

**THE WAITUKUBULI NATIONAL TRAIL:
POLICY AND INSTITUTIONAL
CONTEXT AND ISSUES**

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The feasibility study

A feasibility study of the proposed Waitukubuli National Trail in Dominica is being undertaken by the Caribbean Natural Resources Institute (CANARI) on behalf of the Waitukubuli Ecological Foundation (WEF). This report has been prepared for CANARI and forms part of the feasibility study.

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The Waitukubuli Ecological Foundation (WEF)
(economic development through environmental conservation)

The Waitukubuli Ecological Foundation (WEF) was established as a charity under the laws of England and Wales by Dominicans and friends of Dominica resident in London in 1996. In 1999 it was registered as a Non-Profit Organisation under the Companies Act of the Commonwealth of Dominica.

The Foundation aims to contribute to the holistic development of Dominica by developing, discussing and disseminating through public education and practice the approach that the development of the economy and the conservation of the environment should be conceived of together as an interconnected whole, a concept which should apply in all our strategic planning and thinking. It recognizes as a fact of reality that the effective conservation of the environment can only be achieved with public support which itself will depend on effectively addressing the people's concerns for their livelihood. The effort to conserve Dominica's God-given, wonderful natural environment should proceed by identifying those projects and areas that are simultaneously income generators as well as conservation measures.

One of the WEF's objectives is to do just that. The national trail is a case in point, for not only will it establish a key facility for the development of the tourism sector of the economy – ecotourism, but it will also be a significant conservation measure since it would create a benign conservation logic in giving the people a vested interest in maintaining the natural beauty and integrity of the environment in order to attract visitors to the trail for the economic benefits they would bring to rural communities and the island as a whole.

The choice of the words “ecological” and “Waitukubuli” in the name of the Foundation connotes the concept of environmental conservation as embracing more than just the natural environment, but includes all aspects of human socio-economic and historical-cultural activity. The WEF is therefore particularly interested in those areas where history, economics and environment converge. Such a juncture is provided by a project aimed at the discovery and restoration of the many Maroon ruins and caves around the island, which would not only create new and more interesting tourist attractions, but would also greatly enhance public appreciation of the island's history and heritage which would impact on the effort of nation building as well as of environmental conservation.

But perhaps the most significant project along these themes is the advocacy and promotion of the gradual transformation of the island's agriculture from its present reliance on artificial chemicals and poisons to a wholly or mostly organic culture. Organic agriculture would not only be the single greatest environmental conservation measure, but would also provide the basis for the revival and recovery of the island's agricultural economy. By these means we hope to contribute to the creation of a happier, healthier and more humane society within one of the most wonderful natural environments available anywhere in the modern world in the 21st century.

Membership to the WEF is open to Dominicans and friends of Dominica at home and abroad on subscription both to the finances and philosophy of the Foundation. For more information contact Bernard Wiltshire at the address below:

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Introduction

This paper is one of several technical contributions to a study to assess and determine the feasibility of establishing the Waitukubuli National Trail in Dominica, as proposed by the Waitukubuli Ecological Foundation. The present report covers a range of policy and institutional issues, and formulates a number of recommendations related to the governance and management of the proposed trail.

The context

An analysis of the policy and institutional context must first be based on an understanding of the historical relationship to the land, and to land property. In Dominica, there are three main property regimes: Crown Lands, that include an important part of the country's forested areas; private property; and the common property regime of the Carib Territory (Gregoire and Kanem 1992). Private property regimes in rural areas can be divided into two main categories: large and medium size estates, inherited from the plantation system; and small holdings, resulting in part from settlements outside the plantation system following Emancipation, in part from the fragmentation of large estates towards the end of the 19th century, and in part from government land redistribution programmes in the second half of the 20th century. These recent land distribution programmes have profoundly transformed the patterns of land tenure in Dominica. Squatting is also significant, both on governmental lands and on some of the large private estates.

The mountains and forests, which dominate the island's landscapes, occupy an important and symbolic place in the life and culture of Dominicans (Fraser 1998). The interior of the island has always been associated with the search for freedom, from the times of the Caribs to the resistance of the Maroons, from the growth of a small peasantry after Emancipation to the more recent movements of Rastafarians towards the hills. In Dominica, the mountains and the forests offer shelters and space for "gardens", but they are also source of danger, with the mythical presence of evil spirits, with the imposing shapes of massive mountains, and with the threat of natural disasters, a threat that was made too real by the devastation of Hurricane David in 1979.

Dominicans are aware of the place of mountains and forests in their landscapes, and they are also aware of the importance of the forests to their well-being. They perceive the forest as their common property, but they also know that publicly owned forested lands are in the hands of the State. Dominicans recognise and respect the fundamental role of the Forestry and Wildlife Division in the management of this natural asset, even if many of them do not know what this role actually entails.

In this mountainous and forested landscape, trails have always been important to people. At all periods of history, trails have been used as a normal means of communication. Although this use has diminished in recent times, several trails are still used regularly to connect settlements and conduct small-scale trade. Trails have also traditionally been used by hunters, sawyers and harvesters of non-timber forest products. For a long time, trails have had a utilitarian function, but they have also been used for recreational

purposes, as shown in the tradition of the *bèl maché*, the popular family and community hikes.

The policy process

The process of policy formulation in Dominica includes both formal and informal elements. There is no overall national development policy statement, and there is no long-term national development strategy integrating all sectors. Similarly, there is no national land policy and no national land-use plan. There is however a current initiative aimed at instituting Integrated Development Planning (IDP) within the structures and procedures of government. This IDP process is on-going, with inputs from a range of sectors and communities, and with the support of the political directorate.

