and regularisation⁹

In his seminal 1962 'Theory of Slums', Charles Stokes suggested that informal settlements in developing countries have the potential of being incorporated into the formal built environment through a process of incremental improvements carried out under the initiative of the settlers themselves. John Turner (e.g. 1967, 1968), Abrams (1964, 1966) and Mangin (1967) among others, later placed the idea in

⁸ Experiences with related regional programs of land titling, usually with a non-urban focus were briefly surveyed in Chapter 3.

⁹ This section draws heavily and at times verbatim from the principal author's 1997 doctoral thesis, University of Cambridge, England.

a public policy context, identifying *tenurial security* as the pivotal to these improvements (Peattie & Aldrete-Haas, 1981). The State was to be an 'enabler' in the housing/shelter sector, ¹⁰ facilitating rather than suppressing, the self initiated improvements of the settlers (Baross, 1983; Ramachandran, 1986; Lim, 1987). International funding agencies began to experiment with programs of squatter upgrading ¹¹ some of which carried tenure legalisation components. Since then, similar programs have mushroomed throughout the developing world (Payne, 1984) with emphases on affordability, ¹² replicability and cost recovery (Mayo, 1987; Shefer, 1990). The arguments in favour of tenure regularization and property rights as a means of escaping from the poverty trap were substantially reinforced by the highly influential works of Hernando deSoto – 'The Other Path' (deSoto, 1989) and 'The Mystery of Capital' (deSoto, 2001).

As a housing policy, squatter regularisation purports some or all of the following explicit objectives:¹³

(1) To motivate increased shelter investments

It is often argued that squatters' investments in their dwellings are partly constrained by the fear that their dwellings may be destroyed and/or that they may be evicted (Doebele, 1983; Rodwin & Sanyal, 1987; Sumka, 1987)¹⁴. Squatter regularization, and particularly tenure legalisation, seeks to increase this security and thereby minimize this constraint. It is also contended that some dwelling improvements are more feasibility if trunk infrastructure (e.g. water lines, drains, electricity, sewerage lines etc.) is available within the settlement (Varley, 1987). In this way the infrastructure provision and upgrading within squatter regularisation programs, seek to encourage increased shelter investments by the settlers.

(2) To increase access to formal credit

Another common argument is that informal dwellers are further constrained in their ability to invest in dwelling improvements because their access to credit is either limited or highly priced. This limitation is often explicitly connected with the inability to use the land and dwellings they occupy as collateral for loans, as formal lending institutions may require. Making formal title to the land accessible to these settlers, and giving implicit recognition to the settlement as a whole, through programs of squatter regularisation, is seen as a means of partially relaxing this credit constraint (see e.g. Linn, 1983; Doebele, 1987b). Sometimes the constraint is addressed more directly by the State setting up, or acting as financial guarantor in, credit programs which specifically target the settlers.

(3) To rationalise land use and improve the standard of living

Regularisation often entails the rationalisation of land use and upgrading of hard infrastructure. With some readjustment of land uses, room for roads, drains, private lot accesses and open spaces are often created. This aims to create greater agreement between land-use and standards within the settlements and national planning criteria. Hard infrastructure such as piped water, electricity, improved drainage and paved roads are also seen as contributory to an improved standard of living and better public health - major concerns of national planning.

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¹⁰ For an exposition and critique of the idea of 'enablement', see Pugh (1994b).

¹¹ For an exposition and critical assessment of international housing policy from the 1960s to the 1990s, especially in relation to the World Bank, see Pugh (1994a).

¹² For methodological considerations used by the World Bank in assessing affordability, see Keare & Jimenez (1983) or Keare & Parris (1982).

¹³ The goals included here are not a comprehensive listing of policy goals but instead represent some of the most common tangible goals when the policy is conceived as a housing policy. Moreover, cognisant of the fact that the objectives of regularisation vary among the different actors in the process (Angel, 1983b), this section primarily addresses goals from the government's perspective.

¹⁴ Some recent research has suggested that for some squatters, the opposite may be true i.e. they invest in their housing in order to enhance their security by increasing the costs of demolition.

2. Upgrading and regularisation in the Caribbean

a. Trinidad and Tobago¹⁵

On December 2nd 1977, the then prime-minister of Trinidad & Tobago made a budget speech promise to 'regularise' the status of all squatters on State lands who were resident on or before that day, at a cost of US\$0.04 per square foot with an annual lease rental of US\$0.16. In order to facilitate the implementation of the 1977 promise, a nation-wide survey of squatters on State lands was conducted in 1979-1980.

Demolition of squatter houses did not, however, suddenly come to a halt, especially since the 1977 amnesty applied only to squatters in occupation at the time of the announcement. In fact it was in response to the imminent threat of demolition facing a group of 19 squatter households that a group of opposition politicians formed a non-profit company called Sou Sou Land Limited in 1983. Their approach to helping squatters was a form of regularisation that was not done in-situ but rather by resettlement. The company had by 1986 purchased 1,200 hectares of land spread over 13 sites in Trinidad & Tobago, involving the investment of some US\$2,940,000 by 10,000 participants (Laughlin, 1988). In the first three years the company had distributed some 1,500 serviced housing and agricultural plots (TTSP, 1986). By bulk purchasing of relatively cheap rural land and very basic sub-division and land development works, the company effectively copied the practices of informal developers of the type found in Latin America. Incremental building and mixed-use of properties were encouraged. Although this project eventually received a UNCHS citation (UNCHS, 1987a), its obvious contravention of official standards and regulations for formal shelter meant that a decade later none of the 13 sites had received planning approval. Infrastructure servicing by public companies has also been very slow to follow.

