

St. Kitts and Nevis

Development of a National Maritime Policy

Discussion Document



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Executive Summary

St Kitts and Nevis has jurisdiction over an extensive marine area along with the associated living and non-living resources. Such resources contribute significantly to the country's economy and are fundamental to the wellbeing of its citizens. However, the economic potential of the resources in this area is largely unassessed and underutilized.

While emerging opportunities exist to enhance the contribution made by the oceans to the sustainable development of St Kitts and Nevis, it is unlikely that any one resource is sufficient to sustain development goals. An approach is needed that coordinates management across sectors and resources and integrates environmental management directly with economic development, fiscal policy and social goals. Such an approach requires a change in how we view, manage, govern and use the ocean.

Central to such a change is the need to transition to a more integrated governance approach that requires all uses, users and values to be considered. The sustainable development of a portfolio of marine resources will require governance and policies that integrate environmental and economic considerations. The Government of St Kitts and Nevis has clearly signalled its desire to begin this transition and, as a first step, wishes to develop an integrated national policy framework to guide the future governance of the Federation's marine waters.

This discussion document outlines options for a new National Maritime Policy that will promote and guide the future sustainable use and development of St Kitts and Nevis' marine waters and resources. The document provides an outline of the key threats and challenges faced by policy makers and managers, the basis for such a national policy, a future Vision for the ocean and a suggested set of principles, and goals for ocean governance in St Kitts and Nevis. The document also highlights a number of options for institutional reform towards implementing the National Maritime Policy.



Foreword by Hon Senator Ricky Skerritt

The sea and ocean around us must continue to generate significant economic, social and cultural benefits to the people of St. Kitts and Nevis going forward. Every square foot of space within our maritime boundaries, above and below the surface of the sea, is important to the future development of our nation.

The Maritime Affairs Department of the Ministry of International Transport is charged with Federal responsibility to manage this space and to facilitate its use for sustainable development. Our Ministry believes that there is a need for an integrated approach that marries environmental management directly with economic, fiscal and social policy and objectives. In other words, a new approach is needed to manage our maritime space - one which is strategic, scientific, pragmatic, and cross-sectoral. Such a paradigm must encompass the need for a healthy, productive and biologically diverse marine environment, including our coral reefs, while at the same time encouraging economic opportunities which can contribute to more sustainable livelihoods, and secure human settlements in St. Kitts and Nevis.

To achieve this vision will require fundamental changes in the way our marine space is managed and regulated at the Federal and local levels. Existing policies will have to be subsidiary to the principles and standards of a common National Maritime Policy. That is to say, the objectives, programs and measures to manage the marine environment and its resources will be developed in such a way that the different objectives, programs and measures are mutually compatible across all the agencies in St. Kitts and Nevis which have a role in managing the ocean.

We need to facilitate a more harmonised front in the work and pursuits of the various agencies charged with responsibility for managing our marine waters on both islands, along with Hoteliers, Dive Operators, Fishers and Boat operators. In so doing, we must all endeavour to create a culture which seeks to embrace the principles of Agenda 21 of the Rio Declaration of 1992 appealing for an integrated ecosystem management approach to the management of the ocean.

We are committed to developing and implementing a National Maritime Policy as a critical tool in achieving the sustainable development of our natural resources, not only for our own benefit, but also for the benefit of generations to come. My Ministry, in partnership with all other government ministries is committed to creating the environment for sustainable use of the seas around us, and continue to push vigorously to fulfil our obligations as a responsible flag, port and coastal state under the framework of the United Nation Convention on the Law of the Sea.



This discussion document is the first step in this process, which will also help to implement the decision of the OECS heads following the 54th Meeting on January 12, 2012 on developing a regional approach to ocean governance.



1. Introduction and Scope

Background

The marine area under the jurisdiction of St Kitts and Nevis is estimated to be about 6,000 square nautical miles¹ or 80 times its land area. Coastal and ocean areas contribute significantly to the economy of St Kitts and Nevis and are fundamental to the wellbeing of its citizens; through direct economic activities, provision of environmental services, and as home to much of the population. However, the economic potential of this resource is largely unassessed and underutilized.

The interconnected nature of the marine environment means that utilisation of one type of marine resource has the capacity to impact on other marine resources and the wider marine environment. These factors present Governments with significant challenges in terms of ensuring the integrated and sustainable management of marine resources within their jurisdiction.

Agenda 21 of the United Nations Conference on Environment and Development acknowledged in Chapter 17, that planning and management for multiple ocean uses requires the full range of uses, users and values to be considered, while ensuring that the integrity of ecosystems is maintained. This approach was also supported by the United Nations General Assembly, which in 2005 adopted Resolution 60/30 noting that:

The problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach

Although emerging opportunities exist to enhance the contribution made by the oceans to the sustainable development of St Kitts and Nevis, it is unlikely that any one resource is sufficient to sustain development goals. An approach is needed that coordinates management across sectors and resources and integrates environmental management directly with economic development, fiscal policy and social goals.

Central to this approach is the need to transition to a more integrated governance approach that requires all uses, users and values to be considered. This is the unique key to achieve adequate management of the oceans and seas under national jurisdiction and is one of the most important conditions for the future of the oceans.

¹ Source <http://www.caricom-fisheries.com>. Accessed 30/11/11. Figure is subject to final delimitation of outstanding maritime boundaries with neighbouring coastal States.



Issues facing the marine environment

While the oceans offer great potential in terms of sustainable economic development, they are under increasing pressure from many uses. Changes in the marine environment resulting from human activities are occurring faster than previously anticipated, affecting especially the most vulnerable marine ecosystems such as coral reefs. Of the range of threats faced by the oceans most significant include:

- Impacts associated with climate change and sea level rise including sea temperature rise and ocean acidification
- Unsustainable fishing practices leading to resource depletion and habitat damage
- Pollution from land based and marine activities
- Introduction of marine invasive species
- Destruction of coastal and marine habitats due to coastal development and extractive industries

Coastal ecosystems and the people depending on them for their livelihood might also be subjected to the impacts of climate change and environmental variability. These may also lead to an increase in the impacts of traditional stressors (such as pollution or habitat destruction) on ecosystems.

The oceans' ability to maintain their diversity and productivity, and to provide a wide array of valuable services to people, is therefore increasingly being compromised. By applying adaptive management approaches through strong policy guidance, these stressors and the impacts of our activities can be reduced. Designing and implementing effective governance and management strategies is critical to address the challenges posed by the increasing impacts of human activities on the oceans and to ensure the effective management and sustainable use of living and non-living marine resources.

Ocean governance

Management of the oceans is a complex web of inter-related, converging and competing demands and interests. Adequate governance structures and institutional coherence are essential to respond to growing environmental pressures and are inextricably linked with the goals of economic development. However, the concept of "ocean governance" has many dimensions, and is not therefore easy to define.



Ocean governance establishes the framework for management and encompasses the values, policies, laws and institutions by which ocean space and marine resources are managed. The concept includes both formal and informal arrangements and addresses:

- the institutions involved;
- formal and informal agreements and behaviours;
- how ocean space and marine resources are managed and utilised;
- how to evaluate and respond to both problems and opportunities;
- what are acceptable future patterns of resource utilisation and what rules and sanctions should be applied to affect these; and
- roles and responsibilities of the various stakeholders involved in the use and management of marine resources.

Planning and management for multiple ocean uses requires the full range of uses, users and values to be considered, through an integrated, interdisciplinary and inter-sectoral approach. To this end, many countries have developed integrated national ocean governance frameworks.

The government of St Kitts and Nevis has signalled the need to develop an ocean governance framework, which includes the adoption of a national ocean policy and integrated ocean management structures.

In developing such a framework, two cross cutting elements are essential:

- Policy framework for integrated ocean management; and
- Institutional design and policy capacity.

An integrated policy framework is an essential element of the governance framework, and serves as the basis to develop all of the activities that are carried out within marine space. Such a policy permits a clear vision of the direction St Kitts and Nevis should take to achieve management in ocean affairs. In this regard a national ocean policy will assist the government in setting out basic principles, clarifying roles and responsibilities of government agencies and stakeholders in regard to ocean management, formulating basic plans and priorities in regard to ocean management and prescribing other basic matters concerning measures for ocean and marine resource management.



