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# GRENADA: LAND TENURE SITUATION

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Grenada: Land Tenure Situation Contract No. PCE-1-06-99-00003-00

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## CONTENTS

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|           |   |    |
|-----------|---|----|
| I.        | Introduction  | 1  |
|           | Objectives  | 1  |
|           | Terms of Reference  | 1  |
|           | Methodology   | 1  |
|           | Background  | 1  |
| II.       | Description of Land Tenure in Grenada (Formal and Informal)                 | 2  |
|           | A. The Legal Perspective  | 2  |
|           | B. The “Cultural” Right to Own Land   | 3  |
|           | C. Informality or Illegality in Tenure Situations                           | 3  |
|           | D. Impact of Land Tenure Situations on Reconstruction Efforts               | 4  |
|           | Crown Land Tenure Situation – Chart   | 6  |
|           | Private Land Tenure Situation – Chart                                       | 7  |
| III.      | Description of Processes  | 9  |
|           | Property Rights Processes Chart   | 10 |
|           | Potential for Streamlining Processes  | 11 |
| IV.       | Modernization Efforts (during last five years)                              | 13 |
|           | Cadastral   | 13 |
|           | Registry  | 13 |
|           | Titling   | 13 |
| V.        | Summary of Conclusions  | 14 |
|           | Land Tenure Situation   | 14 |
|           | Land Tenure Issues That Impact Reconstruction Efforts                       | 15 |
|           | Reconstruction Efforts Needed: Summary                                      | 15 |
|           | Land Tenure and Administration Issues Impacting Reconstruction: Summary     | 16 |
|           | PADCO in Grenada  | 16 |
| VI.       | Options for Present and Future Activities to Improve Land Tenure in Grenada | 18 |
|           | Rationale   | 18 |
|           | Strategies – Objectives Outline   | 20 |
|           | Specific Options  | 20 |
|           | Short-Term Options  | 20 |
|           | Long-Term Options   | 23 |
|           | Cadastral and Registry  | 24 |
| Annex I   | Terms of Reference  | 25 |
| Annex II  | List of Meetings Held   | 27 |
| Annex III | Grenada Information   | 29 |
|           | Country Profile   | 30 |
|           | Economic Summary (pre-Hurricane Ivan)                                       | 32 |



# **I. INTRODUCTION**

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## **Objectives**

This report has the following major objectives:

- 1) To provide USAID (and its partners) with a more in-depth understanding of how land tenure and land administration issues will impede successful implementation of housing reconstruction and construction in the post-hurricane context facing Grenada today; and,
- 2) To provide insight into effective, rapid solutions to administrative and tenure-related problems, including resolution of disputes.

## **Terms of Reference**

The Terms of Reference that establish the scope of work, tasks, and deliverables, are hereby attached as Annex I.

## **Methodology**

Due to time constraints, methodology was limited to personal meetings and interviews with:

- Government officials
- Senior members of the Civil Service
- Local attorneys and notaries specialized in Property Rights issues
- Senior management of NGOs and other Donors' organizations

Research was performed at the National Public Library in St. George's, Grenada.

Limited documental verification was done at the National Registry of the High Court.

List of meetings and interviews held are attached as Annex II.

## **Background**

On September 7, 2004, Hurricane Ivan ravaged Grenada with winds of more than 135 miles per hour. This Category 4 hurricane, the most powerful to hit the Caribbean in the last 10 years, left behind an unimaginable scene of destruction on this three island nation of 102,000 inhabitants.

The purpose of this work is to provide the technical assistance required by the relevant Terms of Reference.

A brief Country Profile on Grenada is attached as Annex III.

## II. DESCRIPTION OF LAND TENURE IN GRENADA (FORMAL AND INFORMAL)

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### A. The Legal Perspective

*Lack of statistical information on land tenure in Grenada* is a significant impediment to providing factual evidence on the findings. Nevertheless, the knowledge and experience of the people interviewed and some limited verification provide a certain level of comfort on this assessment and interpretation of the land tenure situation in the country.

The current Property Rights legislation in Grenada is based on a pre-1925 UK system. Real estate property is either owned by the State (Crown Land) or by individuals or entities of the Private Sector (Private Land). Only the legal owner may transfer title on the property in the form of a *freehold interest* or a *leasehold interest*.<sup>1</sup>

The case of *freehold* properties is similar to the concept of ownership in America. The land is sold with everything built on it and for an unlimited period of time. All permanent improvements to the property belong to the owner, and the use of the property and/or the buildings on it may be rented in terms and conditions mutually agreed upon by the parties. Encumbrances may be placed on the property per the owner's decision.

*Leasehold properties* respond to a similar concept of "rental properties," but ownership of the land and permanent improvements to it revert back to the *landlord* after expiration of the term of the lease agreement. Basically, it is a very long-term rental agreement with certain elements of an outright purchase. During "buyer-lessee" tenure, the house can be disposed of at will by renting it for shorter periods, selling the house to third parties (within the limitations of the leasehold agreement), or expanding it.

The sale/purchase process is similar to that of a freehold property; although, the contract/agreement that governs the transaction differs in its contents. In other words, the *buyer-lessee* "buys" almost unlimited property rights on a property but for a limited period of time, usually very long (common period is 99 years) but limited nevertheless.

Leasehold transactions command prices somewhat lower than freehold transactions and can be financed similarly, as if they were a freehold purchase.

This system was created by the British centuries ago and is still current in the United Kingdom and in most countries that are members of the Commonwealth of Nations. Nevertheless, in Grenada there has been a migration from an active use of the long-term leasehold concept to the freehold model for longer tenures (U.S.-like system). But this has been the result of public behavior more than the consequence of changes in the legal system.

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<sup>1</sup> In Grenada the State does not issue Title, but a Certificate of the registration of the deed that transfers title

Shorter-term leases (rentals) are common and the concept is identical to that of the U.S. system. Unfortunately the use of the term “lease” for both short and long-term transactions, adds some confusion.

Both *Crown Land* and *Private Land* can be subject to all known real estate transactions, such as purchase/sale, rent, lease, or sale/lease-back. In the case of Crown Land, the Governor General (usually upon recommendation from the Cabinet) must approve any transaction affecting its ownership or right to use it.

*Prescriptive Rights to Land are included in the legislation.* If an occupant is able to prove a minimum of years of uninterrupted unchallenged occupancy (12 years for occupation of Private Land, 30 years for Crown Land) and provide evidence of the occupant’s intention to disown the legal owner to establish occupancy permanently in such land, the occupant may be given title to the land occupied, but the occupancy is subject to due process. This legislation is an encouraging factor for squatting.

## **B. The “Cultural” Right to Own Land**

*Family Land* is a “de facto” situation derived from customary inheritance behavior. Its origins are not precise, but it is common among descendants of African origin. Possession and/or ownership of land are transmitted from generation to generation of the same family as a natural right. *It is not a legal figure.* Family Land, when formalized, becomes Private Land.

The *right to own property* is highly respected and accepted as part of the local culture and heritage. It evolved as a tradition by which the eldest member of the family ensured that all family members were housed; at the same time, no piece of the land was meant to be sold to third parties. It became a tool for holding the integrity of the family, while providing an “equal” home for all members.

Successions of titles and wills would have maintained the formality of this tenure. But, unfortunately, family members died without leaving wills, and the legal “extent” of the family was never properly defined. These factors contribute to a great deal of informality in family land tenures but also cause numerous conflicts within families.

## **C. Informality or Illegality in Tenure Situations**

**Squatters.** Much is mentioned about the *squatting* situation in Grenada (illegal); although if the problem could be quantified, it might not be as great as it may appear. The simple fact that between 85 percent and 90 percent of the land is Private Land and that most of the squatting occurs in Crown Land (for obvious reasons), suggests that, quantitatively, it is not a major problem.