With the opposition now directly involved, the plight of squatters increasingly became a political issue. In 1986, a general election year, the State passed legislation, Act No. 20 of 1986 (GOTT, 1986), to regularise squatters on State lands¹⁷ in accordance with the terms promised in the 1978 budget. The bill prescribed an individual approach to regularisation whereby squatters of their own free will were expected to make their submissions before a specially appointed tribunal.

In the 1986 general election, the National Alliance for Reconstruction (NAR) displaced the PNM from the office of government which they had held for thirty years. A Squatter Regularisation Unit was created at the National Housing Authority (NHA) and a political promise was made that existing squatter households on State lands would not be evicted. Citing some of the drawbacks of the 1986 model as their justification (Bishop, 1988), the new administration revised the regularisation policy (leaving the legislation untouched), changed the cut off date to December 1986, and adopted a community based approach instead of the individual/tribunal strategy. The revised program conceptually included legalisation of tenure, incremental upgrading of infrastructure by the State and self-help from the community. The first phase targeted 28 of some 36 identified sites.

The main functions of the Squatter Regularisation Unit were to (NHA, 1987):

- i. mobilise the communities into functioning groups;
- ii. collect and analyse socio-economic data on the communities;
- iii. prepare layout and engineering plans for upgrading the communities; and

¹⁵ This section draws heavily and at times verbatim from the principal author's 1997 doctoral thesis, University of Cambridge, England

¹⁶ For a fuller description of the origin and characteristics of this company see Dougall (1990).

¹⁷ Apart from regularisation programmes on State lands, there have been several attempts to regularise some squatters on private lands. These efforts have not been government led. Most are being executed using the technical expertise of private firms - see Rajack (1994a) for a description of the methodology used.

iv. upgrade existing infrastructure.

To help fund its shelter programs, the new administration successfully negotiated an Inter-American Development Bank (IDB) loan. Part of this loan was to focus on the regularisation of 2,500 squatter plots. These plots were on 12 sites extracted from the NHA's regularisation program and became the responsibility of a Project Execution Unit (PEU). On these sites, comprehensive rather than incremental infrastructure upgrading was to take place. The stages in the comprehensive regularisation process included household socio-economic surveys; completion of lot applications by settlers; perimeter and topographic surveys of the site; lot identification and lot boundary arbitration exercises; design of a site regularisation plan; infrastructural upgrading; cadastral surveys of lot boundaries; identification and allocation of surplus lots; and payment for regularised lots (PEU, 1992). 30 year leases with an option to renew for another 30 years were to be granted to squatters upon completion of payment for the serviced lot (MSPU, 1989). Community labour was neither targeted nor used in infrastructural upgrading within these sites but community mobilisation teams were formed with the purpose of being a link between the PEU and the community.

The need for legislative revision was clear to the PNM when they regained power in 1991, as they too continued with the community based approach to regularisation as opposed to the individual tribunal approach prescribed by the 1986 legislation. The PNM commissioned a 1992 Committee to report on Regularisation of Tenure on State Lands. The Committee's report (MHS, 1992a) cited many of the limitations of the 1986 legislation. It also placed at US\$2,925 the cost of regularising a standard 465 square-metre plot.

As for the IDB assisted regularisation programs, each beneficiary under the PNM government of the early 1990s was required to pay for the serviced lot by means of a premium and a peppercorn rent. The premium was to comprise payment for the raw land at US\$0.04 per square foot, and a percentage of the cost of installed services. This total price was to ensure 60% cost recovery of financial outlays for the land (at US\$0.04 per square foot) and infrastructural development including the engineering and administrative costs (GOTT, 1992a; PEU, 1993). Upon completion of payment, 30 year renewable leases were to be given. ¹⁸

In 1995, the United National Congress came into power and three years later passed a new law, the State Land (Regularisation of Tenure) Act to govern squatter regularization and land development for the poor. This Law also gave birth to a new implementing body corporate, the Land Settlement Agency. The key features of this reform and the record of the LSA's delivery in its first two years of existence are considered in detail later on in this Chapter when the Trinidad Regularisation Model is discussed.

b. Jamaica

In Jamaica successive administrations have attempted to address the issue of squatting through the establishment of a Squatter Management Unit, the Programme for Resettlement and Integrated Development Enterprise (PRIDE), the Emancipation Lands programme and other initiatives. None of these programmes has, however, operated under a tailored legislative framework. Progress has been limited.

The most substantial and structured approach to squatter regularization in Jamaica was initiated in 1995 as a key component of the Operation PRIDE. A series of useful manuals to assist low-income communities and practitioners were produced and include coverage of Starter Standards for upgradable infrastructure, Community Development and Empowerment, Housing Design and Costs, Legal issues, and Beneficiaries Policy among other topics.

¹⁸ For a full description of the terms and options of payment, see MHS (1993).

In a 2003 Report, daCosta notes that over 20,000 families benefited in some way from the various arms of Operation Pride including but not limited to squatter regularization and sites and services (daCosta, 2003a). At the time of this study, details of the coverage and impact of the squatter regularization component of Operation PRIDE were not available. No detailed evaluation has as yet been carried out, however, reflections of key policy makers and administrators were that the programme's scope and coverage were severely restricted by intensive infrastructure development standards. Given the economic grouping of the clientele, these standards in turn translated to massive subsidies, limiting the reach of the programme. The Housing Trust was engaged to some extent in the programme but that organisation's main commitments remained to its contributors.

The Jamaican Government recently commissioned a survey of squatting as part of its strategy to revisit the issue of squatting and the methodology of regularization, and some interim findings were released during the course of this work. These data were presented in Chapter 2.