Purpose and scope of this document

This discussion document outlines options for a new National Maritime Policy that will promote and guide future sustainable use and development of the Federation's coastal and marine waters. The document provides an outline of the key threats and challenges faced by policy makers and marine managers, the basis for such a national policy, a future 'vision' for the ocean and a suggested set of principles and goals for ocean governance in St Kitts and Nevis.

While the discussion document combines the outcomes from a number of previous stakeholder engagements, undertaken at the national and broader OECS levels, the primary aim of this discussion document is to provide a further opportunity for stakeholders to have their say and to inform the development of the National Maritime Policy that will set St Kitts and Nevis' future policy direction on ocean governance.

Comments on the discussion document can be submitted no later than 5th October 2012 to the following address:

**Department of Maritime Affairs, Ministry of Tourism and International Transport,
Building #3/4 POB 878, Port Zante, Basseterre, St. Kitts.**

Section 2 of this document provides some background and the current context for St Kitts and Nevis' marine waters including current status and the range of challenges currently experienced.

Section 3 provides information on the governance arrangements currently in place in St Kitts and Nevis and the wider Caribbean region.

Sections 4 discusses the foundation for a National Maritime Policy including a summary of concerns raised by stakeholders in St Kitts and Nevis and other OECS countries regarding the current state and management of the marine environment and the basic principles around which such a policy should be developed.

In conclusion, section 5 presents an outline of the proposed policy framework including a set of draft policy goals and some options for institutional reforms to implement the policy.

Comments are particularly sought on the specific questions that are included at the end of each section of this document. However, comments on any or all aspects of this discussion document are welcomed.



2. Background

Context

National profile

The Federation of St Kitts and Nevis consists of the islands of St Christopher (St Kitts), Nevis and the uninhabited Booby Island. Located in the north-eastern arc of the Caribbean archipelago, the islands are part of the Lesser Antillean Archipelago, a chain of islands separated from the Greater Antilles (Cuba, Jamaica, Hispaniola, Puerto Rico and the Virgin Islands) by the Anegada Passage and extending from Anguilla in the north 850 km to Grenada in the south.

With a population of approximately 50,000 persons,² the islands cover a total land area of 269 sq. km: Saint Kitts with a land area of 176 sq. km; and Nevis with a land area of 93 sq. km. The two volcanic islands are separated by a 3-km-wide channel called The Narrows (Figure 1).



The economy, which was until recently predominately agriculture based, has now been transformed into a service oriented economy. Tourism is now the most important economic activity in St Kitts and Nevis and it impacts significantly on several other sectors within the economy. It is the largest foreign exchange earner and accounts for 60-70% of foreign earnings from the export of services.

² Based on data attained during the 2011 national census.



Marine environment

In accordance with international maritime law, St Kitts and Nevis has declared a 200 nautical mile exclusive economic zone (EEZ).³ While a number of maritime boundaries remain to be resolved with neighbouring states, the marine space under the jurisdiction of St Kitts and Nevis is estimated to be about 6,000 square nautical miles⁴ or 80 times its land space and therefore represents perhaps the most significant opportunity for future economic growth.

The Federation's coastal zone constitutes a rich and unique habitat, which includes coral reefs, sea grass beds, mangroves and salt ponds. The coastal and marine biodiversity includes a rich diversity of reef and pelagic fish, lobsters, conch, turtles, algae, resident and migratory birds. Offshore waters are home to numerous species of marine mammal and sea turtles as well as deep water pelagic fish species. These coastal resources provide the basis for a range of economic and social activities, including the tourism and fishing industries.

The diversity of marine fish of St Kitts and Nevis is typical of tropical marine habitats. While the list of species may number into the thousands, only a small percentage are currently commercially exploited by the St Kitts and Nevis fishery sector.⁵

³ Section 8 of the *Maritime Areas Act 1984* Act No. 3 of 30 August 1984.

⁴ Source <http://www.caricom-fisheries.com>. Accessed 30/11/11.

⁵ St Kitts and Nevis National Biodiversity Strategy and Action Plan, p. 43.



Key Features of Marine Biodiversity

- Marine plants found in St Kitts and Nevis include mangroves, sea grasses and algae. Many species of marine algae are still harvested in St Kitts and Nevis
- The coral reefs around the islands are the most complex marine habitat and play a vital role in protecting the islands against wave action during storms. In addition to several ubiquitous species of hard or stony corals, a variety of soft corals and sponges are also found in this habitat.¹
- Of the eight species of sea turtle worldwide three occur in St Kitts and Nevis and all are listed as endangered species.
- At least 33 species of sea and shore bird are commonly found on the St Kitts and Nevis coast. These include the vulnerable Brown Pelican as well as the Roseate Tern, the Laughing Gull and the Magnificent Frigate Bird, all of which are considered to be rare.
- About 460 species of marine fishes occur in St Kitts and Nevis water, including 126 species that are threatened or endangered.
- During the winter months, several marine mammal species, including sperm whales and humpback whales, bottle-nosed, rough-toothed and spinners dolphins visit the offshore waters of St Kitts and Nevis.

Utilisation of the marine environment

Uses of the marine environment already contribute significantly to the overall economy of St Kitts and Nevis⁶ and are fundamental to the wellbeing of its citizens; through direct economic activities, provision of environmental services, and as home to much of the population. There are also strong cultural attachments to coastal resources and their uses.

Tourism – More than 200,000 tourists visited the islands in 2009. However, like other similar destinations in the Caribbean, St Kitts and Nevis is vulnerable to damage from natural disasters and shifts in tourism demand. Reduced tourism arrivals and foreign investment resulting from the global financial crisis led to an economic contraction in 2009 and 2010. A mild recovery began in 2011.

Tourism is heavily reliant on the marine environment in terms of cruise ship tourism, beach side hotels and beaches, scuba diving and recreational yachting. The quality and status of the marine environment could therefore have a significant impact on the

⁶ Six main marine uses are identifiable: tourism, transportation, fishing development and planning, conservation, and recreation. See V.N. Agostini, S.W. Margles, S.R. Schill, J.E. Knowles and R.J. Blyther (2010). *Marine zoning in St Kitts and Nevis: A path towards sustainable management of marine resources*. The Nature Conservancy. Appendix A, p. 13.



value of this sector, depending how tourists perceive the quality of the marine environment and the experience it offers, relative to other islands in the region.

Transportation - Like all islands, St Kitts and Nevis is almost entirely reliant on shipping to support its economy. Approximately 90% of goods imported to the country arrive by sea and most, if not all agriculture products are exported by sea. Thus, shipping and the supporting infrastructure such as ports and harbours are vital to the economic growth of the islands.

Since St Kitts and Nevis is a Flag State, it also derives a significant amount of revenue from ships listed on the National Register of Ships. Domestic and regional shipping is also a significant marine activity sustaining socio-economic development in St Kitts and Nevis.

Fishing - While commercial fishing activities do take place in St Kitts and Nevis, it is predominantly local and small scale.⁷ The local fleet includes vessels of varying sizes and capacities, using a variety of gear types and fishing methods. There are four major fisheries, demersal/reef/bank, coastal pelagic, ocean pelagic, and conch. Demersal/reef fishery is the largest in terms of vessels (80%), fishers (75%), and gear (fish traps, handline, spear gun). Coastal pelagic fishery employs 10% of registered fishers, <3% registered vessels, and accounts for over 40% of total annual landings.

Coastal fisheries have declined sharply in recent years, and storms and anchoring have heavily damaged the reefs. Anecdotal evidence suggest that catches of conch, lobster, and large pelagic and demersal fishes are all declining.

Conservation - Conservation is an important tool to insure that future generations can enjoy the same, or better, quality of life as those today. Conservation supports and improves healthy fisheries, maintenance of sustainable levels of biodiversity, improved tourist experiences, and recreational opportunities.⁸

Opportunities may exists for further development of existing sectors, particularly fisheries and tourism, and also the development of new activities or sectors such as aquaculture, bioprospecting (pharmaceutical products), offshore oil and gas production and offshore renewable energy.

Risks and threats to the marine environment

The sustainability of coastal and marine resources is affected by a number of human activities. A preliminary Transboundary Diagnostic Analysis, undertaken as part of the

⁷ According to 2006 FAO data, commercial fisheries contribute approximately US\$3.8 million to GDP.

