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# POLICY BRIEF

## A Reparatory Justice Approach to Land Reform for Climate Resilience Post-Hurricane Melissa

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### EXECUTIVE SUMMARY

Jamaica's extreme vulnerability to hurricanes can significantly be traced to slavery, colonialism and the plantation economy. The colonial machinery forced Indigenous people off their lands and built settlements along the coast and in low-lying areas, often near rivers and streams. During slavery, the majority had no land tenure. After emancipation from slavery, the majority of the population was forced into small, marginal areas, without any legal rights to the land and building codes were non-existent or not enforced. As a result, "squatting" in informal settlements has been a major problem for centuries which exacerbates Jamaica's climate resilience as a country. Jamaica's National Squatter Survey (NSS), which is still ongoing, already shows that an estimated 600,000 people (approximately 20% of the population) live in informal settlements around the island. The data shows that Kingston and St. Andrew have the highest concentration (62%), followed by St Catherine. However, rural areas account for over 60% of the total number of these settlements. This therefore represents a significant part of the population which is extremely vulnerable to destruction by hurricanes and other weather extremes. Informal settlements often lack basic services (60% lack no access to proper sanitation and 30% lack reliable electricity) and are located in flood-prone areas, like Portland's riverbanks. Deforestation and improper waste disposal in squatter communities exacerbate these vulnerabilities. Substantial land reform is that provides land tenure and access to building materials approved to withstand Category 5 or stronger hurricanes, floods and other natural disasters.

### INTRODUCTION

- Hurricane Melissa made landfall in Jamaica as a catastrophic Category 5 storm on October 28, 2025, causing unprecedented destruction.
- The hurricane highlighted the high number of Jamaicans who reside in board housing and their resultant extreme vulnerability to climate change and damage from intensified hurricanes, more intense than we have historically been accustomed.
- Many concrete structures also failed as a result of the hurricane, which indicates inadequate building standards, which begs the question about the enforcement of the building code.
- The severity of the damage and destruction caused by the hurricane highlights once again the lack of security of land tenure and inadequately constructed homes made of building material capable of withstanding a Category 5 hurricane.

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### MAKING THE CASE

Hurricane Melissa exposed some of the vulnerabilities/gaps in:

- Land tenure/land security; Land and housing distribution;
- The extent to which the high number of board houses in Jamaica affects the climate resilience of the nation;
- Jamaica's hurricane preparedness. It may be considered counterproductive to rebuild inadequate board and zinc structures that cannot withstand a Category 5 or stronger hurricane.
- Jamaica's Building Codes. Even some concrete structures which were approved for construction, failed, highlighting either the obsolescence of the codes in addressing Category 5 hurricanes or the need to ensure greater adherence to them.

### RECOMMENDATIONS

The following are some recommendations emerging from the experience with Hurricane Melissa (and other weather extremes that have impacted Jamaica):

- Mapping of the more environmentally vulnerable lands and communities is necessary to start adequately preparing those lands, the buildings and the communities thereon, for Category 5 hurricane and other weather extremes. (Short-term)
- Explore different, more environmentally sound and disaster-resistant building materials (Short to Medium-term)
- Reclaim commons, in fisheries, agriculture, forests, or urban spaces through justice-oriented frameworks that prioritize community control, dignity, and ecological sustainability (Medium term)
- Encourage and facilitate community-based forms of governance that provide more secure, equitable and environmentally protected outcomes. (Medium to long term)
- Land reform and redistribution must center historical land occupation and use, rather than imposing bureaucratic or market-driven solutions. Recognise possessory rights to protect against eviction through appropriate policy and legislation; issue forms of legal recognition of possessory title. Regularisation should include providing secure tenure, mass land titling, basic services, and integration into city planning. (Medium to Long term)
- Redistribution must confront intersecting systems of race, class, caste, and gender and properly cater for children and community building. (Long term)
- Reform planning processes to be community-centered, allowing increased community participation in decision-making and community responsibilities towards the commons (Short, Medium and Long term)

\* Short-term (0–6 months); \*\*Medium-term (6–18 months); \*\*\*Long-term (18+ months)

### CONCLUSIONS

Concomitant with the journey on the 'Road to Republic' but with urgent need to boost Jamaica's climate resilience now, Jamaica needs to redistribute Crown Lands and other government-owned lands to persons in informal settlements, by allocating lands with land titles to informal settlers, to repair the unrepaired harm done to the victims of the Crown's crimes against humanity of slavery and colonialism and to increase climate resiliency in Jamaica.