The portfolio of regularization was recently transferred to the Ministry of Land and the Environment but as yet no substantive staffing or financial resources have been allocated to the programme. According to a 2003 Policy Document of the Ministry of Land and The Environment (MLE, 2003), Operation Pride remains the vehicle for residential squatter regularization in Jamaica and the latest stance of the government is to continue with regularization of select communities on public land assessed as suitable for development. For agricultural, commercial or agro industrial squatting, the Emancipation Lands Programme will be utilized to formalize the occupants' tenure.

Upgrading of infrastructure and dwellings is to be done in accordance with approved development plans based upon current socio-economic data, under a proper system of registration (daCosta, 2003a). Incremental infrastructure development based upon the resource base of the communities and community participation, some of the original ideals of the programme, are likely to resurface (MLE, 2003).

In the case of squatted private lands, the government has indicated that it is prepared to assist in mediating between the two parties to facilitate the purchase of the property by the occupants on the understanding that it will then be the responsibility of the residents to present a development plan for approval by the relevant agencies (MLE, 2003).

c. Guyana

The mushrooming squatter issue in Guyana led to the creation of an Ad-Hoc Emergency Squatter Resettlement Committee in 1964. Regularisation was initiated during the period 1964-65 in over a dozen sites, eight of which totaled in excess of 700 plots. The approach to regularization was guided by design layouts which sought to rationalize land use making way for public spaces, informed by site and occupation surveys. Guidelines included maintaining minimum lot sizes of 284 square metres, minimizing relocations, provision of minimum street reserves and widths as well as adequate drainage reserves. The issue of titles remained outstanding (CH&PA, 1996).

As with Trinidad and Jamaica, the high cost of infrastructure upgrading works required under the Public Health Ordinance restricted the financial viability and replicability of regularization projects in Guyana. The Central Housing and Planning Authority noted that in every instance where these standards were applied, the minimum plot costs were far in excess of the maximum payment capacity of the squatters (CH&PA, 1996).

By the 1970s, the role of the Squatter Resettlement Committee had receded and the Town and Country Planning Department carried the responsibility of managing the squatting issue. In 1983, the Division undertook studies of squatting in various regions with a view to formulation of improvement plans and recommendations. Later, a cut-off date of January 1993 was established placing all squatting after that date outside of the ambit of regularization. The policy for

regularization entailed utilizing the efforts of the settlers themselves in the provision of basic services.

The lack of a clear comprehensive framework for regularization continues to hinder Guyana although there is an understanding that such a framework should include a sequenced approach starting with occupation surveys and finishing with the issue of titles. Engagement of the communities in the process and institutional strengthening of the CH&PA have also been recognised as important (CH&PA, 1996). The development of such a national framework is currently ongoing as a component of the Squatter Settlements and Depressed Areas Upgrading Project – a joint undertaking of the United Nations Development Programme (UNDP) and the Government of Guyana. The project also entails upgrading of hard and social infrastructure in select communities. The Government has also agreed in principle to the review of existing legislations to derive more affordable, appropriate infrastructure standards.

d. Other Caribbean experiences

Among the former and current British West Indian territories, examples of regularization occur although on a smaller scale than obtains in Trinidad, Jamaica and Guyana. Over the last two decades for example, the Grenadian government has regularized over 1,250 plots of land occupied by squatters, 55% of which have been in the Grand Anse region (Williams, 2003a). The approach, however, has a had a predominantly legal overtone with emphasis upon surveying, valuation and transfer of title with little attention on physical planning or infrastructural improvement works. The St. Lucian Government has also devised a programme which includes provision of security of tenure to some 3,000 households who currently live with insecure tenure, including slum dwellers.

3. The Trinidad regularisation model¹⁹

In Trinidad, the State's implementation arm for the regularisation of squatters and the release of new settlement areas for the landless has changed significantly over the last decade and a half. In 1987 a Squatter Regularisation Unit (SRU) of a Statutory Authority, the National Housing Authority (NHA) was formed and a few years later a parallel initiative under the same Ministry was initiated through a newly created Project Execution Unit (PEU). Finally, the mandates of both the NHA and PEU with respect to squatter regularisation and development of sites for the landless were shifted through a 1998 legislative change which gave birth to a new Statutory Corporation with certain institutional peculiarities, the Land Settlement Agency (LSA). Although there are certain further policy shifts in train in Trinidad, the institutional reform process and the practice of regularization has been the subject of several detailed reviews. For this reason, this Section of the Report focuses upon the Trinidad experience with a view to extracting useful lessons based on empirical evidence.

3.1 Institutional issues

Institutions encompass legislation, policies, formal and informal governing practices as well as the implementing organisations. For ease of comparison, the characteristics of the institutional frameworks associated with the three main implementing organizations i.e. the SRU, the PEU and the LSA are juxtaposed in Table 16.

¹⁹ This section draws heavily and often verbatim from the principal author's 1997 doctoral thesis, University of Cambridge, England; his 2001 Robert S. McNamara (World Bank) Fellowship Report on Institutional Reform in the Delivery of Shelter; and on various Reports written by the author in his former capacity as a Director of the Land Settlement Agency, Trinidad.

The SRU was part of an institutional framework that spanned the period 1987 to 1999 during which an operating methodology contrary to the provisions of the governing law, Act 20 of 1986, evolved. Within the SRU, labour division was informal and most employees were retained on three-year contracts, paid at Public Service-Rates and had limited scope for promotion in a small organization. As a Unit within a Statutory Authority, the NHA, the SRU reported, procured goods and services and competed for resources through a thick bureaucracy. The mandate of the SRU was of moderate size.

