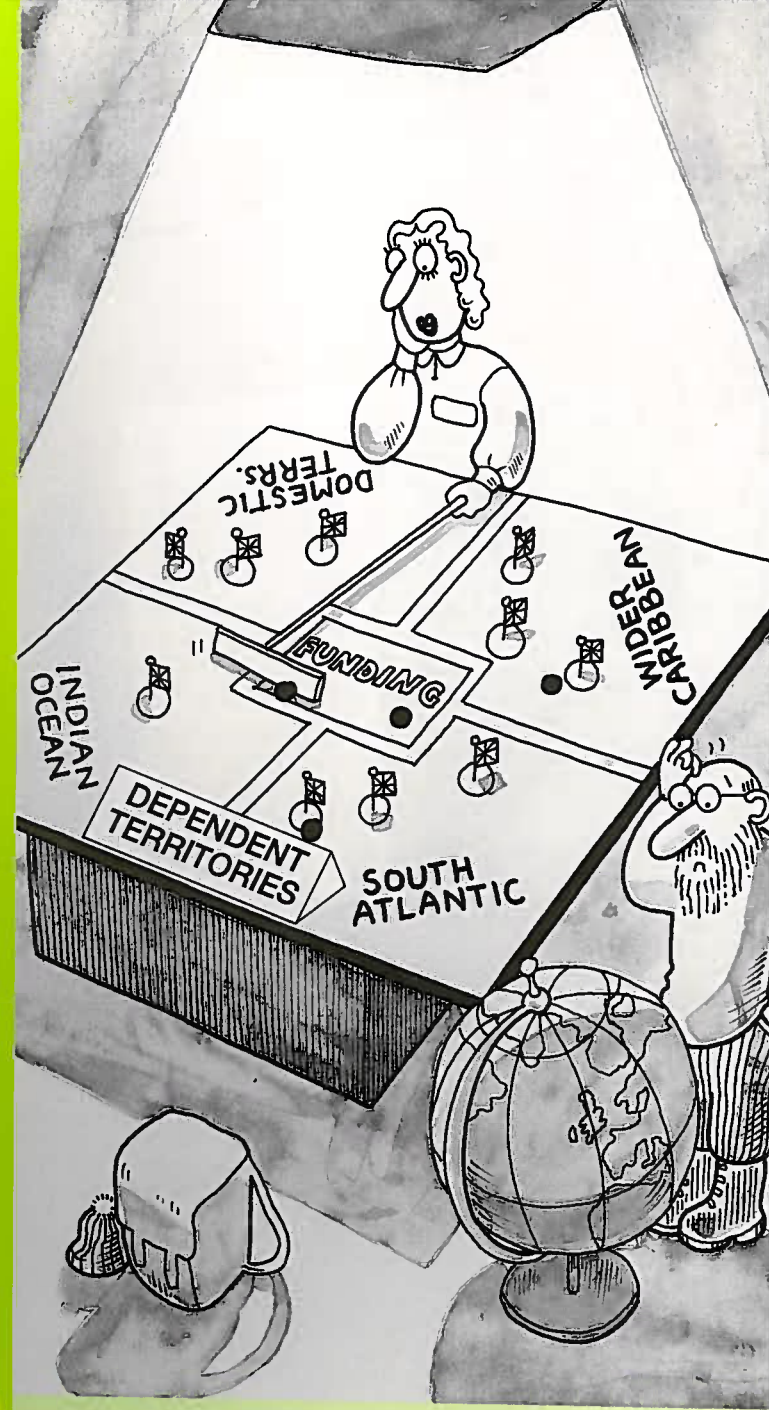


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ECOS



Dependent Territories – overseas, overlooked?

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## Paradise mis-filed?

*UK organisations seem at times to be a little absent-minded about the UK's Overseas Territories. These generally small areas support most of the biodiversity for which UK answers internationally. This article introduces the Territories and the articles in this special issue. It outlines the co-ordinated work by NGOs and offers the Government a model to help fulfil its responsibilities.*

### MIKE PIENKOWSKI

In mid-1997, the biggest story in Britain and elsewhere was what much of the news media described as the transfer of sovereignty of "Britain's last dependency", Hong Kong. Almost immediately afterwards, Montserrat's volcano issued a painful reminder that this was not the case – and, after a few days in the headlines, the fact that this was also British territory crept into the perceptions of media, public and politicians. Noises of a different sort were heard from St Helena, where normally most polite 'Saints' pointed out vocally to the British Governor that their rights, absent-mindedly reduced by successive British governments, should not be treated so off-handedly. The new British Government was thrown in at the deep end, and was itself not happy with its reaction. The Foreign Secretary announced a review of the Dependencies in time for the meeting of the Dependent Territories Association early in 1998. The UK Dependent Territories Conservation Forum had already drawn to the attention of UK Government the fact that its support for environmental matters in the Dependent Territories was in danger of falling down a crack between its domestic approach and its wider international support. Unfortunately, the Foreign Secretary's review seems also to have overlooked the environment.