At present, overall public policy for national development is expressed and reflected primarily in three major statements:

- The Medium-Term Development Economic Strategy prepared by the Office of the Prime Minister and the Ministry of Finance is the main policy instrument to guide government programmes. It is the product of technical contributions from all departments, and it is formally approved by the Cabinet of Ministers.
- The annual budget statements by the Minister responsible for Finance also provide policy guidance, either through the directions and objectives expressed in the budget speech, or through the figures and fiscal provisions contained in the budget itself.
- The corporate plans of individual ministries are also important, and they reflect government policies in specific sectors.

Over the past three decades, there have been a number of initiatives aimed at developing sectoral policies. In the tourism sector, several policy statements have been developed (see for example: Keane 1985), but they were never formally approved by the government. In the field of forestry and natural resource management, there have been a number of national policies and plans, including a policy for forestry and national parks drafted at the initiative of the FAO in 1988 (McHenry and Gane 1988), the preparation of the Tropical Forestry Action Plan (CARICOM/FAO/ODA 1993), and the preparation of a National Environmental Action Plan of 1994. These have never been adopted formally, but they have guided policy formulation and implementation at several levels.

The status of policy statements and documents is a critical issue. Referring specifically to the forestry sector, Fraser indicates that “the creation of policies by a few well intentioned and highly informed individuals has not translated into long-term enduring programmes for Dominica” (Fraser 1998). This observation applies similarly to the tourism sector, and possibly to other sectors as well. In many respects, these policies are documents more than they are processes, and they lack the support of people and politicians. This is attributable to the fact that most policy formulation exercises of the past three decades have been driven by outside, they have come from the initiative of international and regional agencies, not necessarily from a locally felt and articulated need.

This brief description of the policy process should also note that laws and regulations are policy instruments, and that public policy is often expressed in these laws. A brief listing of current legislation relevant to tourism, forestry and related sectors is provided in the review of the institutional context below.

There is also need to recognise that development policy is largely determined and expressed, not by policy statements, but by the programmes and projects of government. Several of these programmes are presented below.

Another policy instrument that needs to be mentioned here is the Environmental Impact Assessment (EIA) procedure. EIAs are not compulsory in Dominica, and they are done at the discretion of the Planning Department. EIAs are not carried out for trail developments, and no EIAs were done prior to the recent construction of buildings at sites and attractions located in the forest.

In general, there is a feeling in Dominica that the policy process is closed and essentially top-down (Fraser 1998), and there is little community and private sector involvement in policy formulation. In many respects, the dominant culture in the public sector is one that does not favour participation and devolution of management authority.

The policy content: tourism

It is interesting to examine the evolution of the content of tourism policy over the past thirty years, following the post-war period, when it was still the stated intention of successive governments to develop tourism as a classical sea-sand-sun destination (Cater and Lowman 1994). A turning point came with the preparation of a major study by Shankland Cox and Associates in 1971. This study was important in many respects. While it made unrealistic recommendations and projections, aiming at a total of 5,200 beds by 1990 (with almost to half of these to be constructed in the Portsmouth area), representing an investment of XCD 72.5 million, it helped Dominica realise that its product was different, and that “the most important action to be taken in developing the island’s attractions is nothing, or rather, to protect the natural attractions from actions which could be injurious” (Shankland Cox and Associates 1971). While this study was apparently never formally accepted by the government, the approach taken by this planning study was symptomatic of a new approach to tourism development in Dominica. It recognised, for the first time in a formal policy document, that nature was the attraction upon which tourism would be developed. But it failed to outline the policies and programmes needed to develop that product, and it made highly optimistic projections as well as very “classical” recommendations for development.

A few years later, recommendations made by Kasterlak (1975) were more realistic, but it took a few more years for policy-makers and advisers in Dominica to recognise the uniqueness of the product (Boo 1990) and the need to do something about it. In many ways, it was as if Dominica and its policy makers had recognised that nature was the country’s main tourism asset, but assumed that the development of nature-based tourism needed little more than hotels, airports and ground transportation. The tourism policy that was formulated in 1985 (Keane 1985) had similarly vague objectives, and said little about

the need to manage and enhance the various components of the tourism product. A new tourism policy prepared by the government in 1991 marked a second transition, proposing a broader range of objectives and clearer mechanisms and programmes for implementation. It marked the realisation that “Dominica’s touristic future lies in the development of a more comprehensive, nature-based tourism experience” (Caribbean Conservation Association 1991).

In August 1992, a national Search Conference was hosted by the recently-formed National Development Corporation and the ABL Group at the Faculty of Environmental Studies at the University of York in Canada, and this event marked the start of a project that has had a significant impact on policy in the country (Geoghegan *et al.* 1999). Indeed, several of the debates and actions linked to the socio-economic and environmental dimensions of tourism development in the past decade can be traced back to this conference and the nature/heritage tourism project that it gave birth to.

A broad ecotourism policy and strategy was drafted by Maria Bellot in 1997, as part of the process of submission of a financing proposal for a national ecotourism programme to the European Commission. A final version of this policy was presented to the government in 1999, but it has not been formally approved. It has however guided the development of this financing proposal, which will represent the largest investment in the sector to date, and is likely to have a major impact on the tourism sector in the country.

The policy content: lands and forestry

The Forest Ordinance of 1959 is the original forestry legislation upon which the management of Dominica’s forest resources is based. It provides for the designation of forest reserves, the regulation of the harvesting and extraction of forest products from government lands, and the declaration of private lands as protected forests.