Nevertheless, squatting might become *a significant problem* because of government tolerance, public acceptance, and even “dignifying” actions by the authorities, which encourage its growth. An argument can be made that a situation that is accepted, tolerated, and even encouraged could not be illegal but merely informal.

Squatting in Grenada is fed by the following elements:

- *Squatting in Private Land owned by absent landlords.* There is a significant Grenadian community abroad (in the United Kingdom, other Caribbean nations, and the United States), who are usually economically better off and do not visit Grenada frequently. These lands are target for Prescriptive Rights, as they are perceived to be owned by wealthy overseas residents with no real interest in occupying them.
- *Squatting on Crown Land usually pays off.* Local Governments tend not to evict squatters for political reasons. Often during election periods, land is sold / leased to squatters in convenient terms. The expectations of being favored with a lease offer in exchange for political sympathy acts as an incentive for squatting on Crown Lands.
- *There is idle land in Grenada, both Crown and privately owned.* This fact, accompanied by high poverty levels, a local culture that highly values land ownership, the existence of Prescriptive Rights legislation, and a permissive law enforcement environment, are motivators for people to try to occupy apparent available land.

Unless squatting is dealt with by alternative solutions, it might be difficult to convince authorities to proceed with eviction processes. Some complex situations where squatting creates health or safety hazards exist should be dealt with, regardless of higher costs or political implications.

**“Perceived legal owners.”** Enforcement of the law has not been one of the strengths of local governments in the region, and Grenada is no exception. Anecdotal evidence suggests that there are numerous situations where tenants pay rent to landlords who prefer them to build wooden constructions, which is an indication that the owner, if prompted, might not be able to produce title or evidence of legal ownership.

There seem to be deficiencies in the Inland Revenue’s (local Tax Collector) system which could facilitate the instances such as the collection of taxes from alleged “recorded owners,” who in fact may not have title but pay taxes to maintain the status quo and their ability to collect rents from tenants who do not question their property rights.

Similar situations occur in Family Land cases; although, in these, the right to occupy that land does not seem to be questionable, but the ability to supply evidence of such right is highly doubtful.

#### **D. Impact of Land Tenure Situations in Reconstruction Efforts**

Regarding *property rights*, there have been no changes in this short post-hurricane period. In respect to land tenure situations, it appears that there have not been significant changes either. Information obtained indicates that immediately after the storm there were some movements of people to other less affected areas, but once the cleaning efforts were concluded, in most cases the people returned to their original locations. Therefore, whatever impact the land tenure related issues may have in reconstruction efforts, they have not been caused by the hurricane but by long-standing pre-existing situations.



The land tenure situation in Grenada is not very different from those of other Commonwealth member nations. There might be different degrees of development, but in general, the informality, illegality, lack of modernization, lack of law enforcement, and cultural elements are not uncommon. In fact, the remedies to mitigate hurricane damage bring to the surface the weaknesses and inadequacies of the system. It is a fact that the situation will adversely impact reconstruction efforts, and rapid solutions and alternatives will have to be found to maximize effectiveness of aid (specific situations and options are further discussed in this report).

In fact, this might prove to be an excellent opportunity to raise public and government awareness of the situation and start building up commitments for implementation of long-term solutions and sustainable improvements.

The predicament being faced by the donors' community in channeling their assistance can be briefly summarized as follows:

- The Emergency Housing Committee states that 27,000 of the 32,000 houses/buildings that exist in Grenada (approximately 85 percent) have been destroyed or damaged and 10,000 of those houses require replacement (unverified information). Most, if not all of these works, will be done with donors' funds.
- It is a generally accepted principle/condition that repairs and/or new construction, funded by donors, must be done on properties where the beneficiary of the assistance has legal title (or the tenure is legal).
- Although in Grenada there is no reliable statistical information to prove it, it is generally accepted that:
  - there is a high percentage of informal tenures,
  - illegal tenure is not uncommon,
  - there is a well-rooted local culture of informal property rights (family land),
  - there is little enforcement of property related laws,
  - there is an accepted public tolerance to informality in general, and
  - the Cadastre and the Registry are outdated and incomplete.

The facts indicate (ratified by donors' initial findings) that, in the vast majority of the cases when repairs and new construction are needed, it would be very difficult, if not impossible, to obtain reliable evidence of legal title to the properties to be assisted. To insist on obtaining evidence of legal title would leave a very significant number — probably the vast majority — of intended beneficiaries outside the reach of assistance. By the same token, not requiring an acceptable level of comfort about the stability of unchallengeable tenure could become a major distortion of the main purposes of the assistance.

The following charts categorize the situation of Crown Land and Private Land tenures in Grenada.

### Crown Land Tenure Situation

| TENURE                 | OCCUPANTS  | DESCRIPTION   | TITLE  | IMPACT   |
|------------------------|--|---|--|--|
| A. Formal              | State entities   | Land actually being occupied/used by the State and Government entities  | Not as such, but ownership is not challenged.  | No impact  |
| B. Formal              | Legal tenants  | Crown land being leased or in another manner, formally allowed to be used by individuals and/or corporations  | State may or may not have a "title," but there is no challenge to its rights. Tenant usually has a lease or a formal document authorizing use and/or occupancy of the land.  | Legal tenancy could be terminated soon and aid benefits revert to the State or other tenant.   |
| C. Quasi-Formal        | Legal tenants but in breach of their obligations   | Former squatters have been "dignified" (usually for political reasons), and land has been sold to them against favorable payment terms (commonly in the form of a long-term lease). Titling is withheld until full payment has been met.<br><br>Most of these "buyers" have not paid as agreed and are in breach of contract, but no corrective action is being enforced. | Title will be issued if obligations are met. Banks do not finance due to lack of Title, and Title cannot be obtained due to lack of financing.<br><br>Ability to pay was not a consideration at time of sale, as this was done for the "wrong reasons."<br><br>Bridging financing could help but it is not available.<br><br>Conflict situation. | Tenancy may not continue depending on government decision.<br><br>Terminating or maintaining the agreement could have consequences that have to be seriously weighted. |
| D. Informal            | Squatters (illegal but tolerated – tolerance is "unreliable" as governments may change view) | Illegal occupants have taken over the land. If time elapses and processes are complied with, Prescriptive Rights will give them the right to own and title the land after 30 years of unchallenged occupation.  | No title in the short term. The lengthy Prescription Period creates a "limbo" situation encouraged by lack of law enforcement by the Government.   | Tolerance levels may change and so may occupants. Also, the uncertain outcome of the situation adds concerns.  |
| E. Under State Control | Unoccupied   | Empty land. Government officials argue that there is no idle flat land viable to be occupied for residency purposes.  | Not an issue   | Relocation potential   |