⁸ Appendix A to the TNC Marine Zoning report (footnote 6 above) p 14.



Caribbean Large Marine Ecosystem (CLME) Project, identified three priority transboundary problems that affect the wider Caribbean Sea: (i) unsustainable exploitation of fish and other living resources; (ii) habitat degradation and community modification; and (iii) pollution.⁹ Climate change has added to these pressures.

Major threats to the marine ecology of St Kitts and Nevis include coastal development and the destruction of marine ecosystems such as coral reefs and mangroves, unsustainable fisheries practices, land-based sources of pollution, rising ocean temperatures, and the increasing intensity of hurricanes and other storm events.

Many stretches of coastline, notably along the important tourism areas in Nevis, have experienced dramatic rates of coastal erosion with considerable economic costs to owners and the national economy. Nevertheless significant areas, particularly on the South-East Peninsula in St Kitts, remain relatively pristine and are targeted for tourism and other development.¹⁰

A 2010 study by UNEP¹¹ identified the primary causes of these problems as including:

- lack of awareness of human impacts on the coastal zone;
- apathy towards the environment;
- inadequate appreciation of the benefits of sustainable development;
- user conflicts;
- overfishing;
- inadequate regulation of boats and anchor damage to coral reefs;
- pollution from land sources;
- climate change and El Nino;
- unclear lines of authority among agencies;
- lack of comprehensive environmental conservation measures and the lack of translation of existing government policy into measurable impacts; and
- shortage of skilled human resources.

In addition to these¹² issues, a meeting of marine stakeholders from the across the Eastern Caribbean, identified a broad range of threats to the marine environment and barriers to achieving better management (Table 1 below).

⁹ <http://caricom-fisheries.com/Projects/MajorProjects/tabid/58/Default.aspx#579>

¹⁰ <http://www.sidsnet.org/country-profiles/saint-kitts-and-nevis>

¹¹ *National Environmental Summary: Federation of St. Kitts & Nevis 2010*. United Nations Environment Programme – Regional Office for Latin America and The Caribbean.



Based on feedback from local stakeholders in St Kitts and Nevis most, if not all of these, are relevant to the current situation facing the marine waters around St Kitts and Nevis. The consequences of these impacts includes loss in recreational opportunities, loss of natural habitats for flora and fauna, loss of natural protection of the coastline, as well as loss of livelihoods and economic opportunities to fishers, hoteliers and related business.

Questions

- 1. *What other uses of the ocean do you think need to be considered?***
- 2. *Which uses of the ocean are acceptable or unacceptable to you?***
- 3. *What other risks and/or threats are you aware of that impact on the ocean?***

¹² As a first step in the process of developing regional and national ocean governance frameworks, the OECS and ELS co-hosted a two day workshop in Saint Lucia, on 8-9 February 2012. See *OECS Ocean Governance Regional Workshop: Interim Summary Report*. Report prepared by the Commonwealth Secretariat. April 2012. 20 p.



Table 1: Threats and Barriers to Achieving Integrated Ocean Governance

	THREATS	BARRIERS
ENVIRONMENT	Manmade disasters	Lack of control over land based activities
	Vulnerability to natural hazards & climate change	Lack of data relating to marine environment
	Environmental pollution/spills	Lack of public awareness
	Overexploitation of resources	
	Poor agricultural practice	
	Habitat damage and community changes	
	Declining marine water quality	
	Impact of man-made stressors	
	Invasive species	
SOCIO-ECONOMIC	Population growth / pressure	Inadequate marine planning and prioritisation
	International economic conditions	Lack of public participation
	Changing demographics	Low level of compliance
	Food security	Inadequate human & financial resources
	Threats to livelihoods	Limited alternative livelihoods
	Poverty	Lack of education
	Socio-economic pressures resulting in unsustainable practices	Lack of public awareness
		Low priority given to ocean governance
	Prevailing attitudes	
REGULATION & MONITORING	Political interference	Failure to implement and enforce legislation
	Poor leadership	Failure to domesticate international law
	Absence of land use plans	Lack of public awareness and need for buy in on importance of environmental issues
		Lack of education and public awareness
		Slow legislative process
		Regulatory gaps – inadequate and out of date legal frameworks
		Reluctance to enforce legislation and policy
		Inadequate financial, human and physical resources
		Lack of enforcement mechanisms
		Cost of current technology
		Inadequate marine planning & prioritisation
		Ineffective governance and management structures
	Lack of cooperation between enforcement agencies	
INSTITUTIONAL ARRANGEMENTS	Institutional fragmentation	Third party geopolitical barriers
	Weak regional coordination	Lack of consultation with stakeholders
	Political influence and changing political priorities	Lack of intergovernmental collaboration
	Corruption	Lack of empowerment
	Resistance to change	Lack of political will
	Disconnect between regional and national priorities	Lack of cooperation and coordination
		No private sector consultation
		Lack of strategic planning and development goals
		Limited pool of regional legislative drafters
		Inadequate consideration of regional context
		Inadequate human resources/capacity
	Lack of financial resources for implementation	
	Inadequate financial resources	

3. Current Status of Governance in St Kitts and Nevis



Policy environment

There is currently no National Maritime Policy for St Kitts and Nevis and no specific plan for development of marine resources and activities. The development of the National Maritime Policy is therefore being framed against the relevant regional and international treaties and conventions the country is party to.

International framework

The international ocean governance framework comprises a complex network of international and regional agreements, intergovernmental and civil society organisations and economic/market based drivers.

The overarching framework governing the management of the oceans is provided by the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which governs rights, duties and activities throughout the oceans.

In addition to UNCLOS, there are a number of other global and regional agreements that supplement UNCLOS regarding specific activities or regions, including the 1995 UN Fish Stocks Agreement, the Convention on Biological Diversity (CBD) and Chapter 17 of Agenda 21. Of these, the CBD is especially relevant as an international treaty that calls for conservation of all biodiversity.

Chapter 17 of Agenda 21 is devoted to the protection of the ocean, seas and coastal areas as well as the protection, rational use and development of their living resources. It proposes a plan of action and how to implement the principle of sustainable development that governments and local authorities can use.

Numerous sector-specific instruments have also been adopted under the auspices of relevant governing bodies such as the International Maritime Organization (IMO) for shipping and the International Whaling Commission.

The international agreements St Kitts and Nevis has acceded to or ratified that are relevant to the marine environment are listed below.



International Marine Environmental Agreements

- United Nations Convention on the Law of the Sea, 1982
- Convention on Biological Diversity, 1992
- Convention of International Trade in Endangered Species, 1972 (CITES)
- International Convention for the Regulation of Whaling 1948 ad 1959
- Convention on the Protection and Development of the Marine Environment in the Wider Caribbean, 1983 (Cartagena Convention)
- Protocol Concerning Cooperation in Combating Oil Spills in the Wider Caribbean, 1983
- International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 (MARPOL 73/78) including Annexes I-VI
- International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC '69)
- Protocol of 1992 to Amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC '92)
- International Convention for the Establishment of an International Fund for the Compensation of Oil Pollution, 1971 (Fund Convention '71)
- International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969; (INTERVANTIONS '69)
- Protocol of 1992 and 2003 to the International Convention for the Establishment of an International Fund for the Compensation of Oil Pollution, 1971
- International Convention on the Prevention of Marine Pollution by Dumping Wastes and Other Matter, 1972, (London Convention)
- International Convention on Liability and Compensation from Damage in Connection with Carriage of Hazardous and Noxious Substances by Sea (HNS Convention, 1996)
- International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC Convention), 1990
- International Convention for the Control and Management of Ship Ballast Water and Sediment, 2004 (BWM, 2004)



Regional Governance Arrangements

The wider Caribbean ocean governance framework is characterised by a collection of multilateral environmental agreements, political agreements, non-binding agreements, programmes, projects and national laws, which exist at various levels.