The Agricultural Small Tenancies Ordinance of 1953, the Crown Lands Ordinance of 1960, and the Crown Lands Regulations of 1960 and 1961 are the main pieces of legislation governing the use of state lands outside forest reserves and national parks. The latter two pieces of legislation have been critical in the recent history of Dominica, as they have allowed for and governed the transfer of public lands, except reserves, to private ownership. The Agricultural Small Tenancies Ordinance of 1953 also makes provisions for the protection of trees and the conservation of soil on government lands leased for small scale farming (Fraser 1998).

The recognition of the value of Dominica’s natural assets led to a significant move towards the establishment of protected areas in the early 1970s. This had been recommended by Shankland Cox and Associates (1971), and was largely the result of the efforts of a strong, dynamic and respected Forestry Division. This movement gave birth to the National Parks and Protected Areas Act of 1975, and to the preparation of a systems plan for parks and protected areas (Shanks and Putney 1979).

This work on national parks was paralleled and complemented by efforts aimed at strengthening the Forestry Division and its capacity. Forestry legislation was modified

with the Forest Rules of 1972, specifying prohibited activities and uses of the forest reserves, and regulating the issuance of permits and licenses. Then came the Forestry and Wildlife Act (Amendment) of 1976, which established the Division of Forestry and Wildlife.

It is also important to note the relevance of the Town and Country Planning Act of 1975, which governs regional and local planning, and establishes development control mechanisms and institutions. This act also provides for the issuance of tree preservation orders to protect trees and woodlands, even on private lands (Fraser 1998).

There were several environmental planning initiatives in the late 1980s and early 1990s, reflecting international and regional concerns over environmental issues (Fraser 1998). These initiatives included a legal review conducted by the Organisation of Eastern Caribbean States (Lausche 1986), the preparation, by Island Resources Foundation, of a country environmental profile (Caribbean Conservation Association 1991), the preparation of an FAO-sponsored national tropical forestry action plan (CARICOM/FAO/ODA 1993), and the preparation of a National Environmental Action Plan in 1994.

Policies are also reflected, to a large extent, in public sector investment and development programmes, implemented largely with donor support:

- As noted above, a national search conference on nature tourism took place in 1992, called “Grounding together for the future development of Nature Tourism”, which was part of a two-year project implemented by the Adaptation by Learning (ABL) team at York University, Canada, with financial support from the Canadian International Development Agency (CIDA).
- Major site development work took place at the Cabrits National Park in the late 80s and early 90s, involving the World Wildlife Fund-US, the Dominica Conservation Association and the Eastern Caribbean Natural Area Management Program (ECNAMP), on the basis of a long-term management study and plan (Putney *et al.* 1984). The Park was formally established in 1986. In the early 90s, funding was provided by the Small Project Implementation Facility (SPIF) of the Canadian International Development Agency (CIDA) for the construction of a jetty, an interpretation centre and other visitor facilities at the Park.
- Many concrete recommendations regarding tourism development and site management came from a project entitled “Integrating conservation with ecotourism in Dominica”, which was funded by the European Commission (project reference B7/5040/24) and was implemented during the period 1995-97. This project conducted an inventory of important sites, developed management plans for a total of 20 sites, formulated recommendations on a number of key issues such as revenue generation, marketing and promotion, and local community involvement, and published seven booklets and one map. This project has played a critical role in the development of ecotourism in Dominica. One of its features is that it involved Dominican counterparts in its various activities and studies. It concluded that “Dominica has the potential to be one of the premier locations in the world for nature tourism” (Evans *et al* 1997) and it made a significant contribution towards that end.

- Around the same time, the European Commission, through the European Development Fund, provided grant funding for the development of two of the most important sites in the country, and those that are the most heavily visited by cruise ship passengers, namely Trafalgar Falls and Emerald Pool.
- It is also during the second half of the 90s that Dominica saw the implementation of a component of the Environmental and Coastal Resources Project (ENCORE). This project was funded by the United States Agency for International Development (USAID) and implemented by the World Wildlife Fund-US. It involved, *inter alia*, the development of two important sites: the Sulphur Springs at Soufriere, and the Indian River near Portsmouth.
- In the late 90s, the French Mission for Technical Cooperation and Cultural Affairs in the Lesser Antilles provided funding and technical assistance to the NDC for the construction of a trail in Soufriere. Technical expertise for this project was provided by the Forestry and Wildlife Division.
- In 1997, the Government of Dominica received a loan from the Caribbean Development Bank (CDB) for access to and improvements of five ecotourism sites: the Carib Model Village, the Fresh Water Lake (including the Laudat road), Middle Ham Falls, the Syndicate Nature Trails and the Sulphur Springs at Soufriere. This project has been implemented under the auspices of the Ministry of Tourism. Infrastructural work has been completed, but some of the facilities are not yet operational.
- In 2000, a Community Management of Protected Areas and Conservation (COMPAC) project was launched. Its purpose is to promote community development in the areas surrounding the Morne Trois Pitons National Park and World Heritage Site. It is funded by the United Nations Development Programme (UNDP) and is managed by the Ministry of Agriculture and the Environment.

This list shows that there have been a number of externally-funded initiatives aimed at developing and managing nature tourism sites over the past ten years, and that these efforts have had a major impact on the tourism product. This list indeed illustrates a clear focus on the development of sites and attractions, but also shows that there is a growing recognition that ecotourism development requires changes and interventions at all levels.