### Private Land Tenure Situation

| TENURE              | OCCUPANTS   | DESCRIPTION   | TITLE  | IMPACT  |
|---------------------|---|---|--|---|
| A. Formal           | Legal owners  | Land actually being occupied by its legal owner   | Yes  | No impact   |
| B. Formal           | Legal tenants (rent or lease)                           | Land actually being occupied by somebody other than the legal owner but protected by a formal contract or agreement that imposes mutual rights and obligations                                  | Yes (with legal owner).<br>Contract with occupant.   | Legal tenancy could be terminated soon and aid benefits revert to the owner or other tenant.  |
| C. Quasi-Formal IA  | Apparent legal owners                                   | Land actually being occupied by who is perceived to be its legal owner. There is no immediate challenge, but "owner's" behavior gives ground to suspect inability to provide evidence of Title. | Unknown  | Impact (diluted)<br>The lack of present challenge indicates that assistance should reach same beneficiary in any case. An eventual challenge could change status. |
| D. Quasi-Formal IB  | Legal tenants (rent or lease)                           | A combination of B and C (above). The occupancy is formalized, but there is no evidence of Title held by apparent owner.  | Unknown<br>The legal owner is perceived to be so, but there is no evidence of Title. There is a contract with the tenant (or it can be obtained). Requiring "proof" will raise a whole set of new issues (prescriptive rights, almost certain eviction). | Ownership could be challenged and affect tenancy. Requiring proof of ownership might raise other issues (prescriptive rights, almost certain eviction).           |
| E. Quasi-Formal II  | Family members on Family Land<br><u>Non-conflictive</u> | No division or titling has been done from the original "owner," but the land is identified and the "rightful occupants" as well.  | There is no Title, but there is no challenge either. Regularization is lengthy, costly, and perceived as unnecessary. The word (written or not) of the senior family member (or core group) is accepted as "the right."                                  | Impact (diluted)<br>Conflict could occur and tenancy might change (subdivision).  |
| F. Quasi-Formal III | Family members on Family Land<br><u>Conflictive</u>     | Same as above, but conflicts exist. Common conflicts are:<br>a) the right of member(s) is being questioned, and/or  | Some of these situations end in Court, but Titles may or may not be issued. Disputes   | Uncertainty about resolution of dispute creates uncertainty about   |

| TENURE                    | OCCUPANTS                | DESCRIPTION  | TITLE  | IMPACT   |
|---------------------------|--------------------------|--|--|--|
|                           |                          | <p>b) the “share” of member(s) is being challenged, and/or</p> <p>c) an “outside” member wants to join the “family.”</p> <p>Major difficulty is that the extent of family beneficiaries is not specifically defined.</p> | <p>are resolved on the complaint; property rights are clarified but could remain “informal” as far as titling is concerned.</p>            | <p>future tenancy</p> <p>An opportunity to motivate elimination of conflicts</p>                 |
| G. Informal (and Illegal) | Squatter in private land | <p>Illegal occupancy by invaders on private land. Eviction legislation is in place to protect the legal owner.</p>   | <p>If legal owner does not exercise rights to evict squatters, the owner might face a Prescriptive Rights challenge and lose the land.</p> | <p>Assistance might be encouraging illegal occupancy or benefit owner who does not need aid.</p> |

### III. DESCRIPTION OF PROCESSES

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*Property Rights related processes are not necessarily complicated in Grenada.* Lack of readily available information, formal documentation, public awareness, and prevailing out-of-date administrative tools creates an expensive and lengthy nightmare; a straightforward procedure is imperative. For example, following are key steps in issuance of a *Title*:

- *Who issues Title?* In the case of a First Title: If Crown Land, the Cabinet and Governor General must approve. Although a simple procedure, it is highly political, which can make it very complicated. If Private Land, it is not “first” Title; therefore, it has to be researched as many years as necessary to determine the previous owner(s) and then the intermediate situations must be “regularized.” If research results are inconclusive, a judicial process can be followed.
- *Cadastral Certificate/Survey.* The Cadastre covers only Crown Land and has not been kept up to date. Individual’s transactions on private land must rely upon Private Surveyors, who work with limited technology, could be biased, and commit errors. For these reasons, their reports are supposed to be certified by the Lands and Survey Department of the Ministry of Agriculture, but this is not done due “to lack of resources.” The result is that, when assembled, the “pieces of the puzzle” do not fit, giving a serious level of uncertainty to Property Rights.
- *Registry Information.* There is an Entry Book where actions are recorded manually and chronologically with a reference number. Documentation is archived separately. To find out information relevant to a property/title, a thorough search has to be done, line by line, to identify all possible entries related to that title, in order to proceed with finding relevant documentation. The Registry does not provide this search service, which is usually done by attorneys or employees of law firms. It is extremely lengthy and unsecured. Handwriting is not always easy to decipher; books have deteriorated, and there is little certainty that no information was missed. Additionally, although mandatory, some people do not register their transactions, increasing the unreliability of the information obtained.
- *Court procedures for resolution of conflicts.* Claims and counterclaims have to be resolved with documentation and verifiable information supporting such claims (statutory titling). The source of that information is the same available to the public (i.e., cadastral surveys, registration documents), which is highly unsatisfactory. Therefore, legal professionals resort to circumstantial evidence and elaborate unverifiable stories to support their cases. Judges’ decisions, although well-intentioned, are more acts of faith than proper legal decisions based on law and facts. Attorneys have indicated that this process must be reviewed both in form and in substance.

Administrative and legal processes related to Property Rights issues are *not in themselves* inadequate, lengthy, or expensive. Instead, it appears that the overall ineffectiveness and inadequacy of the whole system, and the need for permanent legal services, are the main reasons that make, what otherwise would be a “normal” process, a very costly and lengthy experience.

### Property Rights Processes Chart

| Process For  | Steps   | Comments  |
|--|---|---|
| <b>Land adjudication to private persons, families, or corporations by the state</b>    | <p>Initiative (a need or wish is identified)</p> <p>Proposal to the Permanent Secretary of relevant Ministry where initiative is started</p> <p>Permanent Secretary must OK and submit to Minister</p> <p>Minister must OK and take it to Cabinet</p> <p>Cabinet considers arguments and makes a decision</p> <p>Governor General must OK any decision on Crown Land</p> <p>Land &amp; Survey Dept is asked for an authentication</p> <p>Title is issued and recorded at Registry</p> | <p>No specific deadlines for each step/action</p> <p>Politicized process</p>  |
| <b>Land leasing by the state</b>   | Same as above. Lease can be a Long-term "sale"  | Same as above   |
| <b>Use of Eminent Domain by state to take land from private entity for public good</b> | Same as above.  | Track record says that the Purchase Price is usually <u>fair</u> , although the State has proven to be a poor debtor. Frequently payments extend for a long time; although fair, interest are recognized to seller. |
| <b>Regularization: clarification of irregularities</b>                                 | It depends on the nature of the irregularity. There are numerous non-conflictive situations (i.e., location, size, pending taxes, names, mortgages, easements).   | Apparently there is little activity to clarify situation, unless it is the consequence of a conflictive situation or a claim/challenge of some nature, in which case it becomes a judicial process.                 |
| <b>Regularization: resolution of disputes</b>  | <p>Resolution of disputes is a legal judicial process in a competent court of law. Usual Property Rights disputes resolved through court include:</p> <p>a) boundaries</p> <p>b) ownership/tenancy</p> <p>c) easements</p> <p>d) encumbrances</p> <p>e) numerous disputes in Family Land conflicts</p>  |   |
| <b>Regularization: formal recordation of rights (when first title exists)</b>          | If there is no dispute or pending situation to be regularized, the recordation process of a Title/Deed is just an administrative step at the Registry, which might take 3-4 weeks to process.   |   |
| <b>Sales of rights to property</b>   | <p>Governed by Conveyance Law, which requires:</p> <p>An attorney responsible for checking the Title of seller; preparing the Transfer Deed; verifying liens on</p>   | Conceptually, the process is similar to the one in the United States.   |

| Process For                                     | Steps   | Comments   |
|---|---|--|
|   | property; obtaining a Surveyor Report on land measurement; ensuring payments, taxes, and duties are fully satisfied; and registering Deed/Title at the Registry   |  |
| <b>Leasing of rights to property</b>            | <p>These could be Short-Term (rent) or Long-Term (lease).</p> <p>Short-term leases are simple contracts between owner and tenant. Usually these are prepared by an attorney (but not necessarily), and they are not registered.</p> <p>For Long-term leases, the process is similar to the Sale of a Property, including registration.</p>  | Property rights can be leased very long term, 99 years being very common. Nevertheless, Long Leasing in itself has become less common as there has been a migration to preference for an outright freehold sale.   |
| <b>Converting Family Land into Private Land</b> | <p><u>Original Will exists</u></p> <p>Consensus among family member on sub-divisions.<br/>Pending Estate Law issues must be complied with.<br/>Pending Taxes and Duties have to be regularized.<br/>Regular Titling process then follows.</p> <p><u>No original Will</u></p> <p>Substantial searches must be done to determine validity of claim to land.</p> <p>When “intention” is determined as “Will,” then it follows the same process as above.</p> <p><u>Disputes must be resolved prior to regularization in accordance with Court process.</u></p> | <p>There is more conflict than one could imagine, and this situation accentuates if land division is intended.</p> <p>The need to regularize many years of informality makes the process lengthy and costly (fees and taxes).</p> <p>Subsequent subdivision creates the problem of individual nonviable units, important if converted to Private Land.</p> |

### Potential for Streamlining Processes

Processes reflect the legal framework, tools available for processing, and institutionalization of the subject in any given country. Ample room exists for streamlining processes, but streamlining should be undertaken only after a comprehensive review of the legal system (with “simplification” in mind) and incorporation of technology and other relevant tools that shorten administrative steps and add controls and security to the procedures.

