

## Press Release

### Keeping Sight of Our World Heritage Site

The Saint Lucia National Trust (SLNT) notes that several weeks ago talks surfaced in the media of an alleged “approval in principle” by the Government of Saint Lucia for a development in Anse L’Ivrogne located in the quarter of Soufriere and Choiseul.

The alleged document that stirred the debate was a correspondence dated February 11<sup>th</sup>, 2009 and related to the proposed “Bacassa/Banyan Tree Resort Development, Anse L’Ivrogne Saint Lucia”. The popular radio talk show host stated that the letter sent by the Prime Minister was addressed to a Mr. Michael Gustave of Soufriere and was also sent to Bacassa Development Limited. He went on to say that the correspondence pledged the government’s support for the project and noted that “detailed planning permission to build will be granted in accordance with and with the approval of the Development Control Authority guidelines”.

The Government’s move to “approve this project in principle” might be deemed questionable as it is the Head of the Physical Planning and Development Division who has the power to do so. According to the Physical Planning and Development Act of Saint Lucia, Act 20 (2) “The Head of the Physical Planning and Development Division may grant approval in principle, with or without conditions, subject to the subsequent approval of any matters reserved until detailed plans have been submitted, or may refuse to grant approval in principle”.

It must be noted that section 25 (1) of the act authorizes Cabinet to grant approval as well; “The Minister may give directions in writing to the Head of the Physical Planning and Development Division requiring that a particular application or all applications of any particular class or in respect of any particular area specified in the direction shall be referred to the Cabinet for determination, provided that all documents required by the Physical Planning and Development Division have been submitted.”

If this is the basis on which approval in principle was granted, the Trust hopes that Physical Planning obtained all the relevant documentation and the views of referral agencies were considered before the decision was taken.

However, this is not the Trust’s major concern. What we are apprehensive about is that the developer was granted approval in principle for a “development” which falls in Policy 1 of the Piton Management Area (PMA).

What does this policy explicitly outline? This zone, which encompasses Gros Piton, Petit Piton and Ridge clearly outlines that “Policy Area 1 **should be protected absolutely from built development and infrastructure. The only permissible development would be for enhancing foot access and minor signage and interpretation**”.

Is the Bacassa/Banyan Tree Resort Development seeking to do just that or is there more to it than merely enhancing foot paths and minor signage and interpretation? According to the talk show host, the alleged correspondence from the Office of the Prime Minister also noted that “In keeping with World Heritage Site Status of the Pitons

Area, you will be required to dialogue with UNESCO and the World Heritage authorities”.

If the developer were to take this prudent advice, wouldn't UNESCO and the World Heritage authorities refer him to the aforementioned policy? We hope that the developer will be guided by the advice of the Prime Minister in pursuing his development. In addition, we certainly expect the Development Control Authority to ensure that any approval granted is in keeping with the guidelines for development in Policy Area 1.

SLNT has always declared its support for, and understanding of the need for development to take place, particularly in depressed communities like Soufriere, where the unemployment rate is high. However, we firmly believe that the people and government of Saint Lucia should be wary that the World Heritage Committee (WHC) at its 2008 convention in Quebec, Canada “Notes with concern that development continues to affect the integrity of the property, which if not urgently addressed is likely to lead to significant loss of the Outstanding Universal Value of the property”.

The Committee will be considering which World heritage sites should be removed from the list of World Heritage and placed on the list of World Heritage in Danger at its 33<sup>rd</sup> session in June this year and we understand that the PMA is one of the sites under consideration to be placed on the latter list. This latest approval strengthens the case for delisting the PMA.<sup>1</sup>

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<sup>1</sup> The decisions of the WHC taken at its 32nd meeting can be found on page seven of this document.