Building on these achievements, the Government of Dominica and the European Commission have recently completed negotiations for a major Eco-Tourism Development Programme. The process of designing and negotiating this project began in 1997 and an ecotourism strategy was prepared by CHL Consulting Group in 1998 (CHL Consulting Group 2001). The process has suffered a number of delays, and changes were made to the original proposal following the separate negotiation of funding from the Republic of China for the Penville to Guillet road. A new programme document was therefore developed in 2000 and 2001, and it has recently been approved. The total cost of the project is approximately 6 million Euros.

This programme will focus on (a) institutional strengthening, (b) human resource development, (c) destination marketing, (d) eco-tourism product development, and (e) eco-tourism community development. The human resource development component is

very relevant to the Waitukubuli National Trail proposal, because it provides for short term training programmes, including on-the-job training, as well as a scholarship fund. Marketing is also very relevant, with the appointment of a marketing advisor within NDC. The project includes a Site Improvement Programme (SIP), which provides for trail development and upgrading, and a Visitor Information Programme (VIP), which will provide signage and publications. There is also a Community Development Programme with substantial support to the North Northeast Tourism and Environmental Development Committee (NNETEDC), community development in Grand Bay, handicraft development in the Carib Territory, small business development in Portsmouth, and a small project fund.

Another key feature of development initiatives over the past few years in Dominica has been the emergence of community-based initiatives in the field of tourism and sustainable development. The case that is the most frequently cited is that of the NNETEDC. Another example is the work done by SPAT with the communities of Bioche and Dublanc, involving capacity-building, small business development and the training of tour guides, within the framework of the Morne Diablotin National Park and the development and management of the Syndicate Nature Trails.

The proposal for the Waitukubuli National Trail is a logical outcome of this evolution, combining economic, social, cultural and environmental objectives, and placing trail development within its wider context. The concept received explicit endorsement from a range of stakeholders at a national workshop held in Roseau in December 1998. Since then, the project has received informal support from a wide range of organisations and actors. Formal governmental endorsement of the project came with a decision of the Cabinet of Ministers dated 6 September 2001, which establishes a National Trail Steering Committee. The project is also mentioned in the Project Appraisal Document of the Eco-Tourism Development Programme (CHL Consulting Group 2001).

Policy issues

Against this background, a number of policy issues emerge. There is now a consensus in Dominica that the country's tourism product is nature and soft adventure, but there remain a number of explicit and implicit policy debates which can be discerned from discussions with stakeholders and reviews of available documents:

- What does "nature" mean? What is the product? Is "nature" merely a brand, but with no real operational product to match it? How can Dominica create an acceptable and profitable product while minimizing social and environmental costs? How far should Dominica go in specialising its product?
- Is there a conflict between ecotourism and cruise ship tourism, or are the two activities compatible? Are there limits to the growth of cruise tourism beyond which nature tourism and ecotourism will be negatively affected? Is the cruise ship industry really "in danger of threatening the future success of the stayover business" (Mendelsohn 1997)? (Visitors at nature sites indicate that their experience is being negatively affected by the presence of large numbers of cruise ship passengers.)

- How will the promotion of adventure tourism (especially hiking) impact on the exiting accommodation sector? Are some of the fears of the hotel sector – that the development of hiking may move the clientele away from the hotels -- founded?
- If niche marketing is the way to go for Dominica, what are the real and profitable niches, where are they, and how can they be entered? What are the best ways to match an emerging product with profitable markets?

A second set of policy issues relates to the conflicts that arise in Dominica, from time to time, between the requirements of conservation and ecotourism on the one hand, and specific development proposals on the other. “If Dominica decides to exploit the nature sector of the tourism market, it will need to minimise potential conflicts” (Evans *et al.* 1997). It has indeed been observed that past conflicts and issues have affected the travel market, e.g. the hydroelectric schemes impacting on important sites and attractions, debates over Dominica’s support for whaling nations within the International Whaling Commission, the proposed copper mining schemes, and the development of helicopter rides over critical sites. These conflicts are symptomatic of the fact that the interpretations of the concept of ecotourism vary greatly among stakeholders in Dominica. These differences in interpretation at times result in contradictory behaviours, and in open conflicts.

Three specific policy issues that are directly relevant to the Proposed Waitukubuli National Trail also need to be noted here:

- The absence of a national policy on camping, and the need for such a policy to guide current and future development.
- The need to protect the future national trail, and its individual segments, from transformation into motorable roads. There is currently no legal instrument that would allow for the effective protection of the trail from such developments.
- The absence of a legal mechanism to govern the formal delegation of management authority from a State agency (the Forestry and Wildlife Division in this instance) to non-governmental and community organisations.

Lastly, there is one critical policy issue that needs to be emphasised, it is the fact that the quality of tourism related facilities and services in Dominica is generally low, a reality described by all observers of Dominica’s tourism industry. Tourism professionals in Dominica are very well aware of this situation, and it is in response to it that the National Development Corporation has launched the National Island Standard of Excellence (NISE) programme. Through formal and informal instruments and strategies, Dominica needs to adopt and follow internationally recognised standards, and these standards must be suited to the type of tourism product that the country wants to develop.

Institutional arrangements

Institutional arrangements in the public sector are summarised in the following table.