Over 30 different regional and sub-regional organisations with some level of engagement in governance of the ocean and its resources operate in the region and support these arrangements. They include UN organisations and regional intergovernmental organisations, oriented towards all aspects of ocean governance and marine resource management, although integration across them is poor resulting in both gaps in implementation and duplication of effort. The absence of a regional body to provide a coordination function is increasingly being recognized as a significant gap by Caribbean countries and organizational partners.¹³

A number of key organisations are outlined below:

Caribbean Environment Programme and the Cartagena Convention

The Caribbean Environment Programme (CEP) is one of the 18 UNEP administered Regional Seas Programmes. The CEP is managed for the countries of the Wider Caribbean Region through the Caribbean Action Plan (1981). The Action Plan led to the 1983 adoption of the *Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region* (Cartagena Convention), a comprehensive, umbrella agreement, which provides the operative legal framework for much of the ocean governance activity in the wider Caribbean.

The Cartagena Convention covers the combined EEZs of its Caribbean region parties. As well as requiring the adoption of measures aimed at preventing and controlling marine pollution, the Convention also requires parties to take appropriate measures to protect and preserve fragile ecosystems.

The Convention is supplemented by three protocols:

- The Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region (Oil Spill Protocol);
- The Protocol Concerning Specially Protected Areas and Wildlife in the Wider Caribbean Region (SPA/W Protocol); and
- The Protocol Concerning Pollution from Land-Based Sources and Activities (LBS Protocol).

¹³ http://cermes.cavehill.uwi.edu/PolicyPerspectives/CERMES_Policy_Perspectives_2011_11_01.pdf.



The Cartagena Convention provides support to the implementation of sub-regional, regional and global initiatives involving the countries of the Wider Caribbean. These include the Saint Georges Declaration for OECS, Caribbean Sea Commission, Millennium Development Goals and several multilateral environmental agreements.

Caribbean Sea Commission

The Association of Caribbean States (ACS) and partners have been pursuing the Caribbean Sea Initiative since 1998 as a way of seeking to persuade the UN General Assembly to pass a resolution declaring the Caribbean Sea a “Special Area” in the context of sustainable development. The major thrust of this work has been through the promotion of the UN Resolution ‘Towards the sustainable development of the Caribbean Sea for present and future generations’.¹⁴

In the process, the Caribbean Sea Commission (CSC) was established in 2008 to promote and oversee the sustainable use of the Caribbean Sea. The CSC has therefore been recognized as one body that could potentially provide a regional ocean governance policy harmonisation and coordination function.¹⁵ Commitment

The CSC has adopted the large marine ecosystem (LME) Governance Framework as its working model for regional ocean governance arrangements. It will focus first on living marine resources which are the basis for livelihoods in fisheries, tourism and domestic recreation, as well as providing many other ecosystem services.

Caribbean Large Marine Ecosystem Project

The Caribbean Large Marine Ecosystem and Adjacent Regions (CLME) project is a large-scale Global Environment Fund project, with the overall objective promoting the sustainable management of cross-border resources, based on an ecosystem approach. More specifically, the CLME Project will facilitate the strengthening of the governance of key fishery ecosystems in the WCR. For this purpose, CLME will give particular attention to the strengthening the existing governance arrangements in the region.

The CLME project builds on and complements existing projects and initiatives that emphasize technical and institutional aspects of sustainable living marine resource

¹⁴ In the resolution the UNGA ‘Recognises that the Caribbean Sea is an area of unique biodiversity and a highly fragile ecosystem that requires relevant regional and international development partners to work together to develop and implement regional initiatives to promote the sustainable conservation and management of coastal and marine resources...’.

¹⁵ The potential to add value to the work of the other implementing organisations by performing this role was recognized at the Expert Consultation on Operationalisation of the CSC in 2010. It has also been endorsed by regional political fora and by the UN General Assemblies of the United Nations.



(LMR) use by focusing on governance, knowledge, and institutional issues in a transboundary marine context.

CARICOM - Caribbean Regional Fisheries Mechanism

The Caribbean Regional Fisheries Mechanism (CRFM) was established in March 2003, with its mission being to “To promote and facilitate the responsible utilization of the region's fisheries and other aquatic resources for the economic and social benefits of the current and future population of the region”.

The objectives of the CRFM are:

- Efficient management and sustainable development of marine and other aquatic resources within the jurisdictions of its Member States;
- Promotion and establishment of co-operative arrangements among interested Member States for the efficient management of shared, straddling or highly migratory marine and other aquatic resources;
- Provision of technical advisory and consultative services to fisheries divisions of Member States to assist with the development, management and conservation of their marine and other aquatic resources.

Conservation and protection of fish stocks and ecosystems is a priority objective of the CRFM. As a member country, St Kitts and Nevis’ activities in this regard are guided by the CRFM’s Strategic, Medium-Term and Annual work plans.

OECS

In 2010 the OECS adopted the revised Treaty of Basseterre which gives additional roles and responsibilities to the OECS Secretariat, including with particular reference to ocean governance. Under the revised Treaty, OECS member States are also required to co-ordinate, harmonise and undertake joint actions and pursue joint policies particularly in the fields of “matters relating to the sea and its resources”.¹⁶

At the 54th meeting of OECS Heads of Government, the OECS Authority requested the OECS Secretariat to

continue the process of devoting resources to building capacity at the regional and national levels in the area of Oceans Governance to start the process of implementation of the Secretariat’s joint work programme in this area.

¹⁶ Revised Treaty of Basseterre establishing the Organisation of Eastern Caribbean States Economic Union, Treaty of Article 4 section 4.1(o).



OECS anticipates the establishment of a Programme for Sustainable Oceans Governance to promote maritime cooperation arrangements, at the regional and national levels, as a framework for the sustainable management of ocean resources.

OECS - St. George's Declaration

The St. George's Declaration of Principles for Environmental Sustainability in the OECS (2006) is the benchmark environmental management framework in the Eastern Caribbean region. Structured around twenty one principles, the Declaration mandates OECS Member States to ensure the sound management of the biophysical environment, and is implemented by OECS member countries at the national level through the National Environmental Management Strategy (NEMS). These strategies offer countries the opportunity to set and pursue national goals and targets in addition to, or at a more rapid pace than, those included in the St. George's Declaration.

Relevance of other planning frameworks

Although St Kitts and Nevis lacks an overarching policy framework to deal with management of marine resources, several existing policy frameworks and strategies are relevant to the marine environment.

National Environmental Management Strategy and Action Plan

In response to the St. George's Declaration, the Government of St Kitts and Nevis developed and adopted a National Environmental Management Strategy and Action Plan (NEMS) which defines the specific directions and mechanisms for more effective policy implementation, as well as identifies key strategies and priority actions for environmental management in the context of sustainable development. The NEMS includes numerous strategic actions that are directly relevant to the marine environment.

Activities identified include the formulation of criteria for and identification of environmentally degraded areas; strengthening the existing institutional and legal frameworks related to environmental management; strategies to ensure sustainable utilization of marine resources; control of marine pollution; measures management of biological resources and restoration of biological diversity; and measures to ensure meaningful participation in decision making by the private sector and civil society.

The scope of the planned National Maritime Policy will include many of the aspects included in the framework of the NEMS. As such, the policy will complement the NEMS by addressing a range of environmental concerns.



National Biodiversity Strategy and Action Plan

The National Biodiversity Strategy and Action Plan (NBSAP) is a strategic plan designed to present a focused and dynamic report on strategies for biodiversity conservation. An inter-sectoral plan co-ordinated by the Department of Environment, the NBSAP outlines the country's priorities for biodiversity conservation and provides guidance for the implementation of the Convention on Biological Diversity.

The NBSAP was developed on the basis of four country studies including one on marine and coastal biodiversity. As such, it identifies gaps in information about ocean organisms as an issue requiring attention in St. Kitts and Nevis. It also identifies a gap in policies aimed at marine life preservation and a lack of enforcement legislation.

Medium Term Economic Strategy

The purpose of the Medium-Term Economic Strategy Paper (MTESP) is to set out the policies and approaches to be pursued by the Government to sustain growth and development. The plan cites the Government's objective as:

to use the available resources optimally and to generate sustainable growth while at the same time ensuring that the benefits of prosperity are widespread among the population.

The plan identifies tourism as the "main engine of economic growth." It also recognizes that an increased emphasis needs to be placed on fisheries management, particularly utilization of under exploited fishery resources and the sustainable use of the traditional fishery resource such as reef fish.