Given the perceived deficiencies in the institutional environment of the SRU, the government decided to create a new institutional environment for the implementation of an Inter-American Development Bank (IDB) National Settlements Loan. The PEU was to be an implementing organization for a specific time-bound project. From its inception in 1990, its operating methodology and freedoms that overrode the provisions of the existing law for squatter regularization, Act 20 of 1986, were documented in Operating Regulations. Labour division was more formalized than in the SRU with some Section Heads. Employees were recruited by the Ministry's Permanent Secretary on recommendation of an internal interviewing panel and were typically paid at two ranges above equivalent Public Service posts. As a moderately sized organization, scope for internal promotion existed. As a semi-autonomous Unit, the PEU enjoyed certain freedoms of dealing directly with the IDB although procurement involved the bureaucracies of the Ministry, the Government and the IDB. The Unit enjoyed dedicated loan funding in the execution of a relatively small and discrete mandate.

The Land Settlement Agency came into existence in 1999 as the devoted implementing arm in a new institutional framework that included a new law that formalized and enhanced the informal operating methodology of the SRU and the practices of the PEU. The most significant adjustment of the new law was the introduction of an incremental process for the granting of secure tenure. Labour division was most formalized in the LSA with six discrete Units although some emphasis was placed on inter-disciplinary alliances. In its first three-year term, the Agency was run by an executive board that enjoyed almost total freedom over recruitment and procurement. Employees were typically paid at least two ranges above the equivalent Public Service posts and enjoyed considerable scope for internal promotion in a relatively large organization. Despite the legislative authority for a dedicated fund, the Agency competed with the entire public service for funding to execute a large mandate.

Table 17
COMPARISON OF INSTITUTIONAL FRAMEWORKS FOR THE DELIVERY OF SHELTER OVER THE
PERIOD 1987-2001

	1987-1999	1990-1999	1999-2001
	ORGANISATIO!	NAL CHARACTERISTICS	
Implementing organization	SRU	PEU	LSA
Nature of implementing organization	Unit within a body corporate with non-executive board	Project Execution Unit within a Ministry	Devoted body corporate with executive/working board
	•	•	Table 17 (Continuation)
Implementing	1987-1999	1990-1999	1999-2001
organization	SRU	PEU	LSA
	GOVE	RNING RULES	
Features of the	Conventional tenure:	Conventional tenure:	Incremental tenure
governing law	30 year renewable leases upon	30 year renewable leases upon	Certificates of Comfort
	full payment	full payment	Statutory Leases
			Deeds of Lease

	Instruments of tenure executed by Director of Surveys or NHA Chairman.	Instruments of tenure executed by NHA Chairman. ^a URCE MANAGEMENT	Instruments of tenure executed by LSA Executive Chairman
Nature of			All officers on contract.
employment	Predominantly three-year contract officers but a few formal Public Servants.	All employees on two year contracts with a few seconded from the Public Service.	Majority on 3-year contracts, minority on month to month contracts.
Recruitment procedure	Some staff informally transferred from NHA, others recruited conventionally through the Statutory Authorities Service Commission and Containment Unit Staff directly contracted by the NHA.	Ministry advertises, PEU panel interviews and selects, Chief Personnel Officer determines salary, Cabinet approves filling of post, Permanent Secretary contracts / hires.	LSA's Executive Board advertises, interviews, selects and contracts / hires. Line Minister informed of choices and interview scores.
Compensation level relative to the Public Service	Public service equivalent remuneration.	Typically two ranges above equivalent Public Service post.	Typically at least two ranges above equivalent Public Service post.
	AUTONOM	Y/ BUREAUCRACY	•
Tendering procedure for development works	Tender Brief prepared jointly by SRU and other NHA Units, forwarded to Executive Director, tenders invited from pre-registered contractors and assessed by NHA Tenders Committee which included Central Tenders Board Representative. Successful contractor informed, NHA Board ratifies decision of Tenders Committee. Letter of award usually served as contract.	Tender Brief prepared in-house or by Supervisory consultants, tenders invited locally and internationally and assessed by a PEU Tenders Committee. IDB Local Office assesses Tenders committee evaluation and recommendation and gives clearance to Tenders Committee. Evaluation, Recommendation and letter of availability of funds from Finance Ministry then submitted to Central Government's, Central Tenders Board (CTB) operating under its own Act. CTB awards. Solicitor General prepares contract.	Tender Brief prepared in house, tenders invited from pre-registered contractors, and assessed in-house. In house Tenders Committee considers evaluation and makes a recommendation. Working Board (same as Tenders Committee) awards. Contract prepared in house.
Procurement procedure for goods and minor services Reporting relationship	Application to Finance Ministry for release from recurrent government subvention through Executive Director, NHA. SRU Head reports to Executive Director NHA who reports to NHA non-executive Board who reports to the line Minister.	Application to Finance Ministry for release from recurrent government subvention through Permanent Secretary, line Ministry. PEU Project Director reports directly to the IDB Local Office who may report to IDB head office. Permanent Secretary kept informed.	Application for release from recurrent government subvention directly to Finance Ministry. Executive Chairman Reports directly to Minister.

Source: Institutional reform in facilitating shelter for the landless - A Robert S. McNamara Fellowship Report prepared for the World Bank, Rajack, 2001.

Note: ^aAll PEU sites were owned by the NHA.

The most substantive aspects of the advanced reforms are the following:

- Move from conventional to incremental tenure.
- Move toward higher compensation and non-monetary rewards.
- Move toward direct power and responsibility for the entire recruitment process.

- Move toward direct power and responsibility for the entire procurement process.
- Move toward incremental development of infrastructure.
- Move toward the self-help methodology for project implementation.
- Move toward an executive (working) board.