Sector	Agency	Legal mandate	Functions
Planning	Ministry of Finance	Town and Country Planning Act	National development planning and physical planning

	Development Control Authority	Development and Planning Corporation Act	Physical planning and development control
Lands	Lands and Surveys Division	State Lands Ordinance/ Act? Agricultural Small Tenancies Ordinance Crown Lands Ordinance and Regulations Water and Sewerage (Catchment Areas) Regulations Land Acquisition Act	Management of government lands, surveying on behalf of all government agencies Sale and lease of agricultural lands
Forestry	Forestry and Wildlife Division	Forests Ordinance Forestry and Wildlife Act Forestry and Wildlife (Amendment) Act National Parks and Protected Areas Act	Management of forest reserves and national parks Management and conservation of wildlife Sustainable use of forest resources and products Conduct of research and monitoring programmes on forests and wildlife
Tourism	Ministry of Tourism	Tourism Act Small Charges Act	Policy, standards, product development Management of selected sites, and implementation of selected externally-funded site development projects
	National Development Corporation	National Development Corporation Act	Product development, marketing, standards National Development Corporation (NDC intends to set-up a monitoring and compliance unit) Manages NISE programme, defines standards, and provides training and technical assistance

Other important actors in natural resource management, community development and tourism development in Dominica include:

- local government agencies: Village and Town Councils, with their responsibility for selected services and infrastructural maintenance.
- community-based organisations, including Improvement and Development Committees, Tourism Development Committees, and Sports and Cultural Clubs, which provide a range of community services, and at times become involved in development work at the local level.
- non-governmental organisations, and in particular the Dominica Conservation Association, the Springfield Research Centre, and SPAT.
- the Fire Brigade and Red Cross, which provide emergency services and can play an important role in rescue operations.

The private sector is also directly involved in matters related to ecotourism and hiking. The main private sector organisation in this domain is the Dominica Hotel and Tourism

Association (DHTA). The DHTA is mainly an advocacy organisation, and there is the view that it represents primarily the hoteliers, rather than the entire industry. It has no staff, and limited capacity to implement programmes and projects.

The Waitukubuli Ecological Foundation (WEF) has been the main proponent of this national trail concept. The Foundation was established as a charity under the laws of England and Wales by Dominicans and friends of Dominica resident in London in 1996. In 1999 it was registered as a Non-Profit Organisation under the Companies Act of the Commonwealth of Dominica. In its own words, the Foundation “aims to contribute to the holistic development of Dominica by developing, discussing and disseminating through public education and practice the approach that the development of the economy and the conservation of the environment should be conceived of together as an interconnected whole”. The promotion of the Waitukubuli National Trail is currently its main activity, but it is also involved in the promotion and development of organic farming.

Institutional issues

There are several institutional issues that are relevant to, and may affect, the establishment and management of the Waitukubuli National Trail. They can be grouped in two main categories.

The first category relates to the allocation of roles and responsibilities. In this respect, four primary concerns emerge:

- There is currently some level of confusion surrounding the roles of the Forestry and Wildlife Division and the Ministry of Tourism over the management of sites, buildings, and vending activity, especially since the Ministry of Tourism may not have adequate experience and capacity in site management. The Forestry and Wildlife Division also feels that there is an impact on its image when management is inadequate, since it is assumed by most that Forestry is the agency responsible for the management of all nature sites in the country.
- The division of responsibility between the Ministry of Tourism and the National Development Corporation is not always clear.
- There is a dominant assumption, in the public sector, that government should assume most, if not all, of the management responsibility, and, as noted earlier in relation to policy, there are no mechanisms for the formal delegation of authority and responsibility to civil society organisations. In many respects, governance in Dominica is very centralised, and very dependent on the government.
- There is no overall policy coordination mechanism, and there is insufficient collaboration among state agencies.

The second set of issues relates to capacity. In this domain, several concerns can be noted:

- The Waitukubuli Ecological Foundation (WEF), which is the main proponent of this national trail initiative, has many weaknesses. It is almost totally dependent on the leadership and voluntary efforts of its Chairperson, it has a very small membership base, it has no technical and financial resources, it has no physical assets, and it has

no structure and no management systems. It is an embryonic organisation, well-served by the vision and commitment of its current leadership, but which needs to evolve rapidly into a mature and credible organisation.

- The Forestry and Wildlife Division is a strong and respected organisation, but its capacity is insufficient to meet all the demands and expectations from stakeholders. Its strengthening was identified as the top priority by the Tropical Forestry Action Programme (CARICOM/FAO/ODA 1993), but little has been done since, and the main problem remains the inadequacy of human, financial and technical resources. The Division has dedicated and competent staff, but too few. It has a long and impressive record, it is, for all practical purposes, the manager of the resource that constitutes the hiking product, but it has little experience in tourism and community development, which are two fundamental components of this initiative.
- The National Development Corporation also suffers from a lack of resources. The structure of its Tourism Division is adapted to the needs of the sector, with a Product Development Department and a Marketing Department. It is a key actor in efforts towards improving and managing Dominica's tourism product, and it is the primary, if not the sole, actor in the area of marketing. One of the concerns expressed by stakeholders is that it may no longer be appropriate to keep the Tourism Division as a component of the NDC, and that this lack of autonomy of the tourism agency reduces its efficiency and effectiveness.
- There is a lack of organisation among private sector tourism operators.
- It has been suggested that the Village Councils can play an important role in the management of trails and related activities in Dominica. This is true, but that role should not be seen as automatic. Most Village Councils lack capacity and experience in all aspects of development, and have focused their efforts on social services and the maintenance of public facilities and infrastructure. Similarly, these Councils work under severe financial constraints. This means that partnerships at the community level will need to involve the Local Government Agencies, but they must go beyond the Village Councils and involve all other community-based organisations, including Improvement and Development Committees, Tourism Development Committees, and Sports and Cultural Clubs.

Land tenure

Land tenure issues are complicated, in part because Dominica has no cadaster, and land titling is not adequately organised.

There is only one type of tenure for all State Lands, but different management regimes:

- Unallocated State Lands, i.e. not yet surveyed, not allocated to any department or agency. Some of these lands are forested, and some have been informally allocated to private use.
- National Parks and Forest Reserves, under the authority of the Forestry Division. Thanks to the National Parks and Protected Areas Act, the National Park status is more stringent than that of Forest Reserves.
- Agricultural settlements, under the responsibility of the Lands and Surveys Department.