Sustainable development is recognised as an important part for the engine for economic growth and the plan restates the Government's commitment to a development thrust that hinges on the pillars of sound environmental practices. In particular, over the medium-term, the Government will seek to:

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



Adaptation Strategy in Response to the new EU Sugar Regime 2006-2013

As a result of changes in sugar trade agreements between the EU and the Africa, the Caribbean and Pacific (ACP) countries in the past decade, St Kitts and Nevis ceased production of sugar for export in 2005. To facilitate the country's transition to alternative economic activities the Government published an Adaptation Strategy for donors' assistance, which broadly aims to achieve the following objectives:

- i. to promote the economic diversification of sugar-dependent areas; and
- ii. to address broader impacts generated by the adaptation process, possibly related, but not restricted, to employment and social services, land use and environmental restoration, the energy sector, research and innovation and macroeconomic stability.

The Adaptation Strategy recognises the importance of a number of existing sectors including tourism and agriculture (including fisheries development) and includes a number of strategies and priority actions for enhancing and further developing both sectors. Recognizing the important link between tourism industry and environmental protection, it also includes a number of strategies and priority actions relating to coastal area management and marine protected areas.

National Marine Zoning Project

In April 2009, USAID entered into a cooperative agreement with The Nature Conservancy (TNC) to fund a program titled Biodiversity Threat Abatement in the Eastern Caribbean. A significant part of this project is to develop a general framework and tools that will facilitate the implementation of multiple use marine zoning in the federal waters of St. Kitts and Nevis. The project will ultimately be the foundation for the design of a network of new national marine parks to protect St. Kitts and Nevis' marine resources and the lives and livelihoods that depend upon them.

The project involved extensive consultation at the national level and has resulted in the creation of a draft marine zoning design which now moves to the implementation stage.

The need for a national maritime policy

While the Government of St Kitts and Nevis has clearly prepared a number of strategies and policies of relevance to the governance of the Federation's marine space, no single overarching legislation or national policy to harmonise and coordinate these exists at the national level. The existing policy framework is inadequate for supporting the integrated approach needed in ocean governance.



This may result in increased conflict between users of the marine environment, leading to increased inequality in the distribution of benefits from the use of the marine resources. Moreover, future opportunities for development may be overlooked because of the lack of a national oversight pertaining to management and development of the marine environment.

Given the complexities of the marine environment, and the range of stakeholders with an interest in the way it is managed, the development of an overarching framework to improve governance of the Federation's marine space is essential.

The National Maritime Policy will aim to provide such a framework for legal and institutional development that will guide St Kitts and Nevis' marine waters toward a more sustainable future. As such, the policy must both reflect existing national priorities, as articulated in other national policy and planning frameworks, and be consistent with the international and any regional policy frameworks and will set the goals for ocean use and management.

Questions

- 4. Do you agree there is a need for a National Maritime Policy?***
- 5. If no, what other options are there to address the issues identified***
- 6. What other regional and national arrangements should be taken into account in the drafting of the National Maritime Policy?***



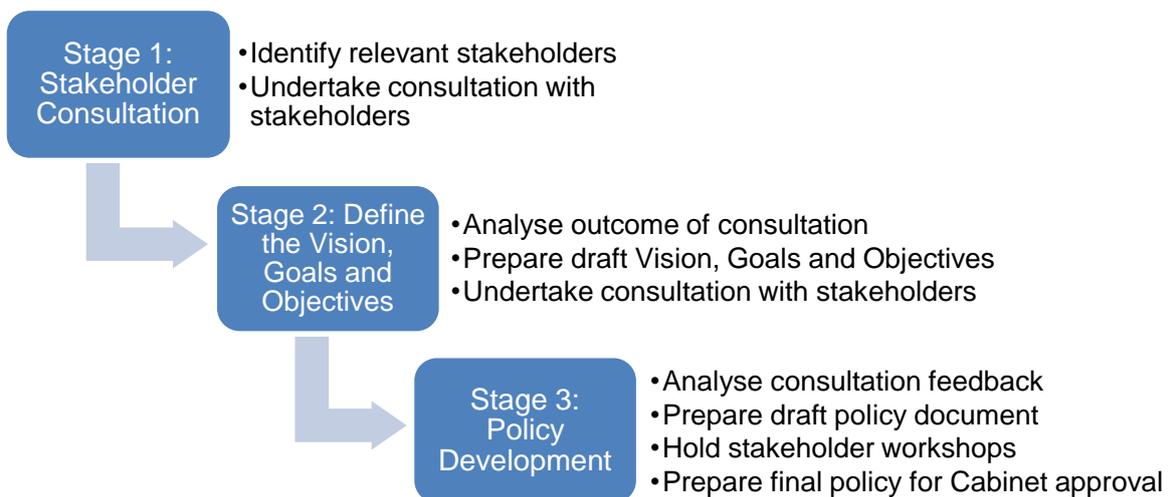
4. Foundation for the National Maritime Policy

The National Maritime Policy aims to provide a framework for sound management of present and future activities within St Kitts and Nevis' marine waters. Such a policy permits a clear vision of the direction St Kitts and Nevis should take to achieve management in ocean affairs.

The policy should achieve the following:

- Address issues of public concern pertaining to the coast;
- Develop out of accepted, publicly held values on use and management of the coast;
- Define a vision, principles, goals and objectives for the future governance of the coast; and
- Specify the institutional arrangements that are needed to achieve the desired outcome.

Policy development involves stakeholder consultation and agreement on a set of common objectives and should encompass a set of decisions which are intended to influence and determine planning, decisions and actions relating governance of marine space and resources. The National Marine Policy is therefore being developed in three stages as follows.





Stakeholder consultation

The Government recognises the need to understand the range of views held by the people of St Kitts and Nevis in relation to the marine environment, and the need for them to have an opportunity to participate in the process by which the policy is developed.

A number of different processes have already been undertaken at the national and wider OECS level to better understand the issues facing the marine environment and the needs and expectations of stakeholders. The outcomes of these various processes have been analysed and considered in the context of the National Maritime Policy and will be complemented by further consultation on this discussion document and the draft policy document itself.

Marine zoning project

As part of the development of the multiple use marine zoning project discussed above, the project team undertook extensive consultation with a broad range of stakeholders between 2009 and 2011. The keystone activity of this consultation process was a Visioning process, which addressed the following questions:

- What do you love about your ocean?
- What are the changes you would like?
- What changes do you not want? and
- How do you picture the uses of the ocean in the future?

Participants generated a wealth of ideas, and a vision for the future of the federation's waters emerged.¹⁷

St Kitts and Nevis visioning workshop

On 2 May 2012, the Department of Maritime Affairs, in conjunction with the Commonwealth Secretariat, hosted a one-day stakeholder consultation workshop to discuss the scope of the National Maritime Policy. 35 participants representing a range of different stakeholders participated in the workshop and considered, among other things:

- The value and future contribution of the ocean to sustainable development in St Kitts and Nevis;

¹⁷ Full details of the consultation can be found in the summary report of the TNC Marine Zoning project (see footnote 6 above).



- What a future 'Vision' for the state and governance of the marine environment might look like; and
- What barriers need to be overcome to achieve the Vision.

Eastern Caribbean regional ocean governance workshop

The Commonwealth Secretariat is assisting the OECS in the process of developing regional and national ocean governance frameworks. As a first step in this process, the OECS and Commonwealth Secretariat co-hosted a two day workshop.¹⁸ 41 country participants representing all nine OECS member countries attended the workshop.

Four substantive questions framed the context of the workshop

- What key social, economic and environmental benefits are currently provided to eastern Caribbean countries by the marine environment?
- What possible future opportunities for sustainable development could the marine environment provide?
- What existing risks, threats and barriers are perceived to be preventing countries from fully realising the opportunities the oceans present?
- In order to realise a future vision for the region's oceans, what steps are necessary to overcome threats, barriers and management challenges?

In addressing these questions, participants were encouraged to consider their vision for the future of the eastern Caribbean marine waters.

Summary of key outcomes of stakeholder consultations

The various consultation processes discussed above reveal a wide range of issues with respect to management of the ocean in St Kitts and Nevis and the eastern Caribbean, which can be grouped into twelve (12) broad thematic areas that a future policy should address:

Environmental quality

Protection of the health of marine ecosystems is fundamental to sustaining marine biodiversity, economic resilience and the cultural, recreational, aesthetic and intrinsic values that people hold in relation to the oceans.