3.2 Impact of institutional reforms

a. Transaction costs

Rajack's 2001 study found that on average the LSA's procurement process was one and a half times faster than the corresponding processes that governed the SRU and three to six times faster than the PEU's process. This is shown in Table 17. The time saving was largely on account of simplified bureaucracy. The SRU had to procure through the bureaucracy of its parent organization's (NHA) Tenders Committee as well as the NHA's non-executive Board. The PEU had to procure through the bureaucracies of the Central Tenders Board, Ministry of Finance, Chief State Solicitor and to a lesser extent, the IDB. If the contractor was unable or unwilling to mobilize on site prior to receiving a written contract, then the PEU procurement process would be extended by a further two to three months because of the bureaucracy and workload of the Chief State Solicitor's Office which had the responsibility for PEU contract preparation. Given that site development works are usually executed in the first half of the year, the dry season, a saving of several months in procurement has very significant implications for the annual development capacity of the implementing Agency.

Table 18
COMPARATIVE PROCUREMENT TIMEFRAMES

	,	COMI ANATIVET NOCONEMENT TIMET NAMES
Agency	Average Time Between Invitation of Contractor	Remarks
	and Contractor Taking Possession of Site	
LSA	3-7 weeks	Based on records of three main infrastructure
		contracts awarded by LSA in 2000:
		Average contract value = US\$38 000 VAT excl.
PEU	13-18 weeks	Based on an average over the life of the PEU
	plus a further 9-13 weeks for Chief State Solicitor	according to PEU Management.
	to prepare contract if contractor is unable or	
	unwilling to mobilize without contract.	
SRU	6-9 weeks	Based on an average over the life of the SRU
		according to SRU and NHA Management.

Source: Institutional Reform in Facilitating Shelter for the Landless - A Robert S. McNamara Fellowship Report prepared for the World Bank, Rajack, 2001.

LSA Executive Directors all reported being satisfied with the speed of the invitation, evaluation and award of contracts for developmental works and acknowledged that it was much faster than elsewhere in the public sector. Several of the Directors did however, report dissatisfaction with the pace of tender document preparation and in some cases evaluation, and cited the thinness of middle-management technical staff as partly responsible for this delay. Additionally, all Directors cited the need to introduce more checks and balances into the procurement process to increase the level of transparency. The filling of the Internal Auditor vacancy was seen as crucial in this regard.

b. Application processes

Of the 53 applicants to the LSA who were surveyed at the LSA's Head Office Front Desk in Rajack's 2001 study, two thirds (66%) described the application processes they encountered as simple and clear whereas one quarter (26%) considered the processes to be hard and confusing. For

the subset of 24 persons who had applied for Certificates of Comfort, approximately three quarters (71%) felt the process was simple and clear.

Among the 53 applicants surveyed, 40% had previously made an application to the SRU or PEU. Half (48%) of these described the application processes they encountered under the LSA as simpler than their prior experiences while one quarter (24%) noticed no difference.

These results as well as the elaboration of the processes suggest that the reforms reduce transaction costs by making application and processing more transparent, less complicated and substantially faster and by providing an incremental path to the acquisition of secure land tenure.

c. Recruitment

Of the 96 LSA employees who completed the self-administered questionnaire in Rajack's 2001 study and who had not previously worked in the SRU or PEU, slightly less than half (47%) described the process by which they were hired as quick and efficient, whereas a similar proportion (44%) described their experience as average. Only 7% had long and drawn out recruitment processes. The vast majority of respondents (90%) perceived that the LSA Management had the power to terminate employment contracts on account of misconduct or poor performance.

Among the other group of LSA employees who were formerly employed by either the SRU or the PEU, half (48%) described the process by which they were hired by the LSA as quicker than their SRU or PEU recruitment experience, whereas 30% found their former and current recruitment experiences to be of similar length. 15% reported that their LSA experience was longer than their recruitment experience with the SRU or PEU. Half (52%) of all respondents perceived that the LSA Management had greater power to terminate employment contracts than the PEU or SRU. Interestingly, none perceived the LSA to have lesser power in this regard.

Without exception, LSA Executive Directors were satisfied with the pace of recruitment within the Agency and acknowledged that it was a lot faster than the pace in the conventional public service where either the Statutory Authorities Service Commission or the Public Service Commission are involved. The conventional public sector process typically takes six months, rendering the implementing Agency unresponsive to changing workforce requirements. Even in the PEU where most staff was selected after being interviewed by an internal panel, the requirements that the Chief Personnel Officer determine the exact salary and Cabinet approves the filling of the post before it could be filled, lengthened the process of recruitment by approximately two months. These requirements did not apply to LSA recruitment. LSA recruitment records also demonstrated that on several occasions e.g. during the period of Certificates of Comfort Applications and the period of Computerisation of Vacant Lot Applications, the LSA was able at short notice to adjust its staff capacity to meet an enhanced workload.

These findings of Rajack's 2001 study suggest that the LSA recruitment autonomies have given the Agency the ability to fill posts in its approved administrative structure quicker than most public sector organizations and have also allowed the Agency a measure of responsiveness to changing workloads, not normally evident in the public sector.

d. Volume and coverage of development outputs

Of the subset of 21 beneficiaries interviewed in Rajack's 2001 study, who had previously applied to the SRU or PEU, a large majority (81%) felt more positive about succeeding at being regularized or getting a lot of land than they did under the old institutional framework. A similar majority (71%) felt that more was being done now to help them than before. These results suggest that the targeted group of beneficiaries perceived that development processes and in turn, development outputs have improved under the new institutional framework.

Table 18 depicts the development outputs and overall expenditures under the three institutional environments over the periods of existence of the SRU, PEU and LSA respectively up to 2001.