- Industrial lands, some under the responsibility of Lands and Surveys, some under the responsibility of the NDC.
- Residential Lands.

These lands are managed under the provisions of the State Lands Act. If there is an enforcement issue, it is the responsibility of the Director of Lands and Surveys to prosecute on behalf of the State.

All public roads are under the responsibility of the Ministry of Communications and Works. There is a list of public footpaths in Chapter 179 (Roads) of the Laws of Dominica, Vol. II (1961), see also Roads (Amendment) Act No. 17 of 1972. Additional trails can be designated public footpaths, with public rights of way, but this would have to be done by Parliament, with the Lands and Surveys Department preparing the plans and providing them to the Ministry of Communications and Works, who will in turn table a motion in Parliament for declaration of a trail as a new public footpath.

In the absence of a public right of way or a specific agreement, owners have the legal right to close and fence, and to prohibit access to their property.

Access issues

For the purpose of this study, it should be noted that the national trail only needs rights of way, and that it does not need to own land. It can therefore be assumed, based on the recommended route for the Waitukubuli National Trail, that its establishment will not require any acquisition of land.

Access issues should therefore be addressed, to the maximum extent possible, through bilateral agreements between the State and the private owners. Typically, an agreement between a land owner and the Government should stipulate the following:

- Parties to the agreement
- Duration, conditions of extension or renewal, resiliation, notice
- Construction, maintenance and signage responsibilities
- Assignment of responsibilities
- Liability issues
- Specification of uses and conditions of these uses

Liability, security and safety issues

There are a number of issues of liability, security and safety that must be considered at this stage.

The first consideration is that of the safety of the visitor. In this regard, it must be noted that hiking is generally more dangerous in a place like Dominica than in temperate climates, i.e. in the regions of origin of many of the visitors who will hike the Waitukubuli National Trail. This is primarily because tropical conditions can cause rapid changes to the physical lay-out of a trail, with landslides and unpredictable storms. Hikers from temperate countries are also often surprised by the rapidity with which night

falls in the tropics. The management of the national trail will require provisions to address these safety issues.

The second issue relates to the threat of criminal activity. In this regard, there are two main concerns. One is the danger that isolated groups of visitors may attract attackers. The second risk comes from the presence of illegal marijuana plantations in the forest, and the resulting danger that visitors can face if they inadvertently encounter such a plantation.

Predial larceny is the third issue, one that has plagued the agricultural sector in Dominica for decades. There is a perception among the private sector that the development of the Waitukubuli National Trail would encourage this by making more areas accessible.

The fourth issue worth noting here is one of capacity. While the Police Force has a Tourism Protection Unit and the Forestry and Wildlife Division has rangers and other officers, there is certainly not the manpower required to provide a significant presence in remote areas. Police plays no direct role in enforcement of forestry legislation.

Financing and revenue generation

Financing for activities related to ecotourism is currently organised as follows:

- Funding for product development comes largely from external grants and loans, as described above in the list of selected projects and programmes.
- Funding for site management, for a limited amount of work on trail development, and for trail maintenance comes from the budget allocation of the Forestry and Wildlife Division in the Ministry of Agriculture.
- Marketing costs are covered primarily by the budget allocation of the National Development Corporation. Private sector involvement in marketing is limited to the initiatives of Fort Young Hotel and to those of the diving community, particularly through its participation in the annual trade show of the Diving Equipment Manufacturers Association (DEMA), and advertising in the specialised press.

There is a fee system for the use of ecotourism sites. It has been established by the National Parks and Protected Areas (Eco-Tourist Site) (User Fee) Regulations of 1997, Statutory Rules and Orders No. 27, under section 16 of the National Parks and Protected Areas Act. It does not apply to local residents, defined as people who have been residents in Dominica for the six months preceding their purchase of the pass. The rates used are:

- USD 2.00 for one site visit
- USD 5.00 for one day, to visit any site or sites
- USD 10.00 for one week, to visit any site or sites

Eleven sites are part of this system: Boeri Lake, Boiling lake, Botanical Gardens, Cabrits National Park, Emerald Pool, Fresh Water Lake, Indian River, Middle Ham Falls, Soufriere Sulphur Springs, Syndicate Nature Trails and Trafalgar Falls. Tickets are sold to designated vendors, who get a 5% commission on their sales.

These fees are considered low, when compared with similar facilities and attractions in other parts of the world (Mendelssohn 1997). They currently yield approximately XCD 1 million annually, with one third of that amount going to direct running costs (salaries and local travel).

Two practical issues have been raised in recent times:

- the length of the validity of the pass (one week), especially since a significant number (40%) of visitors to Dominica stay for more than one week.
- The definition of local residents, which excludes Dominicans returning to their country on holidays.

One possible solution to these two problems is to extend the validity of the pass to one year, and to request that all users pay that fee. In this way, nationals and residents would contribute to the management of their sites, but at a rate that would not be prohibitive.

Another important issue that has been raised is that of the destination of the funds generated through the fees, which now go to the government's consolidated fund. There is first a danger that this may impact on the marketability of the sites: while visitors overwhelmingly demonstrate a willingness to pay a user fee, recent surveys also indicate that these visitors expect that funds generated are channeled back into management (Mendelssohn 1997). At the same time, management agencies would like to access these funds in order to cover their costs and improve their capacity.