¹⁸ The workshop was held between 8-9 February 2012. See the report of the workshop - *OECS Ocean Governance Regional Workshop: Interim Summary Report*. Prepared by the Special Advisory Services Division of the Commonwealth Secretariat. April 2012, London. 20 pp.



Water quality and marine pollution were frequently raised as a concern, with widespread agreement about its importance to a healthy sea. Particular concerns were expressed over the issue of pollution from ships and land based sources, although it is recognised that much of the waste found on St Kitts and Nevis' beaches probably comes from offshore sources rather than locally.

Protection and preservation of the marine environment

Damage to marine ecosystems and depletion of marine resources were concerns raised by many stakeholders with many supporting the need for active measures to protect marine habitats and biodiversity. The health of coral reefs and associated biodiversity were seen as of critical importance both from an environmental perspective and as an economic one due to the strong reliance on the tourism sector.

A range of views on how and why marine ecosystems should be protected have been voiced, but there is general agreement that some areas should be protected at some times, by both statutory and less formal means. There is a need for permanent and temporary protection measures, and greater community involvement.

Cultural assets along the coast were also highlighted by participants at the St Kitts and Nevis stakeholder consultation, as an important part of cultural heritage that is often ignored when developments take place. There was general agreement that they should be protected and that awareness needs to be raised about the cultural diversity as well as historical and heritage-related assets of the marine environment.

Sustainable use of marine resources

With specific reference to fisheries, many stakeholders felt that some resources were over exploited due to lack of effective regulation and illegal fishing. Overexploitation of fish stocks also causes degradation of habitats, and negative impacts on many ecosystems and fishing communities. Stakeholders articulated such desires as *optimal and sustainable use of marine resources* and *productive fishing and well managed fisheries*.

Consistent with a number of regional initiatives highlighted in this document, fishery management needs to move toward a more ecosystem-based approach to improve its effectiveness and reduce conflicts between socioeconomic forces and biological sustainability. An ecosystem-based management approach will be particularly helpful in protecting essential fish habitat and reducing the impacts of by-catch.



Public access

Generally speaking, the people of SKN enjoy good access to the coast and it is not seen as a major issue.

However, whilst stakeholders realise the need for some curtailment of access to the coastline, such as for ports, and other essential activities, the impact of poorly planned hotel development was raised by some stakeholders. Stakeholders want to be confident that such access will continue to be available to them and future generations.

Participation

Active and meaningful stakeholder participation should be central to decision-making. If all stakeholders can participate and express their views and the ultimate decision taken is consensus based, this helps to reduce future potential conflicts among users. Communities and resource users should be consulted during planning and commencement of any developmental projects, and sufficient and correct information should be made available to them beforehand so that participation is meaningful.

There is a feeling among stakeholders that more meaningful participation would ultimately result in greater awareness and ownership, with people taking responsibility for sustainable development of the ocean environment. As such, local communities and local industries should be encouraged to participate in planning and management strategies and share responsibility for the management of ocean resources.

Regulation and enforcement

Although a legislative framework exists for many marine activities, a general observation from the consultation was that the existing framework exhibited both duplication and gaps in their coverage and that the framework does not anticipate or provide an enabling environment for future uses of the marine environment. Certain activities, such as fisheries, have comprehensive legislation while others do not.

Furthermore, many stakeholders felt that lack of compliance monitoring and enforcement is a significant problem - if rules are developed to manage people's interaction with the marine environment, it is important those rules be observed.

Overseas experience shows that voluntary compliance is essential to effectively manage the impact of people's behaviour on the marine environment. To achieve this, people need to understand the implications of their behaviour. Therefore, information and education will be important to promoting such understanding.



Economic opportunities and benefits

Economic opportunities came up prominently during the various consultation processes, due to the high dependence on the marine environment for peoples' livelihoods. In small islands nations such as St Kitts and Nevis, the ocean presents perhaps the best opportunity for future economic growth. There is a general recognition that the ocean offers a range of future opportunities which have not yet been realised or, in some cases, even identified.

That said, the majority of the participants acknowledged the need for a balanced approach between potential environmental costs and economic and social benefits.

It is clear that stakeholders see that there is further potential for economic benefit to be derived from the sea – both from living and non-living resources – and that there is a need to explore ways of realising this potential. St Kitts and Nevis is one of a few nations where the potential value of oceanic resources exceeds those on land.

Governance

Stakeholders generally support the intention of a National Maritime Policy to provide better integration of the range of activities and processes currently associated with managing the marine environment.

If a National Maritime Policy is to provide a framework that minimises conflict by accommodating a wide range of values held within SKN, it will need to provide the means to determine the nature and status of competing claims and their relationship to each other. It must identify the relative priority of the various interests in the range of decision making processes, including the extent to which those not directly represented – such as future generations – have rights that need to be accommodated.

To do this effectively, a National Maritime Policy must build on what already works and also on the recent work undertaken for marine zoning. It should focus on the effects of any activity in an integrated way, be principled, flexible, efficient, durable and adaptable.

One major issue that surfaced during consultation was the matter of who should manage the marine environment. Many stakeholders identified the need for a single coordinating agency that could function as a "national oceans agency", and be responsible for coordinating among the various government agencies to ensure the effective implementation of the National Maritime Policy.

Creating the **political will** to challenge the status quo and to implement integrated ocean governance was frequently raised as a major concern and a barrier to future



development. It is here that a major focus must be placed in order to successfully implement the National Maritime Policy.

Training and capacity building

A key challenge identified by many stakeholders will be to make the national structures effective and this will require capacity building. There is also a need to devise new ways of working that leverage greater capacity from current systems to make change happen through for example increased regional cooperation, sharing of costs and knowledge and public/private partnerships. It is particularly important to recognise the capacity that does exist (for example Universities, other countries, private sector), either at a national level or at a wider Caribbean level.

Awareness creation, participation and consultation will assist in upgrading skills and understanding of decision makers and professional in all sectors. Furthermore, increased cooperation on certain issues, coupled with greater coordination both within and between governments will help reduce costs and speed up the transition to more sustainable governance and management arrangements.

Security

Many stakeholders referred to the concept of security, although the context of security varied among stakeholders.

Some stakeholders referred to the need to ensure a *safe and secure marine environment* referring to the safety of shipping and for mariners through the provision of adequate charting, infrastructure and effective regulation.

The issue of *security of marine resources* from illegal and unregulated exploitation was of concern to many stakeholders, with particular concerns being raised over the effectiveness of compliance and enforcement efforts.

The impact of natural hazards, such as hurricanes, on the coastline was highlighted as an issue with stakeholders raising the issue of *protection of land and infrastructure*. Related to this is the issue of climate change impacts on coastal areas and many stakeholders recognised the importance of building resilience into coastal systems as a method of mitigating these risks.

Social benefits

As well as the economic benefits and environmental imperatives, a range of social benefits provided by the marine environment were identified by stakeholders as of



importance. These include not only the recreational and amenity benefits but also the intrinsic value of the coast and marine environment.

The important future potential that marine resources play in food security and supporting sustainable livelihoods were also identified by stakeholders as issues that needed to be provided for in any future policy framework.

Education, awareness raising and marine information

Strong concerns were voiced over lack of awareness and environmental education opportunities for both coastal inhabitants and also tourists/visitors to the islands. Some stakeholders felt that better general education about the marine environment was one way of enhancing personal levels of responsibility.

Emphasis should be placed on sensitising the coastal population on coastal environmental issues, introducing relevant subjects through the school curriculum by involving the Ministry of Education, as well as capacity building especially for office bearers for effective implementation of the policies and activities.

Knowledge of the marine environment is critical. Without it, effective management policies cannot be achieved. Many stakeholders expressed concern at how little is known about the oceans. There was a strong call for improved general understanding of the marine environment across the community, since the more that is known about the marine environment, the better people's interaction with it can be managed.