Table 19 A COMPARISON OF DEVELOPMENT OUTPUTS OVER ORGANISATIONAL LIVES

		F DEVELOPMENT O	JTPUTS OVER ORGA	ANISATIONAL LIVES
	Informally settled households directly benefiting from upgraded infrastructure	Informally settled households with upgraded tenure	New serviced lots for landless households	Remarks
SRU (1987-1999)	700 (7 communities)	20 (1 community)	Minimal infill / Not a formal part of SRU mandate.	
Approximate SRU expenses including development, administration / recurrent and set up costs.	US\$5 100 000	-	-	
PEU (1990-1999)	1 800 (9 communities)	0	4 800 (includes about 700 surplus lots developed in squatter sites)	
Approximate PEU expenses including development, administration / recurrent and set up costs.	US\$7 300 000	-	US\$26 700 000	
LSA (June 1999- June 2001)	1 800 (25 communities)	950 (20 communities)	600 (200 of which were already in the possession of beneficiaries)	-
Approximate LSA expenses including development, administration / recurrent and set up costs.	US\$3 100 000	US\$200 000	US\$1 700 000	Based on 50% recurrent for squatter regularization; 30% recurrent for new lots and 20% recurrent for other activities including tenure regularization

Source: Institutional Reform in Facilitating Shelter for the Landless - A Robert S. McNamara Fellowship Report prepared for the World Bank, Rajack, 2001.

The table shows that during the first 2 years of organizational life, LSA acting under the new institutional framework, directly impacted approximately the same number of squatter households with some measure of hard infrastructure upgrading as the PEU did in their entire 9 year existence and two and a half times as many households than the SRU did in their 12 year existence. The resources devoted to LSA for developmental works and related recurrent expenditure were, however, two and a half times less than expended by the PEU and just under one and half times less than the SRU's expenditure. Moreover, the LSA's infrastructural activities in its 2 years of existence impacted approximately one and a half times as many communities as were impacted by the combined efforts of the SRU and PEU over their entire existences.

With respect to tenure regularization, with the exception of the regularization of approximately 20 expired tenancies in one site by the SRU, neither the PEU nor SRU succeeded in

upgrading the tenure of any informal settler over their entire organizational lives. By contrast, approximately, 950 informal settlers from 20 communities experienced some measure of tenure upgrading over the first 2 years of the LSA's existence. Most of these were squatters who received Certificates of Comfort, about 150 of whom progressed to the statutory lease stage. Also included were approximately 100 informal occupants with expired tenancies who received either 30 year statutory leases or one 199 year deeds of lease. Neither the SRU or PEU proceeded to even attempt to regularize the tenure of squatters because the institutional arrangements under the then legislation were deemed by all political administrations to be inappropriate. Tenure regularization was put on hold pending the repeal and replacement of the then legislation.

In the development of new lots, the PEU produced approximately 4800 solutions (including approximately 700 surplus lots in squatter sites) in its entire existence at a unit cost of approximately US\$5,500. The first of the PEU lots were not, however, available until a further two years in 1994. LSA, produced 600 solutions to a lower development standard at just under half the unit cost of the PEU. These lots were ready for occupation according to the incremental development standards and approximately 200 were already in the possession of beneficiaries. SRU's mandate did not include the production of new lots although a few infill-lots in squatter sites were developed by the Unit.

Both the PEU and LSA, however, capitalized not only on the operational lessons learnt from the SRU but also in some instances from social surveys, land use planning, surveying, mapping and a few design exercises conducted under the SRU.

A stricter comparison across institutional environments and organizations of development outputs per unit of resource would be inappropriate for various reasons including the differences in infrastructural development standards, variations in land development costs on account of site characteristics and changing industry costs over time. A more detailed comparative analysis of recurrent and development expenditure would also be inappropriate because of differences in the types of work that were sub-contracted across agencies. It is perhaps for this reason that the suggested international indicators of upgrading effectiveness focus on proportions of the nation's squatter population that are impacted by upgrading activities i.e. infrastructural improvements, tenure regularization, surveying, planning and social interventions, rather than detailed comparative per unit costs.

The consistent picture that obtains from Rajack's 2001 comparative analysis of tangible development outputs is that the latest institutional framework, in which the LSA is the operational arm, is significantly enhancing the delivery of developmental outputs. LSA hit the ground faster than the SRU or PEU did. The span and speed of delivery are two areas where the improvements are most noticeable. The broadened span of infrastructural activity is a way of spreading hope and optimism across the national community of informal settlers. Quite possibly, the increased scope is a product of the reforms, especially the increased use of the incremental development, self-help methodology (community labour, fast-tracked planning and design) for implementing small-scale projects and the simplified approval process for site entry under the new law.²⁰ The faster speed of delivery of new lots in particular, is also a likely outcome of the increasing acceptance and use of incremental development standards as well as the faster procurement, decision-making and implementation in the LSA. Finally, the breakthrough in tenure regularization suggests that the incremental tenure reform introduced through the new legislative framework and the associated change in political will, has positively impacted development output in this regard, particularly through process simplification.

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²⁰ The new law contains a list of 'pre-designated' sites in a Schedule. In practice, this saves the LSA from having to obtain Cabinet approval prior to entry into any of these sites.

It is also significant that a survey of beneficiaries' views on further reforms revealed that the primary recommendation was the further simplification of the development and allocation processes. This is consistent with the reform objective of reducing transaction costs to which end the increasing formal acceptance and practice of incremental infrastructure development, incremental tenure and self-help implementation were major shifts. Moreover, the recommendation is consistent with the premise that when attempting to engage or compete with the informal sector which by nature is very dynamic, pace and scope are more crucial than thoroughness.

e. Unit costs of tangible development outputs

The LSA's operations over its first two years of existence were also the subject of another detailed analysis conducted by its Research, Development and Communication Unit (LSA, 2001). The Study set out to establish the unit/average costs incurred by the Agency in the production of its development outputs over the period June 1999 to July 2001. These unit costs were obtained by simple arithmetic division of the total historic costs incurred in each category of development output by the total number of units produced in the category, including appropriate weightings for partially completed units. The costs considered were the sum of recurrent costs including human resource costs, asset value depreciation and development costs. The results of the Study are depicted in Table 19.