Recommendations

At the level of national policy, there is an urgent need for a clear and comprehensive statement and framework that sets the directions, objectives and instruments to guide the development of tourism in the country. This statement should be developed in a participatory manner, in order to build consensus around policy objectives, and to generate ownership. It should consider the linkages and interactions between tourism and all other sectors, principally forestry and natural resource management, agriculture, community development, culture, and governance. It should reveal and enhance the positive impacts that the Waitukubuli National Trail would have on other sectors of the economy.

In all components of the process to establish the Waitukubuli National Trail, there will be need to distinguish between the short-term needs (i.e. managing and funding the establishment of the trail and building the capacity to manage it) and the long-term requirements (i.e. ensuring the sustainability and viability of the trail).

In the short-term (most likely three years), there will be need for a strong organisation to spearhead the planning and development process. This co-ordinating agency, working under the guidance of a National Trail Steering Committee, should have primary responsibility for:

- Overall co-ordination of the process.
- Fundraising and relations with donors (including, whenever necessary, the management of grant funds and other income).

- Development and implementation of a marketing strategy (in close collaboration with the NDC), including the preparation and publication of maps and printed guides.
- Provision of technical assistance to private sector and community operators.
- Development of policy instruments, including standards (in close collaboration with the NDC) and the drafting of a National Trail Act (see below for recommendation in this regard).

In order to operate effectively, this co-ordinating agency will need:

- A core team of five persons (a co-ordinator, an accountant and financial manager, a communications and public relations specialist, a planner, and an administrative assistant).
- Office space to house this co-ordinating team and the core functions of the co-ordinating agency.
- A website.
- An operating budget that covers salaries, administration, overhead costs, website creation and maintenance, design and implementation of the marketing strategy, preparation and publication of a map and a guide, training activities, detailed planning and design of individual trail segments, recruitment of consultants, facilitation and conduct of participatory planning and policy formulation processes, and provision of technical assistance to communities and private sector entrepreneurs.

If this organisation is to be the Waitukubuli Ecological Foundation, the Foundation will need to embark, as a matter of absolute priority, on an organisational development process that will involve, *inter alia*:

- the formulation of a strategic plan for the organisation.
- a review of its legal statutes to ensure compatibility with its mission and objectives.
- the development of a membership base.
- the establishment of institutional linkages.
- fundraising (based on a comprehensive fundraising strategy).
- development of an organisational structure and recruitment of personnel.
- design and introduction of internal management systems.

The institutional strengthening of the Forestry and Wildlife Division should also become a national priority, as this is an absolute condition of the success of the national trail initiative. This strengthening process will require that:

- all existing posts be filled at the appropriate levels of training and capacity.
- alternative mechanisms be put in place in order to increase the financial resources available to the Division. (See below recommendations regarding the management of user fees.)
- a new organisational structure be designed, to respond to the needs created by this initiative, and provisions be made for the recruitment of additional staff if needed.
- training be provided to existing staff in selected areas of trail management (signage, monitoring of uses, determination of carrying capacity).

The National Development Corporation (NDC) should also benefit from an institutional reform and development process. One of the objectives of this process should be to

strengthen, and give more autonomy to, the tourism component of the organisation. It should also consider building the Tourism Division's capacity in the areas of product development, marketing, research and market intelligence.

As this planning and development process unfolds over the next three years, new institutional arrangements will emerge, and it would be artificial and irrelevant to attempt, at this early stage, to design these arrangements in detail. But it is already possible to define some of their key characteristics:

- there will always be need for a co-ordinating organisation, with responsibility for overall planning and management, policy, technical assistance, and monitoring and evaluation. This could be an organisation specifically dedicated to this mandate, or it could be an arm of an organisation with a broader mandate.
- in its system of governance (board), the co-ordinating organisation will need to have representation of all major stakeholders.
- this board should have authority and legitimacy, it should report to the Cabinet of Ministers or to one of the Ministers, and it should be chaired by someone who commends respect and provides strong leadership.
- the responsibility for developing and managing individual segments of the trail should be shared among various agencies: trails located within National Parks and Forest Reserves should remain under the authority of the Forestry and Wildlife Division, and trails located outside these areas should be managed under specific, and formal, collaborative arrangements governed by formal agreements (involving the Forestry and Wildlife Division, Village Councils, private sector interests, non-governmental organisations and community-based organisations as appropriate).
- the development and management of other facilities and services, including accommodation facilities, should be primarily in the hands of communities and the private sector, but with the benefit of technical assistance and facilitated access to credit facilities and counseling.

The establishment and management of the national trail will require adequate expertise and capacity within national organisations, but they will also benefit from external technical assistance. In this regard, the process has the opportunity to build on already established partnerships, for example with the Rural Tourism Unit at the University of Bristol. It will also need to explore the many other opportunities that exist, notably with other universities within and outside the Caribbean region, and with non-governmental organisations dedicated to hiking, nature tourism, and sustainable development.

The next few years should also see a continuous process of institutional strengthening of the non-governmental and community partners, and of the various organisations of operators, i.e. taxi, nature tour operators, the Dominica Hotel and Tourism Association, and groupings of tour guides, in order to build their capacity to participate in the management of the trail and of its ancillary services. The approach to capacity-building should be linked to trail development and management activities: as these activities are being designed and undertaken, and as corresponding skills requirements are identified, "hands-on" training should be provided.

This institutional framework should also depend on, and promote, an active involvement of users in trail management. This applies in particular to tour guides, who should be formally committed, through a licensing system, to the performance of a number of routine management functions, including: monitoring the status of trails and reporting maintenance needs to the co-ordinating agency; undertaking routine maintenance tasks such as the clearing of signage; and participating, occasionally, in collective voluntary tasks.