The brief period allotted for streamlining processes appears unrealistic in achieving positive impact in reconstruction efforts. Processes reviews imply dealing with legal, administrative, institutional, budgetary, and other diverse issues. Present circumstances in Grenada are inadequate for such an effort.

Precisely because the country is now living under exceptional circumstances, it might be more appropriate and effective to establish a simple set of “exceptional procedures” for qualifying situations. These procedures would be fully valid for a limited period of time and would clearly define objectives and adequate levels of control (some options are discussed in the next chapter). This approach will also take a “do no harm” stance vis à vis a newly revised property rights

system in Grenada. Simultaneously, an action plan should be designed to modernize the whole system and infrastructure of Land Administration and Management in Grenada, with elements that would provide sustainability to the changes.

Any fundamental change in the system must deal with complex elements, such as politics (the government has a very slim majority in Parliament and a strong opposition); culture (family land and certain squatting); and an influential professional industry (attorneys and surveyors), which might be economically affected by the expected changes.



## **IV. MODERNIZATION EFFORTS (DURING LAST FIVE YEARS)**

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### **Cadastre**

There has been no formal proposal for much needed modernization and expansion. Officials informed me that the subject has been frequently discussed, but they have not received the necessary support from the Ministry of Finance. Lack of financial resources seems to have been the main reason for some initiatives not to progress.

### **Registry**

There is an ongoing digitalization project. Basically the Registry has acquired from IBM a dedicated database to “re-register” the Entry Books in an orderly fashion. Deeds and other relevant documentation are scanned with cross references for easy search. This project has been going on for two years and it still has some time to go before it is complete. It is not being financed by any particular entity, as the cost is low, and the Government has been able to afford it. But it is creating a backlog of work at the Registry, entries are being recorded in both systems (manually and electronically), duplicating the work time of employees.

It is an improvement, but it does not address the fundamental issues. It only improves record keeping and reduces the deterioration of original documents (now being handled by searchers), facilitating information search efforts.

### **Titling**

No efforts have been made in the last few years to improve or change the titling process. The digitalization project at the Registry should shorten and diminish costs of searching for information needed in the titling process, but no other positive impact should be expected.

## V. SUMMARY OF CONCLUSIONS

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### Land Tenure Situation

- Property Rights and Land Tenure and Administration situations show no significant changes from the pre-hurricane to the post-hurricane period. There have been some self-corrected movements (displacement) of people, but it appears that there is no significant increase in irregular situations.
- The anachronistic land administration system has had limited evolution and does not recognize local cultural behavior or modern practices. Family Land tenure is not incorporated in the legislation; cadastre is limited to Crown Land; registry modernization has been neglected; and there is no use of statistical information for management purposes, which makes quantification of problems almost impossible. Poor management and administration aggravate the situation.
- High levels of informal tenure fed by the following factors, among others:
  - a) A significant part of the population is not aware of the legal and economic importance in formalizing their property rights, and as long as their day-to-day activities remain unchallenged, there is no sense of a need for corrective action.
  - b) A significant amount of the population lives with minimum resources; they are discouraged by lengthy processes that are difficult to comprehend and inevitably require expensive professional services.
  - c) A legal and surveys industry, with lobbying leverage, that it is not interested in making processes accessible to the population.
- Illegal tenure is not uncommon and is not being corrected. Squatting in Crown Land is tolerated and occasionally dignified for political reasons. Private landlords, usually residing overseas, have difficulty exercising evictions rights on squatters.
- Prescriptive Rights legislation acts as encouragement for occupations or actions conducive to getting property rights. The terms are very long and create undesirable legal uncertainty about ownership rights.
- Tolerance to informality, irregularities, and even certain levels of conflict, seem to be a commonly accepted behavior of the population as well as authorities. Only when situations or conflicts “demand” resolution there is a reaction. A revealing example is that non-conflictive peaceful informal tenures of Family Land, become very conflictive if formalization is intended.

To conclude, the major issue regarding Land Tenure and Administration in Grenada is *informality*, with some illegality as well. Hurricane Ivan represented an “out of the ordinary event” that exposed long existing weaknesses. The adverse impact of the situation as an undermining factor to reconstruction efforts creates an excellent opportunity to take some

mitigating actions to enable the materialization of such efforts and to initiate medium and long-term projects to improve considerably Land Tenure and Administration in Grenada, on a sustainable basis.

### **Land Tenure Issues that Impact Reconstruction Efforts**

**Reconstruction Efforts Needed: Summary.** Quantitative information is contradictory, according to different sources. The Emergency Housing Committee (EHC), mostly formed by government officials with limited donors and private sector representation, states that there are 27,000 building — of all types but mostly residential — in need of repairs or new construction. The EHC is mounting a database with currently approximately 4,500 entries (2,000 new housing needs and 2,500 repair needs). They have drafted a Policy for Cabinet approval where the Eligibility Criteria for assistance is established, as well as a Priority List of situations to be given preferential attention.

The National Emergency Response Organization (NERO) is focusing on development of a database to house the conclusions of their Needs Assessment efforts. The database currently holds 4,000 items of information, but the data was not made available.

The Agency for Reconstruction and Development (ARD) is in the process of establishing itself. Among other things, the ARD expects to serve as coordinator of the reconstruction efforts, to supervise the disbursement and application of donors' funds, and also to become an effective centralized communication channel with the local authorities.

Most donors are in the process of building their own databases with information relevant to the works they intend to proceed with.

Although not a land tenure issue, and therefore outside the scope of this report, but of utmost importance is a Consolidated Database (unanimously agreed upon by all relevant parties) that identifies each and every one of the “jobs”(either repair or new construction); establishes the need for relocation of inhabitants; determines the legal status of ownership and occupancy of the land; assesses damages and work to be done; estimates job costs; clearly identifies beneficiary(ies); establishes the priority list; and as an integral part of the data, records all legal/administrative action/documentation required on a case by case basis. Without this tool, risks of duplicate assistance, excessive assistance, and “misses” are constant. This might become an additional issue that adversely impacts reconstruction efforts. Urgent needs are moving donors to assist quickly on humanitarian grounds, but overall strategy and centralized project management are still in an embryonic stage as far as the ability to facilitate coordination among numerous donors and the government.

If the above is not possible, PADCO should develop its own database covering all the reconstruction works it will pursue in Grenada.