Table 20
UNIT COSTS OF LSA'S DEVELOPMENT OUTPUTS: 1999-2001

Category of developmental output	Unit Costs (US\$)	
Certificate of comfort	110	
Statutory lease	300	
Deed of lease	530	
Infrastructure upgrade of squatter lot	1 020	
New partially serviced lot	1 740	

Source: Input/output Analysis of Development Activity of the Land Settlement Agency June 1999-July 2001- LSA, September 2001.

Although the Report did not compare the above costs with the unit product costs of other Agencies or operational approaches, they do appear very reasonable and potentially represent a cost-effective means of making an impact on security of tenure, infrastructure servicing in informal settlements and provision of plots for the landless.

f. Squatter regularisation and dwelling improvements

Rajack (1997) reported on a survey of about 300 regularized and un-regularised Trinidadian informal settlers' reasoning for the timing of actual dwelling improvements and repairs that they had made to their homes. The top four reasons were: firstly, availability of finances (savings/income/loans) at the time (cited by over 40% of settlers); secondly, an increase in household needs at the time (e.g. need for extra rooms for children); thirdly, physical need particularly because the dwelling was in a dangerous state of disrepair; and fourthly, an increased sense of security from eviction and demolition. The fourth reason, increased tenurial security, was cited as a reason by only 5% of settlers overall.

In the same study, 76 settlers who did less than three improvements/repairs over the entire period of their occupation were asked to give their main reasons for doing so little improvement/repair. More than half cited more pressing demands on their moneys with the second most popular explanation being the lack of perceived need for any further improvement/repair. Fear of demolition or fines (tenurial insecurity) was the third most popular response and was cited by 14% of all 'low improvers'. These reasons and prioritisation perfectly match those of respondents in Wegelin and Chanond's Thailand based study when they were asked why they had either not

improved at all or why they had not improved more than they had already done (Wegelin and Chanond, 1983).

Although settlers seldom explicitly identified tenurial security as the main motivation for improvements and repairs, quantitative multivariate analyses suggested that perception based security was a reliable contributor to greater improvement/repair behaviour, as were several other influences such as being a community group member, not having a female household head and experiencing an increase in recent boundary disputes. Settlers' interest in selling or renting their regularised property was very low whilst perceived enjoyment of most other property freedoms (except use of the property as collateral) was relatively high even prior to regularisation in both test and control groups. These and other results suggest that, whilst the government correctly anticipated positive links between regularisation and increased tenurial security and greater exercise of property freedoms, the limited way in which they conceptualised tenurial security and attenuating influences upon the exercise of various property freedoms, led to an overestimation of the benefits of regularisation and made their generalisations of the policy effects somewhat unreliable.

g. Squatter regularisation and security of tenure

Using regularised and unregularised settlers' current and retrospective views of their perception based tenurial security and property freedoms, Rajack's 1997 research also provided new empirically validated insights into the factors contributing to tenurial security. Settlers often identified regularisation and infrastructure upgrading, in particular, as contributing to an increase in their tenurial security. This was confirmed by quantitative multivariate analyses which found that being regularised as well as initial payment for regularisation were reliable contributors to increased security. In addition to such policy influences, various people related influences (e.g. sex and ethnicity of the household head, community group membership and size of household), and shelter related influences (e.g. previous demolition/eviction threat experiences on the site and length of occupation) were found to be reliable predictors of perceived security.

V. Regularisation guidelines

This concluding chapter sets out various guidelines for regularization programs in the region. A short justification follows each recommendation, drawing from the material and evidence presented in the earlier Chapters.

Guideline 1: Regularization programs should include incremental paths to the attainment of their goals

To attain national impact and momentum, regularization programs in the region need to be designed with incremental paths to the attainment of their goals, including physical (hard infrastructure upgrading), tenure and social goals.

The scale of informal settlement in the Caribbean and particularly in certain territories such as Trinidad, Jamaica and Guyana, in relation to available resources for regularization programs, dramatically undermine the impact of hard infrastructure upgrading programmes based on conventional infrastructural development standards. Attempts at attainment of these standards in one step have proven too costly to be sustainable. More realistic approaches are needed, based on incremental upgrading of infrastructure. This stance was at the heart of the Sou Sou Land movement and later of the Land Settlement Agency approach in Trinidad. It was supported by the Guyanese experience; and was strongly articulated by daCosta (2000) in relation to Jamaica and the broader region at the Latin America and

Caribbean Regional Conference Preparatory to Istanbul+5, held in Santiago, Chile in 2000.

The Trinidad experience also supports incremental approaches to the granting of secure tenure as was demonstrated by Rajack's 2001 Robert S. McNamara Fellowship Report cited in the penultimate chapter of this Report. Informal settlers in that island clearly welcomed the intermediate tenure instrument, the Certificate of Comfort, for which an estimated 80% of those eligible, applied in one year. Payne (2002) reviews the experiences with tenure innovation in Bolivia, Botswana, Brazil, Kenya, South Africa and Thailand among other places, demonstrating that there is considerable scope for creative solutions to tenure insecurity. In the Caribbean region, such innovation is also needed to preserve the benefits of family land, especially its social safety net function.