The development and management of the trail will require skills and expertise, some of which may not be currently available in Dominica. The priority directions for training and human resource development will be:

- guiding: the success of the trail will depend, to a large extent, on the availability of highly qualified and responsible guides who are able to offer a product of quality and to play their role in management, safety and public awareness. Short-term programmes should be held regularly, leading to the certification of successful participants;
- trail establishment and management: valuable expertise currently resides with the Forestry and Wildlife Division, but more people need to possess the required skills, especially within non-governmental organisations and community-based groups. The Division is best placed to design and conduct these training activities.

Other training needs could be met through the on-going programmes of existing organisations, but the co-ordinating agency should be able, whenever the need arises, to design and offer short courses in areas in which the human resource needs to be developed.

There will be need for a comprehensive fundraising and financing strategy that includes a wide range of sources of income, even if fees eventually become the primary source of funding to support the operation of the national trail. Other sources may include grants, commissions on bookings and nights at accommodation facilities, sales of goods, and donations.

There will be need for a thorough review and a re-organisation of the current fee system, in order to:

- increase revenue (this may require a raise in the rates used).
- guarantee repayment of the CDB loan.
- ensure that surplus is redirected into management.
- ensure a fair distribution of that surplus among the various agencies involved.

Security and safety of trail users will require the following measures:

- a detailed safety and emergency plan will be drawn up, and information on the existence of this plan will be shared as part of the marketing effort, in order to demonstrate the quality and reliability of this product.
- this plan will demand that visitors are properly insured, and provide the trail co-ordinating agency and all management partners with a disclaimer of liability. (The state or any of the implementing agencies would however remain liable for damages)

caused by their interventions on a trail: accident during construction, faulty bridge, etc. It would therefore be necessary for the co-ordinating agency to be insured in order to cover such liabilities.)

- the plan will stipulate the procedure to be used in case of emergency, i.e. use of helicopters to remove victims of accidents, and identification of options for treatment (i.e. national hospital, or evacuation to a neighbouring island if required).
- the use of trained and certified guides will be strongly encouraged.
- reference points with recorded co-ordinates will be established all along the trail, through the Global Positioning System, and all guides will be aware of these positions, making it easier for rescuers to identify the location of an accident.
- guides will be equipped with cell phones and will therefore be able to communicate with rescue teams and other sources of support. (Visitors who decide to hike without guides will be asked to carry cell phones – these will be available for rent from the co-ordinating agency and other outlets.)
- the Red Cross, the Fire Brigade and the Police Force will be involved in the design of this emergency plan, and will have a role to play in case of emergency.

This safety plan will be helped by the fact that the Waitukubuli National Trail will be established mostly on the route of existing trails, which are known to surrounding communities, hunters and hikers. Voluntary help by local residents is often critical in emergency situations.

The issue of predial larceny, which has been raised by private land owners, will not be worsened by the creation and use of the national trail. Whenever it passes through agricultural areas, the proposed route is using existing trails, and it will therefore not open new areas. Visitors using the trail will be asked to respect the property and produce of local farmers. As designed, it is very possible that the more intensive use of trails will actually assist in controlling and reducing predial larceny.

In order to minimise environmental impacts, visitors will be asked to avoid leaving the established trails, and the trained guides will help ensure that this rule is respected. The hiker will of course remain liable for damages caused to private property while using the trail.

The issue of standards will be approached with care. Since there are no international standards for trail design, it will be important for Dominica to establish its own norms. Dominica's Forestry and Wildlife Division has been using norms, and these appear fully adequate. What is needed at this stage is a detailed documentation of these norms in the form of a manual that can be used by all partners in the development of the national trail.

In addition to the standards that are being developed and applied by the National Development Corporation on various domains of tourism development, there will be need for specific standards and rules to govern guiding activity. A code of conduct for guides should also be developed and used. The co-ordinating agency should establish a system of certification for guides to be accredited to the Waitukubuli National Trail. With respect to signage, a standardised system will be selected, which should be used for the entire

trail system of the country, while providing the Waitukubuli National Trail with a distinct identity. If a system is borrowed from another country, copyrights should be acquired.

The Waitukubuli Ecological Foundation should, early in the implementation process, register a patent and copyright in the name of the Waitukubuli National Trail, in order to make sure that this label is not misused and abused.

The Waitukubuli National Trail will also apply for certification under relevant international certification schemes. This will require a careful assessment of the potential benefits of each scheme, in order to select those that will contribute to the trail's desired image, and will have a positive impact on the trail's performance and marketability.

Most of the legal instruments needed to establish and manage the trail are actually available, but there will still be need for a National Trail Act to harmonise and complement existing legislation. The main objects of this new legislation will be:

- to establish or designate an organisation responsible for co-ordination and policy.
- to establish rules and structures for the proper governance and operation of this organisation.
- to determine the roles of all relevant governmental agencies in specific aspects of trail development and management.
- to declare the route officially and give it protected status (thus preventing changes of use and facilitating enforcement).
- to provide for the formal transfer of some of the management authority to civil society and private sector partners.
- to govern the collection, management and allocation of user fees.

It is recommended that this National Trail Act be developed and introduced towards the end of the initial implementation phase (i.e. approximately three years) in order for it to benefit from the lessons learned. Until the act is introduced, it will be possible to do all that is needed under existing legislation, as long as the Government of Dominica:

- retains the National Trail Steering Committee, or a similar body, as the mechanism for inter-agency collaboration in planning and policy formulation.
- assigns day-to-day responsibility for the management of the implementation process to one organisation, which will serve as the co-ordinating agency.

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