Questions

- 7. *What do you most value about the ocean?***
- 8. *How does your lifestyle benefit from your own use/enjoyment of our ocean?***
- 9. *How does your lifestyle benefit from other people's use of our ocean?***
- 10. *What changes would you most like to see in terms of the way the marine environment is managed?***
- 11. *What changes would you least like to see in terms of the way the marine environment is managed?***



Defining a vision for the future

In each of the different consultation processes identified above, participants were asked to express their views on what kind of coast they want to see, and what kind of resource uses they want to see there. Each meeting identified the key elements of what should be addressed in a Vision.

The following elements were variously identified by stakeholders:

- Clean and healthy seas
- Rich marine biodiversity
- Provide for livelihoods
- Contribute to economic / social development
- Sustainably managed
- Integrated and harmonised at the national and regional level s
- Security, compliance and enforcement
- Participatory process

These various elements have been combined and moulded into a draft **Vision Statement** which will form the basis for subsequent rounds of consultation and discussion.

The 'Vision Statement' is the starting point to articulating the broader policy framework. It is an expression of stakeholders' aspirations about how they may benefit from a healthy and productive marine environment. The vision therefore becomes the context in which the broader governance framework is framed.

Vision Statement

Healthy and richly biodiverse oceans, sustainably managed in an integrated way to promote economic development and the livelihoods and aspirations of current and future generations

Principles for ocean management

The following set of guiding principles, based both on agreed norms for environment and development and the special character of coasts and oceans, emerges from the consultation processes and should be used to inform the development and implementation of a National Maritime Policy.



Sustainable Development	Sustainable development principles should rest at the core of St Kitts and Nevis’s ocean policy: It should recognize the need for integration of social, economic and environmental aspects of decision making, and that any current and future ocean resource development must be carefully undertaken without compromising the ability of future generations to meet their needs.
The Right to Development	Human development in harmony with the environment is fundamental to the achievement of sustainable development, so that individuals and societies are empowered to achieve positive social and environmental outcomes. The value of the resources provided by the oceans must be recognized and opportunities for their economic development optimised to meet society’s needs and promote the wellbeing of coastal communities.
Ecosystem Health	The diversity, health and productivity of marine ecosystems is fundamental to the management of both the oceans and the land. The integrity of marine ecosystems must be maintained and, where appropriate, rehabilitated, with a desired end of maintaining or recovering natural levels of biological diversity and ecosystem services.
Ecosystem Based Management	There is a need to move away from the sectoral- and species-based approaches from which characterize ocean governance systems. Marine environments must be treated as a distinctive and indivisible system, recognizing the interrelationships between marine users and ecosystems and between the land, sea and air. Large scale marine spatial planning and other area-based management measures should be integral parts of an ecosystem approach to fisheries and oceans management.
Integrated Ocean Governance	Integrated governance is a commitment to planning and managing human activities in a comprehensive manner while considering all factors necessary for the conservation and sustainable use of marine resources and the shared use of ocean spaces. The many potentially beneficial uses of ocean and coastal resources should be acknowledged and managed in a way that balances competing uses while preserving and protecting the overall integrity of the marine environment.
Duty of Care & Accountability	Access to environmental resources carries attendant responsibilities to use them in an ecologically sustainable, economically efficient, and socially fair manner. Individual and corporate responsibilities and incentives should be aligned with each other and with broad social and ecological goals. All people and organisations must act with due care to avoid negative impacts on the coastal environment and coastal resources. Decision makers and members of the public should be accountable for the actions they take that affect ocean and coastal resources.
Knowledge Based	Ocean planning and management decisions should be based as far as possible on the best available information concerning of the



Decision Making	natural, social, and economic processes that affect ocean and coastal environments. Decision makers should be able to obtain and understand quality science and information in a way that facilitates sustainable use of ocean and coastal resources.
Precautionary Approach	<p>The knowledge base for managing the marine environment is arguably weaker than for other ecosystems, but this should not be used as ground for lack of action.</p> <p>In the face of uncertainty about potentially irreversible environmental impacts, marine management efforts must err on the side of caution, adopting a risk-averse and precautionary approach to decision making.</p>
Public Participation	<p>Full stakeholder awareness and participation contributes to credible, accepted rules that identify and assign the corresponding responsibilities appropriately. All stakeholders should therefore be engaged.</p> <p>The support of the in the formulation and implementation of decisions concerning governance of ocean uses is seen as crucial to its success. Partnerships between government, the private sector and civil society must be built in order to ensure co-responsibility for coastal management and to empower stakeholders to participate effectively.</p>
Benefit Sharing	The benefits from the use of St Kitts and Nevis’s common ocean resources, and the responsibilities for their continued health and productivity, should be shared by all citizens. St Kitts and Nevis should govern marine resource use based on the interests of the whole community and the interests of intergenerational equity.

Questions

- 12. *What might the oceans be like in 20 years? in 50 years?*
- 13. *What other principles should be applied to future management of the ocean?*



5. Scope of the National Maritime Policy

The main elements of a national ocean policy are:

the **spatial dimension** - the geographical area where the policy will be applied;

the **jurisdiction** - the area over which SKN exercises obligations, rights and sovereignty;

the **actors involved** - the actors that participate in this process and who should play an active role in the planning and implementation phases;

the **included issues and interests**. the national objectives and strategies, which are the issues and interests, that will be part of the national policy; and

the **administrative system of governance**.

Spatial dimension and jurisdiction

Under UNCLOS, St Kitts and Nevis has rights and responsibilities over some 6,000 square nautical miles of ocean – approximately 80 times the land area of the Federation. As such, the geographical area and the jurisdiction where this policy shall be applied will include all Federation waters up to the outer limits of the Exclusive Economic Zone or the extended continental shelf, whichever is the greater.

Actors involved

It has been established that in order to adopt an ocean governance framework and an integrated national ocean policy, traditional governmental entities must work through this process with members of the private sector, academic institutes, and non-governmental organizations, among others.

This process must be horizontally and vertically integrated, to ensure consensus and allow for the required national participation. The governmental entities related with the management of ocean issues at the national and local level would participate, in collaborating with the main political entities represented in Parliament and members of the private sector related with maritime activities (representatives of the maritime industries, academics, NGOs etc).



Issues and Interests

The issues to be addressed in the National Maritime Policy were presented in section 4 above. The main interests of the policy are articulated in the form of ‘policy goals’, which emerge from the visioning process and the Marine Zoning Project.

Policy Goals

The following nine core goals support the principles for ocean management described in section 4 above and are proposed to guide efforts towards ensuring a healthy and productive marine environment for all Citizens.

Exercise jurisdiction	<ul style="list-style-type: none"> Maritime boundaries are formalized in order to secure, exercise and protect SKN’s rights and jurisdiction over offshore areas and resources
Protection and restoration of marine ecosystems	<ul style="list-style-type: none"> The overall quality of the marine environment is conserved and enhanced through protection, maintenance or restoration of natural and physical features, processes and biological diversity and the ecologically sustainable use of marine resources
Sustainable economic, social and cultural opportunities	<ul style="list-style-type: none"> Economically and environmentally sustainable use of coastal and ocean resources is promoted and incorporated in national development policy and planning to ensure long term economic development and job creation.
New and emerging opportunities	<ul style="list-style-type: none"> Opportunities from existing, under-utilised resources are optimized while new and emerging opportunities for ocean industries and ocean-related development are identified and encouraged.
Multiple use, planning and zoning	<ul style="list-style-type: none"> SKN explores and builds on multiple use marine spatial planning and zoning mechanisms by linking the ocean to coastal and inland issues for improved planning and control of marine activities.
Integrated ocean planning and management arrangements	<ul style="list-style-type: none"> Clear coordinated institutional mechanisms for integrated national ocean and coastal management are established and implemented across relevant sectors such as fisheries, tourism, transport, energy and environment including, where appropriate, partnerships between government, the private sector and civil society.
Education and capacity building	<ul style="list-style-type: none"> Our understanding of the marine environment, its natural processes and our cultural marine heritage is increased and to our capacity for informed decision-making by all stakeholders is developed and strengthened.
Public awareness and understanding community needs	<ul style="list-style-type: none"> Public awareness, understanding and appreciation of the importance of the ocean is raised while the needs and aspirations of communities are accommodated through active public participation in the development of new policies.
Adapt to changing environment	<ul style="list-style-type: none"> The increasing risk of coastal hazards and climate change are recognised and managed through the incorporation of appropriate adaptation and mitigation strategies into sustainable development, conservation and governance actions.