Incremental approaches to regularisation also resonate with the gradual approach that informal settlers are likely to adopt to the process of formalisation as they assess the relative costs and benefits.

Guideline 2: The implementing Agency for regularization programs should be equipped with sufficient autonomy and institutional freedom to respond efficiently to the dynamics of informality

Informality in the Caribbean is one of the most dynamic phenomena. Policy responses and their pragmatic intervention corollaries likewise need to be dynamic if they are to be effective counter balances. This demands implementing Agencies with levels of autonomy and institutional freedom in decision making that are atypical of public sector Agencies in the region.

This position is reinforced by the detailed analysis of the Trinidad experience with the Land Settlement Agency reviewed in the penultimate Chapter of this Report. It is also supported by the encouraging, though less evaluated, reform experiences in Jamaica and Guyana, producing semi-autonomous, executive type implementation organisations in the National Land Agency and the Land and Surveys Commission, respectively.

Guideline 3: The implementing methodology for regularization programs should entail closely coordinated multi-disciplinary interventions

Poverty, as the development literature has come to understand, is multi-dimensional including psychological, social, spatial, environmental, income, consumption and entitlement facets among others. Informal settlements in the region manifest most if not all of these dimensions of poverty. The success of regularisation as a poverty-alleviation intervention therefore hinges strongly upon the extent to which it treats with this complexity through multi-disciplinary operations.

This rationale led three different administrations in Trinidad over the period 1986 to 1998 to not implement regularisation programs in accordance with the then governing law, Act 20 of 1986, which prescribed an individualistic and uni-dimensional approach to regularisation. It was also a major influence upon the replacement legislation drafted over that period and eventually passed into law in 1998, which set the stage for a more comprehensive approach to formalisation to be implemented by the multi-disciplinary institutional set-up of the Land Settlement Agency (LSA). The LSA's organizational structure included substantial staffing in each of the following operational areas:

- Community Development, Social Services and Micro-Enterprise
- Settlements Planning and Surveying
- Tenure Regularisation, Conveyancing and other Legal Services
- Engineering and Infrastructure Upgrading including a Shelter Support
- Research, Development and Communications
- Finance and Administration

Whilst many variations of this structure may be appropriate to regularisation Agencies in the region, the multi-disciplinary nature of the operations and their location under one organizational structure, thereby facilitating close coordination, were instrumental to the progress that was made in regularisation in Trinidad. Operational experience has shown that a coherent organizational framework is required to coordinate these necessary multi-disciplinary operations, particularly since the success of one intervention hinges closely on the effectiveness and timeliness of complimentary interventions. The lack of such an organizational framework has frustrated regularisation attempts elsewhere in the region. Experience has also shown that the operations of several independent public sector agencies or Departments of government, generally do not facilitate the level of coordination and sequencing of interventions that make for a coherent and effective regularisation program.

Guideline 4: Large-scale regularization programs should be governed by legislation

Informal settlement is such a major feature of some Caribbean societies that it cannot be meaningfully addressed through a discrete project approach governed only by policy. The process of regularisation itself, goes against the status quo which is reinforced by numerous pieces of legislation and regulations governing land development. Regularisation gains little momentum when faced with such formidable opposition. The Trinidad experience shows that more progress can be made when the regularisation process is governed by legislation. Even then, however, well entrenched perspectives and procedures, add considerable friction to inter Agency/Department partnerships necessary for implementation. This resistance is greater when the boundaries of different pieces of legislation seem to overlap or when loopholes are present in the legislation governing regularisation, as has been asserted by some in Trinidad.

The use of legislation to govern large-scale regularisation programmes in the Caribbean is supported by the relative successes of legislation as a tool of radical change in the settlements sectors of several territories in the region. Prominent examples include the Tenantries Freehold Purchase Act in Barbados; the Village Freehold Purchase Act in St.Kitts and Nevis; the Land Acquisition Act in Belize and the Land Tenants (Security of Tenure) Act in Trinidad. Each example provided a means to redress widespread historical imbalances and inequity in land ownership. Moreover, the recent move by the Guyanese Government to take a step 'back' from its ongoing upgrading program to create a national framework to govern regularisation, reinforces the importance of clearly defined parameters of operation and relationship, that can be facilitated by legislation.

Guideline 5: Regularisation programs should be based on conservative estimates of short and medium-term revenue increases

The experience with regularisation in the Caribbean, and indeed in most parts of the developing world, shows that settlers who are in the process of being regularized generally have scarce means and often little willingness to make substantial financial contributions. Provision of basic infrastructure continues to be perceived as a welfare good and an obligation of the State. The State's moral authority to charge anything but nominal amounts for regularized land is also often undermined by settlers' claims to have historically made significant contributions to making the said lands habitable. Moreover, the remedies to enforce against free-riders run contrary to the philosophies upon which regularisation as a policy response, is formulated. Property taxation systems are generally not well developed and are hampered by woefully deficient cadastres. This hampers property tax collection from regularized settlers even if the larger social controversies governing such collection were overcome. The most likely source of revenue remains through the collection of user charges for infrastructure services.

Consequently, regularisation programmes should be based on conservative estimates of short and medium-term revenue increases, with their viability being achieved through their relationship with complimentary social and economic programmes and through the adoption of incremental and more affordable technologies.

Guideline 6: Regularisation programs should be supported by much more concerted data gathering exercises

As prevalent as informality is in the Caribbean, it is not a well understood phenomenon. This report aimes to fill some of the gaps but its scope is restricted by the absence of certain pertinent habitat data, and by the fact that even when relevant data are available, they seldom are disaggregated according to formal and informal settlements. Institutional and financial support for the regular collection, analysis and reporting of such data, is crucial to well targeted policies and successful programmatic interventions in the region.

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