**Land Tenure and Administration issues impacting reconstruction: Summary.** All of the following situations present donors with issues regarding the final recipient of the assistance. These are situations where repairs or new constructions are to be done:

- In owner-occupied land without legal title
- In legal tenant-occupied land with legal contract shorter than reconstruction cost “amortization period.” Owner holds legal title.
- In legal tenant-occupied land with unverified legal owner title
- In legal tenant-occupied land with legal owner, but tenant is in breach of contractual obligations
- In illegal tenant-occupied land (squatters) where landlord is the State or private owner(s)
- In informal Family Land, where occupants are non-conflictive, unchallenged family members
- In informal Family Land, where occupants are family members and conflict exists

### **PADCO In Grenada**

In this coming phase of their contract, PADCO’s scope of work would include the following:

| <b>TYPE OF WORK</b>          | <b>QUANTITY (*)</b> | <b>COMMENTS ON IMPACT</b>   |
|------------------------------|---------------------|---|
| Schools                      | 20                  | If State owned, buildings’ purposes and characteristics should provide sufficient comfort level. Private schools should be categorized as residential for requirement purposes.   |
| Hospital/Clinics             | 12                  | Same as above.  |
| Community Centers            | 10                  | However desirable and convenient, they appear to be more focused on providing relaxation and entertainment than other more urgent needs. The order of these works in the Priority List should be revisited. Thorough research is needed to determine beneficial owner.  |
| Residential Repairs          | 8,000               | This work appears to be the bulk of PADCO’s involvement. It is in this category that all the categorization of impacts would show. If some of the options suggested in this report can be implemented, it is likely that the contractor will be able to achieve the target numbers of jobs/works to be performed. |
| Residential New Construction | 150                 | The level of comfort about beneficiary’s rightful title must be as high as possible to obtain in these cases. The criteria <b>wood/concrete</b> might be useful as a mitigating element to uncertainties.   |

(\*) Figures are approximate and they are to be ratified or rectified very soon. Although with a margin for error, these numbers provide an idea of the magnitude of the assistance, which might represent approx. 1/3 of all reconstruction work to be done in the country.

PADCO will be in a position to reach the intended objectives without significant deviation from original targets; although some prudent preparatory action should be taken, such as:

1. Active participation at the ARD, particularly in promoting integration of a Consolidated Database to contain comprehensive verified data that should represent the whole Inventory of works to be done in Grenada by donors.

2. Following the “spirit” of the Policy drafted by the EHC (but not necessarily the vague wording), improve eligibility criteria and the beneficiaries priority list by defining terms and situations more precisely.
3. Establish requirements and policies to be applied in all reconstruction work. As some of these advisable requirements will need decision and action by local authorities, intense lobbying and interaction with government officials will be expected (the identification of a “champion” among government officials to represent these concerns, might be advisable).
4. Reach agreement with other relevant parties (i.e., Government and donors community) about stock of jobs to be handled by each donor exclusively.

In meetings held in Grenada, PADCO managers expressed their need for technical consulting services to assist them on the following:

- a) Ensure that Policies and Procedures that PADCO is developing, satisfy USAID requirements and expectations regarding safe tenure and clear ownership; and
- b) Maintain guidance and support in all compliance issues (land tenure and ownership related) during Phase II of the Community Revitalization Program through end of 2005.

## VI. OPTIONS FOR PRESENT AND FUTURE ACTIVITIES TO IMPROVE LAND TENURE IN GRENADA

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### Rationale

- Legislation is inadequate and, surprisingly, does not cover certain commonly accepted cultural behaviors (i.e., Family Land). Substantial new legislation might be advisable as simple amendments would not suffice. To try to go through this process will necessitate obtaining political consensus, opening public debate on vision and models, determining impact on related legislation, and proposing modifications accordingly. This is a lengthy and complex process that is not advisable to follow as a solution for short-term objectives.
- An easy-to-implement set of exceptional rules with limited validity might be the answer to provide ownership and tenancies with certain security, allowing the time needed to work on major system changes.
- Cadastre and Registry — key elements to provide sustainability of changes — are completely inadequate, and building them accordingly will take more time than is available.
- A parallel alternative database should be used as a bridging solution, which incorporates new data that eventually will be migrated to the new Cadastre and Registry.
- Land Tenure is more *informal* than *illegal*. Informality has a different connotation than illegality. Informality does not entail a sense of urgency for correcting it and implies that it “could be acceptable.” Its meaning does not imply the concept of acceptability. Illegality is generally unacceptable and exerts pressure for corrective action. This corrective action is usually included within the legislation, whereas regularization of informality might mean a variety of partial solutions and complex negotiations.

*Ironically, it is probably easier to resolve illegal tenure issues than informal tenure issues. A two-phased approach might be advisable, inducing a “temporary” solution as an intermediate step to the more “permanent” solution.*

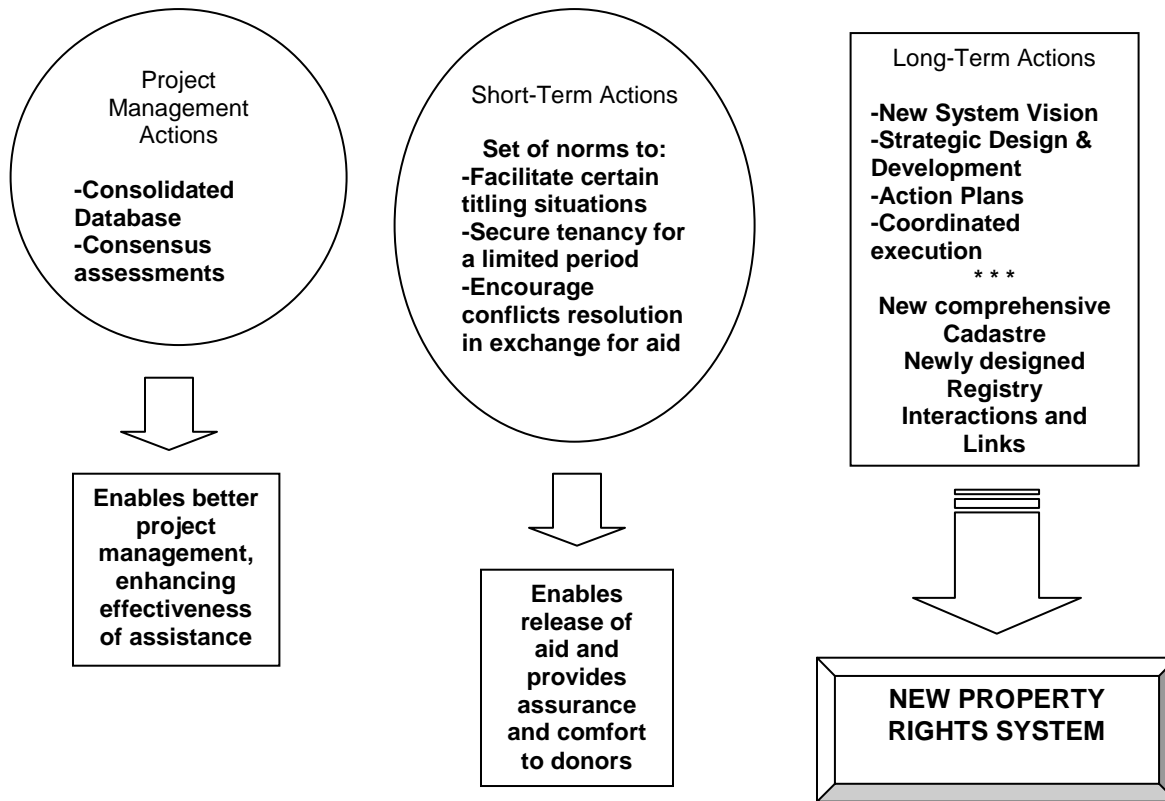
- A population that is unaware of the legal benefits of formalizing property rights is more inclined to engage in customary behavior than legal behavior. Also a population with very limited economic means has no motivation whatsoever to regularize situations and is further discouraged from formality by adverse circumstances.
- A communication strategy through a massive public information campaign to convey the benefits of formalizing property rights seems unavoidable.
- At present Grenada is faced with urgent needs requiring prompt and effective solutions. Land Tenure situation is not adequate for investment of substantial financial aid. Not creating “safer foundations” for reconstruction aid would be risky and might undermine the effectiveness of such aid; but modifying cultural behavior, legislation, and process means a

lengthy challenge with uncertain results, which will defeat the purpose of prompt reconstruction.