Administrative System

No marine or coastal planning occurs in a vacuum. Management of marine uses normally already exists in some form, and a key to successful policy and governance framework is to build on what is there, improving the management and making it more efficient and effective. A key step, therefore, in implementation of a National Maritime Policy is to compare the *status quo* with the vision and objectives defined in the policy. In particular, this will focus on legal and institutional arrangements needed to fulfil the policy objectives.

Statutory Arrangements

At least 23 pieces of primary legislation have been identified relating to management of ocean resources and ocean affairs (Appendix 1). No account has been taken of any subsidiary regulations that may exist under any of these. However, it is clear from the initial review that there exist a number of regulatory gaps compared to the range of activities undertaken.

Institutional Arrangements

The management approach to the management of the ocean issues in St Kitts and Nevis is highly sectoral. The numerous organizations that have competence in this area are located within a governmental structure, which leads to segmented decision-making processes, conflicts of mandates and duplication of efforts. A total of 25 government agencies and one NGO, have been identified as having some form of statutory or functional mandate relating to management of ocean resources and ocean affairs (Appendix 1). Furthermore, there are also sectorial sub-divisions and different hierarchical levels in each governmental structure.

The information presented in this document clearly points to the need for establishing effective management of St Kitts and Nevis' marine space - it is obvious that the existing framework needs to be harmonized and rationalized before proceeding with further development into an ocean governance framework to implement an integrated national ocean policy. The question arises, how this can be accomplished?

Decisions have to be made about the organisation of appropriate institutional arrangements and the associated enabling legal tools and financing for the implementation of the National Maritime Policy.

Options for administrative reform

Clarification is needed on the ocean governance mandates and responsibilities of different sectors and spheres of Government. As noted earlier, the development



process of a National Maritime Policy must be guided by a high-level government entity. This is required to ensure the necessary political engagement and to establish effective coordination mechanisms with other competent entities and the community in general. In addition to coordinating the development and implementation of the National Maritime Policy, an institutional home will be needed for supervisory and support activities relating to ocean governance such as marine zoning and the development of marine management programmes.

Considering this context and the critical importance of integration in the management of oceans, it is clearly necessary to modify the present administrative structure. The first action which should be taken is to establish a National Maritime Coordination Committee (NMCC). The NMCC should be composed of representatives from the Ministries and agencies with competence in ocean issues. Likewise, representatives from the Nevis Administration, the private sector, local NGOs and key marine user groups should participate.

To date, two committees have already been formed and have acted to coordinate the process of national maritime boundaries delimitation and the development of the marine zoning project respectively. These two committees include representatives from many of the same organisations. An expanded NMCC could be formed by combining these two existing committees and broadening its mandate to oversee all aspects of ocean governance in St Kitts and Nevis.

The first task of the NMCC should be to oversee the process of developing the draft National Maritime Policy. The draft should be approved by Cabinet through a relevant legal instrument.

The new National Maritime Policy will require, and lead to, institutional changes. In response to this a national coordination body could be established for the management of ocean issues. This, and other institutional arrangements, will need to be evaluated and implemented in order for the National Maritime Policy to be effectively implemented.

For such an institutional coordinating mechanism to be effective, the following key factors are essential:

- The coordinating body would be established at a level above the Line Ministries. It must be firmly supported by the highest levels of government and would be appointed by Cabinet.
- The coordinating body would have to have a clear and legally supported mandate and sufficient resources and capacity to do its job.



- The coordinating body should be comprised of appropriate administrative heads of relevant agencies. Representation by experts and nongovernmental organisations is also necessary.
- Key functions of the coordinating body would be to promote the national vision, goals and objectives for ocean governance, to strengthen inter-agency and inter-sectoral collaboration, to reduce conflict and provide a forum for conflict resolution among sectors and ocean users.
- Additional administrative activities could also be undertaken if the coordinating body is mandated with an administrative and approval role such as implementing the marine zoning framework, development of coastal management plans, monitoring the compliance of sectoral departments' activities with the coastal policy, reviewing proposals affecting areas of strategic importance, and monitoring and evaluation of the progress of the policy implementation.
- Creation of this coordinating body could be achieved through promulgating a National Maritime Act or by amending existing legislation to allow for ocean governance provisions.
- The coordinating body could be established in a phased approach: Initially, the NMCC would fulfil this role but in time it will need to be institutionalised. This interim measure could last a few years, during which time the structure, functions and enabling instruments of the national coordinating body could be established.

The NMCC and subsequent coordinating body would do well to align itself with the proposed regional oceans governance framework being contemplated by the OECS. OECS Member States have agreed to the establishment of an OECS Maritime Governance team and to identify and mandate a lead national agency to participate in this process, working closely with the OECS Secretariat Ocean Governance Unit, in leading and coordinating activities at the regional level. The nomination of a lead national agency is therefore also envisaged by the OECS and has already been agreed to by OECS Heads of Government including the Prime Minister of St Kitts and Nevis. Creation of the NMCC would fulfil this mandate.

Questions

- 14. What other policy goals would you like to see included?**
- 15. Who should make decisions about the ocean?**
- 16. How should decision be made?**



6. How to Make a Submission?

To make a submission either complete the form attached to this discussions document or simply write down the comments you wish to make.

Send your submission to:

**National Maritime Policy Consultation
Department of Maritime Affairs
Ministry of Tourism and International Transport
Building #3/4 POB 878
Port Zante
Basseterre
St.Kitts**

Attention: Director of Maritime Affairs

Telephone: 1869 467 1385

Fax: 1869 466 1999

E-mail: maritimeaffairs@yahoo.com

The closing date for submissions on this document is 05 October 2012.



Appendix 1

Existing Institutional and Legislative Framework Relating to Marine Management in St Kitts and Nevis

FUNCTIONAL AGENCIES WITH RESPONSIBILITY FOR MANAGING OR DELIVERING OCEAN OR MARINE POLICY AND DEVELOPMENT ISSUES	PRIMARY LEGISLATION
Agency Title	Title
Ministry of Finance, Sustainable Development and Human Resource Development	
Department of Physical Planning and the Environment (St.Kitts)	National conservation and protection Act 21/2001
Department of Physical Planning, Natural Resources and the Environment (Nevis)	Nevis Physical Planning and Development Control Ordinance 2005
	The Nevis Coastal Protection Levy Ordinance
	Nevis Zoning Ordinance (1991)
Customs and Excise Department	The Customs (Control and Management) Act NO.4 OF 1992
Department of Lands	
Development Control and Planning Authority	Development Control and Planning Act (2000)
Ministry of Foreign affairs, National Security, Labour, Immigration and Social Security	
St.Kitts and Nevis Defence Force Coast Guard	Saint Christopher and Nevis Defence Force Act Defence Force Act
National Emergency Management Agency (NEMA)	
The Royal St. Christopher and Nevis Police Force	
Ministry of Tourism and International Transport	
Department of Maritime Affairs	Merchant Shipping (2002) and subsidiary regulations
St. Christopher Air & Sea Ports Authority	The Port Authority Act (1981)
	The Nevis Air and Sea Ports Authority Act 1995
Department of Tourism and Secretariat	
Tourism Authority	
Frigate Bay Development Corporation Board	
Ministry of Justice and Legal Affairs	
Ministry of International Trade, Industry, Commerce, Agriculture, Consumer Affairs, Constituency Empowerment and Marine Resources	
Department of Marine Resources	St Christopher and Nevis Chapter 14.07 Fisheries Act and subsidiary regulations
Department of Fisheries (Nevis)	St Christopher and Nevis Chapter 14.07 Fisheries Act and subsidiary regulations
Ministry of Public Works, Housing, Energy and Utilities	
The National Telecommunications Regulatory Commission (St. Kitts and Nevis)	Telecommunications Act 2 of 2000



Ministry of Health, Social Services, Community Development, Culture and Gender Affairs	
Environmental Health Services Department (Nevis)	
Environmental Health Services Department (St.Kitts)	
St. Kitts and Nevis Solid Waste Management Corporation (SWMC)	
PRIVATE SECTOR / NGO	
St. Christopher National Trust	Saint Christopher National Trust Bill (2005)
The South-East Peninsula Land Development and Conservation Board	South-East Peninsula Land Development and Conservation Act, 1986