### **Keeping within the Parameters of the PMA**

The Trust in fulfilling its legal mandate “to conserve both the natural and cultural heritage of Saint Lucia,” commissioned an independent investigation into the development of three parcels of land within the PMA by Marco and Jessica Mignucci. The Final Report regarding the Mignucci Development indicated several things; that the applicants had no approval for their development; their construction is also in violation of a stop notice issued by the Physical Planning and Development Division; and as such are liable under the Physical Planning and Development Act to a maximum fine of EC\$50, 000 and EC\$1, 000 for each day the violation continues.

However, the Trust is distressed that despite these findings which was submitted to the relevant authorities on December 16<sup>th</sup>, 2008 work still progressed on the property. In addition, we were informally told that the Report is inaccurate. As such, we would like to ascertain on what grounds the report was deemed erroneous and whether these inaccuracies in any way affect our conclusion that the development is illegal. This information was promised but has not been forthcoming. As a consequence, we are unable to review our conclusions. In the mean time, we await appropriate action by the authorities on the recommendations made on how to deal with this matter.

We reaffirm our commitment to work with the government and the relevant agencies to help maintain the integrity of our World Heritage Site. We also call on the people of Saint Lucia and the people of Soufriere in particular to take up the mantle to ensure that we do not lose World heritage status for the PMA and pledge our continued support to partner with the residents to identify projects which will

bear economic and social benefits while maintaining our natural and priceless resources.

To this end, the Trust is collaborating with the YATICKA group, the PMA Office and the Global Environment Facility Small Grants Programme to plan a workshop to address the challenges we face in retaining World Heritage status for the PMA. We are also working with community groups in the Soufriere area to develop projects to address awareness challenges as well as to develop livelihood opportunities associated with the World Heritage Site.

Our underlying concern is that as a nation we appear to have accepted that the wishes of developers take precedence over our common heritage and that we are willing to sacrifice the latter in the name of development. We remain firm in our conviction that development and heritage conservation are not mutually exclusive and call on the authorities, including the Development Control Authority and the Cabinet of Ministers to show a greater appreciation for our common heritage.

Saint Lucia National Trust

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la science et la culture

**UNITED NATIONS EDUCATIONAL, SCIENTIFIC  
AND CULTURAL ORGANIZATION  
CONVENTION CONCERNING THE PROTECTION OF  
THE WORLD CULTURAL AND NATURAL HERITAGE  
WORLD HERITAGE COMMITTEE**

Thirty-second session

Quebec City, Canada

2 - 10 July 2008

**DECISIONS ADOPTED  
AT THE 32nd SESSION  
OF THE WORLD HERITAGE COMMITTEE  
(QUEBEC CITY, 2008)**

**Last changes are highlighted**

#### 40. Pitons Management Area (Saint Lucia) (N 1161)

**Decision: 32 COM 7B.40**

The World Heritage Committee,

1. Having examined Document *WHC-08/32.COM/7B.Add*,
2. Recalling Decisions **28 COM 14B.11**, and **31 COM 7B.42**, adopted at its 28th (Suzhou, 2004) and 31st (Christchurch, 2007) sessions respectively,
3. Notes with concern that development continues to affect the integrity of the property, which if not urgently addressed is likely to lead to significant loss of the Outstanding Universal Value of the property;
4. Welcomes the preparation of an integrated development strategy for the property and requests the State Party to take the necessary steps to adopt its recommendations as the foundation of a binding planning framework for the property under the laws of St. Lucia, noting the need for the State Party to reflect further on its recommendations in order to ensure that the anticipated levels of development that might result from this strategy do not prejudice the Outstanding Universal Value of the property;
5. Encourages the State Party to develop activities with local partners, including UNDP and IUCN, for a programme to strengthen the management of the property, including in relation to the capacity of the management agencies and the communities within and adjacent to the property to protect, manage and benefit from the World Heritage status;
6. Also requests the State Party to submit to the World Heritage Centre, by **1 February 2009**, a full State Party report on the state of conservation of the property and on the steps taken to implement the recommendations above, including detailed baseline information on current land use within the property and a description of the development application and review process, for examination by the World Heritage Committee at its 33rd session in 2009.