Probably a pragmatic, middle of the road, approach that allows donors to be slightly more flexible with certain requirements — at the same time having local Government approve a set of norms to be applicable as an exception for a limited time — might prove to be, if not a solution, an “enabling element” so that aid can be channeled with a better level of comfort and certainty.

Three sets of actions would start simultaneously in Project Management, Short-term, and Long-term objectives. These will be reflected in relevant Action Plans and execution should commence as early as feasible.

**Project Management, Short-Term, and Long-Term Objectives in Action Plans**



PADCO and USAID would interact with relevant parties with regard to the Project Management Actions and Short-Term Actions, to ensure their adequacy and correct timing will enable the achievement of the intended objectives.

## Strategies – Objectives Outline

| STRATEGY                             | MAIN OBJECTIVE(S)   |
|--------------------------------------|---|
| <b>Project Management (enablers)</b> | <ul style="list-style-type: none"> <li>Consolidated Database of agreed upon works to be done, verified tenancy and ownership situation, costs assessments, and prioritization</li> <li>Facilitate the identification of Short-term remedies and their implementation</li> <li>Exclusive assignment of works to avoid duplications and misses</li> </ul>   |
| <b>Short-Term (enablers)</b>         | <ul style="list-style-type: none"> <li>To provide a temporary “formal status” to otherwise informal or illegal land tenure situations in cases where reconstruction work is needed. The exit from this newly acquired “formality” should be synchronized with the implementation of a newly developed system that would provide sustainability to a better property rights system in Grenada</li> </ul> |
| <b>Long Term</b>                     | <ul style="list-style-type: none"> <li>To design and develop a new Property Rights System for Grenada that reflects modern and secure Land Tenure and Administration policies, eliminating existing informality and illegality</li> </ul>   |

## Specific Options

### Short-Term Options

| Impacting Situation   | Mitigating Action  |
|---|--|
| <p>CL – <u>Legal Tenants</u><br/>           Crown land being leased or in another manner, formally allowed to be used by individuals and/or corporations</p>  | <p>A commitment-document could be obtained from the Government to allow tenant to continue legal tenancy for a minimum period subject to the compliance with owner tenancy obligations (i.e., pay rent – maintain premises).<br/>           A 2-tier commitment could be considered, as follows:</p> <ol style="list-style-type: none"> <li>for repairs of &lt; x \$ amount: 5 years minimum</li> <li>for repairs or new construction of &gt; x \$ amount: 10 years minimum</li> </ol>   |
| <p>CL – <u>Legal Tenants but in breach of obligations</u><br/>           Former squatters have been “dignified” (usually for political reasons) and land has been sold to them against favorable payment terms (several years in monthly payments). Obviously “titling” is withheld until full payment has been met. Most of these “buyers” have not paid as agreed and they are in breach of contract.</p> | <p>It would be advisable to “formalize” these situations. This could be done by establishing a Special Program based on the ability to repay by tenants. The Program could establish 2 categories of tenants as follows:</p> <ol style="list-style-type: none"> <li><u>No ability to pay</u>. Waiving payments seems to be the only option. In these cases, the Program should establish a fast-track “adjudication titling” procedure;</li> <li><u>With ability to pay</u>. A restructuring of the debt should be done, and an incentive program to facilitate mortgage financing by financial institutions can be established, with or without some bond/guarantee total/partial by the Government. The Housing Dept. is empowered to finance housing project and they could lead this Program. Their level of financing participation would depend on the details of the program and policy decision to be made.</li> </ol> <p><u>Caution</u>: Legal details of the Program should be a major consideration not to create precedents that might be used for</p> |



| Impacting Situation  | Mitigating Action   |
|--|---|
|  | unjustifiable reasons.  |
| <p>CL – <u>Squatters (illegal but tolerated)</u><br/>           Illegal occupants have taken over the land. If time elapses and processes are complied with, Prescriptive Rights will give them the right to own and title the land after 30 years of unchallenged occupation.</p> | <p>Government could expand the abovementioned Special Program to cover these cases, offering these illegal tenants the option to acquire the land by “purchasing” it in accordance with the same criteria, with or without ability to pay.<br/> <u>Special situation:</u> Squatters in “sensitive” areas (i.e., creating health and/or safety hazards), should be offered reasonable relocation with similar rights, and if not agreeable, they should be evicted with no aid.</p>  |
| <p>PL – <u>Legal Tenants (Rent or Lease)</u><br/>           Land occupied by somebody other than the legal owner but protected by a formal contract or agreement which imposes mutual rights and obligations.</p>  | <p>Permission to do repairs/construction work is to be obtained from the legal owner, and this could be exchanged for an owner commitment-document that allows tenants to continue legal tenancy for a minimum period subject to the compliance with owner tenancy obligations (i.e., pay rent, maintain premises, etc).<br/>           A 2-tier commitment could be considered, as follows:<br/>           a) for repairs of &lt; x \$ amount: 5 years minimum<br/>           b) for repairs or new construction of &gt; x \$ amount: 10 years minimum.<br/>           In such document it would be advisable to establish the right of donor funding the works to decide materials to be used in the job (wood/concrete issue).</p>   |
| <p>PL – <u>Apparent Legal Owners</u><br/>           Land occupied by the perceived apparent legal owner, which is not challenged; however, there is reluctance or inability to provide evidence of Title.</p>  | <p>Assuming (and verifying) no existing challenge to occupancy, 2 options could be made available (depending on Government willingness to accept suggestion), such as:<br/>           a) Fast-Track titling: with the publishing of brief public notices, apparent owners could be given Title if no challenges are filed. But if this is not approved by Government or apparent owner does not wish to Title, then<br/>           b) Repairs or new construction could proceed in wooden materials<br/>           Reconstruction benefits will reach same beneficiary in any case. As this is a good opportunity to title a non-conflictive situation, a decision should be made whether to require apparent owners to Title or not.<br/>           If eventually apparent owners happen to lose their rights, they can take wooden constructions away with them.</p>                              |
| <p>PL – <u>Legal Tenants (Rent or Lease)</u><br/>           The occupancy is formalized, but there is no evidence of Title held by apparent owner.</p>   | <p>Assuming (and verifying) no existing challenge to occupancy, 2 options could be made available (depending on Government willingness to accept suggestion), such as:<br/>           c) Fast-Track titling: with the publishing of brief public notices, apparent owners could be given Title if no challenges are filed. If this is done, then reconstruction would follow same guidelines as for “legal tenants on legal owner’s land.” But if this is not approved by Government or apparent owner does not wishes to Title, then<br/>           d) Repairs or new construction could proceed in wooden materials and subject to owner’s commitment to allow tenancy for a minimum period of time (following the same 5 or 10 years cost criteria). Tenant would be able to remove construction and take it away at the end of tenancy, even if apparent owner confirms rights to property.</p> |
| <p>PL – <u>Family members on Family Land (Non conflict)</u><br/>           No division or titling has been done from the</p>   | <p>“Light” evidence of secure occupancy must be obtained via Affidavit of senior family member, signed in agreement by every member of the family, and a commitment from all signatories to</p>   |

| Impacting Situation   | Mitigating Action   |
|---|---|
| original "owner," but the land is identified and the "rightful occupants" as well.  | formalize titling within term of this secured tenancy. Affidavit should follow certain formalities, i.e., issued in presence of a Notary, stamp by Court, and recorded in a new sector at Registry. This simple process can be fast-tracked by establishing a small Special Unit at Registry, or even at EHC.   |
| <p>PL – <u>Family members on Family Land (Conflictive)</u><br/> Common conflicts are: a) the right of member(s) is being questioned, and/or b) the "share" of member(s) is being challenged, and/or c) an "outside" member wants to join the "family"</p> <p><b><i>Major difficulty is that the extent of family beneficiaries is not specifically defined.</i></b></p> | <p>An offer should be made: If conflicts are "eliminated" (and legal document is signed to that effect), same solution as above. Otherwise, risk of misdirection of assistance is possible and aid should not be disbursed.</p> <p>It could prove to be a good opportunity to reduce conflict levels.</p>   |
| <p>PL – <u>Squatters in private land</u><br/> Illegal occupancy by invaders on private land. Eviction legislation is in place to protect the legal owner. If legal owner does not exercise eviction rights, eventually the owner might face Prescriptive Rights and lose the land.</p>  | <p>Owner should be obliged to</p> <ol style="list-style-type: none"> <li>a) <u>"formalize" tenancy and secure it for certain time</u> (same cost criteria). If occupancy is secured, "wooden" reconstruction should be done, or</li> <li>b) <u>evict squatters</u>. If owner chooses to evict, efforts should be made to relocate squatters to Crown Land and be assisted accordingly (within the Special Program mentioned above).</li> </ol> <p><u>If owner's property has been damaged, owner's economic means must be verified prior to aid being approved.</u></p> |

### Long-Term Options

| OPTIONS                               | COMMENTS  |
|---------------------------------------|---|
| <b>New Vision of Property Rights</b>  | Based on a comprehensive diagnosis, a revised "State Vision" should be developed. A great level of consensus and commitment from all sectors (political, economic, social) is required to carry out implementation without major deviations (it takes more than one political mandate) and to achieve the necessary comfort level regarding its sustainability.<br>This new Vision should identify the Model to work upon.  |
| <b>Strategic Plan</b>                 | Needs clearly defined Main Objectives and a detailed Action Plan to manage and coordinate project execution. More proactive Government behavior should be encouraged in Land Tenure and Administration related issues.<br><br>Major considerations: <ul style="list-style-type: none"> <li>• Legislation should be comprehensive of all social behavior (i.e., Family Land rights should be part of the legislation).</li> <li>• Approach to dealing with squatting should be reviewed.</li> <li>• Prescriptive Rights legislation should be reviewed.</li> <li>• Statutory Titling process must be reviewed, as it appears there are weaknesses in the law, which also is rather inaccessible to people.</li> <li>• Expand Cadastre to Private Land.</li> <li>• Restructure Registry.</li> <li>• Simplify processes in accordance with new legislation and technological tools.</li> <li>• Institutionalization of administration should be reviewed.</li> </ul> |
| <b>New Legal Framework</b>            | Due to the importance of Property Rights in any legal system, the new vision and implementation must be constantly accompanied by substantial legal work, which eventually will lead to the new legal system.   |
| <b>Cadastre</b>                       | <ol style="list-style-type: none"> <li>a) Lands and Survey Dept must be responsible for all land (Crown and Private).</li> <li>b) Private surveyors may be allowed to operate but their reports must be ratified by L&amp;S.</li> <li>c) New technology should be incorporated for easy reference and effective maintenance.</li> <li>d) L&amp;S Reports must be legally regarded as the "official object of property rights" (at present it is not clear and Inland Revenue seems to be perceived as the "official version.")</li> </ol>   |
| <b>Registry</b>                       | Registry roles and responsibilities require major review. <ol style="list-style-type: none"> <li>a) Restructuring should begin by re-defining role to focus on 1) Objects of Property Rights and 2) Subjects of Property Rights.</li> <li>b) Registry's function as Administrative office of the High Court should be transferred out.</li> <li>c) Major challenge will be to preserve existing information and documentation during any migration exercise.</li> </ol>   |
| <b>Information/Education Campaign</b> | One of the reasons for Informality in Grenada is lack of awareness of the benefits of becoming Formal.<br>An Information and Education campaign is necessary, particularly in circumstances where special programs or options might be offered to the public.   |

## **Cadastre and Registry**

Although two very distinctive tasks, the functionalities of the Cadastre and Registry require an intense level of coordination and interaction. *It is important that these two initiatives be handled together, at least in the model design, development, and strategic planning stages.* Other related functions, such as the Inland Revenue and the Electoral Registry, should also be considered during these stages.

Eventually, the database system should also contain information useful for all these agencies. If such information is kept with proper segregation as well as integration, functional coordination between agencies would be facilitated, as well as automated updates of that same information when it is used for different purposes.

Also, due to the prevailing technical aspects of Cadastre and Registry, modernization efforts can be started immediately. It might not be necessary to wait for the new Vision or Strategic Plan, *provided* that the Cadastre, Registry, and other agencies' projects are managed in a centralized and coordinated fashion.

## ANNEX I

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### Terms of Reference

- Position:** Land Administration (titling, registration, cadastre) and Tenure Specialist
- Background:** On September 7, 2004, Hurricane Ivan, the most powerful hurricane to hit the Caribbean region in the last 10 years, ravaged Grenada with winds of more than 135 miles per hour. This Category 4 hurricane left behind an unimaginable scene of destruction on this three island nation of 102,000 inhabitants. In response to this natural disaster, USAID is undertaking several initiatives to assist Grenada in rebuilding in the hurricane's aftermath. The purpose of this scope of work is to obtain technical services related to the land tenure situation in Grenada.
- Objectives:** The objectives are: 1) to provide USAID (and its partners) with more in-depth understanding of how land tenure and land administration issues will impede successful implementation of housing reconstruction and construction in the post-hurricane context facing Grenada today; and, 2) to provide insight into effective, rapid solutions to administrative and tenure-related problems, including resolution of disputes.
- Tasks:** To achieve the objectives, the consultant will conduct a rapid appraisal through a review of existing documentation and interviews with key individuals. Specific tasks for land assessment include:
1. Description of tenure (formal and informal) in areas damaged by the hurricane and in areas that have been identified as relocation sites during the recovery period. This should provide information on the pre-hurricane tenure situation and include a discussion of how tenure is and will affect reconstruction efforts.
  2. Description of current processes for:
    - land adjudication to private persons, families, or corporations by the state
    - land leasing by the state
    - use of eminent domain by state to take land from private entity for public good
    - regularization (clarification of irregularities, resolution of disputes, and formal recordation of rights for which a first title exists)
    - registration
    - sales and leasing of rights to property
- Include list of key steps, associated documentation, fees, and time requirements to complete processes. If these processes differ for family land

versus private land, this difference should be made clear and the process of converting family to private should be noted.

3. Description of any registry modernization, cadastre, and land titling efforts in the past five years and/or planned for Grenada, including a brief outline of what was/is done, by whom, with what financing, and how.

4. Assess the potential to streamline these processes to allow expeditious title clarification and registration for housing as part of the hurricane recovery program. For each, the consultant should identify pros and cons considering the urgency of reconstruction and also incorporate a “do no harm” stance vis à vis an effective property rights system in the longer-term development of Grenada. For feasible options, the consultant should provide general recommendations, as well as general considerations for implementation.

5. At the conclusion of this analysis, the consultant will stop in Jamaica to debrief the USAID mission on preliminary findings.

**Deliverables:** An issues and options paper clearly identifying the main issues of land tenure in post-hurricane Grenada, evaluating the government of Grenada’s land processes, and providing suggestions for present or future activities in Grenada to improve land tenure activities. The paper should discuss the findings of tasks 1-4 described above.

**Timing/Duration:** 12 days of LOE

**Reporting:** The Consultant will report directly to Chemonics’ Project Manager Cristina Alvarez or her designee.

**Candidate:** Ruben Gomez

**ANNEX II**

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**List of Meetings Held — Grenada, December 13–17, 2004****Mrs. Theresa J. Mc Cann**

GR 3 (NGO)

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**Mr. Simeon Collins**

General Manager of the Housing Dept

Chairperson of the Emergency Housing Committee

Marine Villa, St George's

Tel 440-1015 / 440-6037 – Cell 415-2016

**Mr. Franklyn Michael**

UNDP - Emergency Recovery Coordinator

Scotiabank building – 2nd Floor

Grand Anse, St George's

Tel 439-5599/5606 – Cell 405-2468

**Mr. Andrew Alleyne**

Head of Lands and Surveys Department  
Ministry of Agriculture  
Ministerial Complex – Botanical Gardens  
Tel 440-1439

**Mr. Robert Brunch**

Registrar  
Ms. Ivette John – Assistant  
Supreme Court Registry  
Tel 440-3129

**Mrs. Nadika Mc Intyre**

Permanent Secretary of Legal Affairs  
Tel 407-5031/2342

**Mrs. Leslie-Ann Seon**

Attorney-at-Law/Notary Public  
St. Martin's – Lucas Street  
St. George's  
Tel 435-1770/71 – 435-1772  
laseonjuris@caribsurf.com



**ANNEX III****Grenada Information**

| <b>FACTS AT A GLANCE</b>                            | <b>2002</b>                 |
|---|-----------------------------|
| Official Name                                       | Grenada                     |
| Capital   | St. George's                |
| Official Language                                   | English                     |
| Size  | 133 square miles            |
| Currency  | East Caribbean Dollar (XCD) |
| Exchange Rate                                       | Us\$1.00 = XCD\$2.70        |
| <b>PEOPLE</b>                                       |                             |
| Population total (est.)                             | 103.5 thousand              |
| Population growth (annual %)                        | 2.0                         |
| Life expectancy (years)                             | 73.0                        |
| Infant mortality rate (per 1,000 live births)       | 20.0                        |
| <b>ECONOMY</b>                                      |                             |
| GDP (current US\$)                                  | 414.4 million               |
| GNI per capita, Atlas method (current US\$)         | 3,530.0                     |
| GDP growth (annual %)                               | 1.2                         |
| Exports of goods and services (% of GDP)            | 47.4                        |
| <b>TECHNOLOGY and INFRASTRUCTURE</b>                |                             |
| Fixed and mobile telephones (per 1,000 people)      | 387.7                       |
| Personal computers (per 1,000)                      | 132.1                       |
| Internet users (est.)                               | 15,000.0                    |
| Paved roads (% of total)                            | 61.3                        |
| <b>TRADE and FINANCE</b>                            |                             |
| Trade in goods as share of GDP (%)                  | 59.4                        |
| High technology exports (% of manufactured exports) | 8.3                         |
| Foreign direct investment (net inflows US\$)        | 41.0 million                |
| Total Debt service (% exports G&S)                  | 13.6                        |
| Aid per capita (current US\$)                       | 92.7                        |

## Country Profile

### Geography

- Location:** The most southerly of the Windward Islands, 83.8 miles north of Trinidad.
- Area:** 133 sq. miles; about twice the size of the District of Columbia. Also included are some of the islands of the southern Grenadines, the largest of which is Carriacou (22.5 sq. miles).
- Topography:** Rugged, narrow coastal plain and eroded volcanic mountains, the highest of which is Mount St. Catherine at 2,756 ft.
- Climate:** Tropical with an average temperature of 80.6 °F. Most of the rainfall is between June and December.

### Government

Grenada is a member country of the Commonwealth of Nations and functions under a parliamentary system of government. The monarch is hereditary. The Governor General represents Queen Elizabeth II who has been Head of State since 6 February 1952.

The Cabinet is appointed by the Governor General on the advice of the Prime Minister following legislative elections. The leader of the majority party or the leader of the majority coalition is usually appointed Prime Minister by the Governor General.

Legislative power is vested in the Parliament, which consists of the House of Representatives (15 members) and the Senate (13 members). Executive power is vested in the Cabinet that consists of the Prime Minister and other Government Ministers.

Grenada became a parliamentary democracy (Westminster model) with the December 1984 elections. Government is elected to serve for terms of 5 years. Last elections were held in November 2003 when the governing party (New National Party) won parliamentary balloting by a slim margin capturing 8 seats. The opposition party (National Democratic Congress) took the remaining seven seats in the legislature.

## Main Government Leaders

|                             |  |
|-----------------------------|--|
| Sir Daniel Williams         | Governor-General   |
| Dr. the Hon. Keith Mitchell | Prime Minister and Minister of National Security, Information, Business and Private Sector Development, Youth Development and Information Communication Technology |
| Hon. Gregory Bowen          | Minister of Agriculture, Lands, Forestry, Fisheries, Public Utilities, Energy, and the Marketing and National Importing Board                                      |
| Hon. Anthony Boatswain      | Minister of Finance and Planning   |
| Hon. Elvin Nimrod           | Minister of Foreign Affairs and International Trade, Legal Affairs, Carriacou and Petit Martinique Affairs   |
| Hon. Dr. C. Modeste-Curwen  | Minister of Communications, Works, and Transport   |
| Hon. Claris Charles         | Minister of Education and Labor  |

## Main Political Parties

### **GULP – Grenada United Labor Party**

Leader: Mr. Herbert Preudhomme

### **NDC – National Democratic Congress**

Leader: Mr. Tillman Thomas

### **NNP – New National Party**

Leader: Dr. the Hon. Keith Mitchell (current PM)

### **The People’s Labor Movement**

Leader: Dr. Francis Alexis

## **Economic Summary (pre-Hurricane Ivan)**

Grenada's economy is dependent on agriculture and tourism, and increasingly, on manufacturing and offshore financial services. The country's natural resources include timber, tropical fruits, nutmeg, mace, cocoa, bananas, and deep-water harbors. Known as the Spice Islands, Grenada consists of three main islands: Grenada, Carriacou, and Petit Martinique.

The international airport of Point Salines was rebuilt in the mid-1980s; in 2002 additional international flights were added to Grenada and a deep-water cruise ship port was built in St. George's, increasing tourism facilities. During 2002 and 2003 there were several private investment tourism projects, unfortunately the devastation left by Hurricane Ivan raises doubts about new investment in this industry beyond the repair efforts.

Historically Grenada has been an agricultural society, and it has successfully developed the agro-processing industry since the beginning of this decade. This industry has accounted for 10 percent growth in the small manufacturing sector, resulting in added output in grain mill, bakery products, prepared animal feed, beverage, tobacco, chemicals, and paint.

Following a contraction of 3.4 percent in 2001 and a small recovery in 2002, the economy rebounded to record real growth of 3.4 percent in 2003 — almost 1 percent higher than the average for the Eastern Caribbean. This creditable performance was the direct result of increased economic activity in most of the productive and service sectors of the economy. It also resulted in a decline in the level of unemployment in the country, with creation of new jobs in manufacturing, construction, and telecommunication sectors. Data from the NIS indicated that the number of newly registered employees was up by 66.6 percent from 2002 to 2003 to 5,388, with many of these representing first-time employees.

The economic outlook for Grenada was very positive pre-Hurricane Ivan. The IMF reported that growth had been broad-based, construction and tourism industries were showing sustained signs of expansion, and abolition of Income Tax sparked residential and commercial construction. Progress was being made with Venezuela and Trinidad and Tobago on delimiting boundaries, which could pave the way for Grenada to commence oil and gas exploration. Unfortunately, in the wake of the devastation caused by Hurricane Ivan, it is not possible to determine continuation of this positive outlook in the medium term. Definitely, the short-term outlook has been adversely impacted, and all efforts at present are focused on emergency damage limitation and repair.

*Sources:* World Development Indicators database, April 2004  
Caribbean Central American Action, Washington D.C.