The Forum is not alone in thinking that Britain is, at times, a little absent-minded about its Overseas Territories. Whilst there have undoubtedly been cases in which individual appointees have been somewhat inappropriate, there have also been many examples of commitments over and above the call of duty by individual Governors, Administrators and other staff-members appointed by the UK Government to these Territories. The Forum pays tribute to the efforts of such individuals, but would like to see them supported by a strategic framework, which would make the most of the work of these people, the governments of the Territories and the NGOs. I return to this theme later.

First, this article attempts to outline what are the Territories, and the approach of the NGOs to the conservation of their biodiversity and other heritage, and later introduces the contents of this special issue.

### What are the UK Overseas Territories?

A whole range of terms are used for these Territories, including Dependent Territory, Crown Colony, Dependency and Crown Dependency, amongst others (see also the article by Clare Coffey and Mike Pienkowski). The word 'Dependent' is not very popular in the Territories because it is often taken to mean financially dependent. At

present, core funding (as opposed to project aid) is provided only to St Helena and, during the present emergency, Montserrat. For UK administrative reasons, some Territories are classified as 'Dependencies of Dependencies', even though this relates to neither their finances nor internal government. Inhabitants of Tristan da Cunha may feel particularly aggrieved by this, as they are a financially self-sufficient Territory listed by UK Government as a Dependency of St Helena. To overcome some of these difficulties, the UK Government announced in February 1998 its intention to adopt the term 'UK Overseas Territories'. This change will be progressive, as various legislative changes are required. It is not clear whether the term will apply also to the 'domestic' territories of the Isle of Man and the Channel Islands (see Miles King's article) and to the Sovereign Base Areas of Cyprus.

The UK Dependent Territories Conservation Forum is changing its name to the UK Overseas Territories Conservation Forum but, for technical reasons, this change will also be progressive. Here, we try to use the new term for the present and the future, but retain historic terminology where appropriate.

The UK Overseas Territories (UKOTs) have their own identity and governing structure and are not represented in the UK Parliament, but form part of the nation-state of the UK. The exact relationship between UKOTs and the UK is different for almost all the Territories, but generally the UK is responsible for defence and international relations (including international conventions), as well as other aspects in some Territories, and is expected to provide general advice and support in most aspects of government. The UK also has reserve powers in respect of legislation. Inhabited territories have their own elected governments. The responsibilities of the UK are represented locally by a Governor or Administrator, who is usually a career official of the UK Foreign and Commonwealth Office (FCO). The exact responsibilities and powers of the Governor or Administrator vary between different Territories. Uninhabited territories generally have an administration based in FCO.

The UK Dependencies are listed below (with their approximate population sizes), grouped for convenience (but without legal implications) into broad geographical areas.

#### PACIFIC

*Pitcairn Islands* (55)

#### INDIAN OCEAN

*British Indian Ocean Territory* – No permanent inhabitants, but a major US naval/air base with a Royal Navy party representing UK. In 1991, there were about 1,200 US and UK military personnel and 1,700 civilian contractors in the Territory.

#### SOUTH ATLANTIC

*British Antarctic Territory* – British Antarctic Territory has no permanent population, but around 60 scientists and support personnel staff the British Antarctic Survey stations. In common with those of other countries, UK's claim of sovereignty in Antarctica is effectively suspended under the Antarctic Treaty.

*Falkland Islands* (2,000)

*St Helena* and its 'Dependencies' (7,000, comprising 5,600 on St. Helena, 1,100 on Ascension and 300 on Tristan da Cunha):

#### *Tristan da Cunha*

*Ascension* – a major base for the US airforce and various communications companies; although over 1,000 people are based on Ascension, including many from St Helena, and some were born there, no-one has a right of residence except by virtue of employment.

*South Georgia and the South Sandwich Islands* – South Georgia and S Sandwich Isles have no permanent population, but scientists and support personnel staff the British Antarctic Survey stations – see above.

#### WIDER CARIBBEAN

*Anguilla* (9000)

*Bermuda* (58,000)

*British Virgin Islands* (17,000)

*Cayman Islands* (30,000)

*Montserrat* – Normally 11,000, but only about 30% resident at the time of writing

*Turks and Caicos Islands* (12,000)

#### EUROPE

*Cyprus Sovereign Base Areas* (UK military bases)

*Gibraltar* (28,000)

*Bailiwick of Guernsey* (62,000)

*Bailiwick of Jersey* (84,000)

*Isle of Man* (70,000)

#### The work of the UK Overseas Territories Conservation Forum

The UK Overseas Territories Conservation Forum ('the Forum' or 'UKOTCF') brings together non-governmental organisations and institutions involved with furthering conservation of the natural heritage in the Dependent Territories. Other participants with similar interests are encouraged to play a role. The Forum advises governments and others in the UK and the UKOTs on these matters. During the Forum's ten plus years of existence, there has been a growing awareness of the biodiversity importance of UKOTs, and with this a realisation that effective conservation measures are not yet fully in place.<sup>1,2</sup>

In 1986, the British Association of Nature Conservationists (BANC) commissioned a short desk study of conservation in the British Dependent Territories (DTs), funded by the World Wide Fund for Nature (WWF-UK). The aims of this study were to pull together the scattered information on the natural history of the DTs and to find out where the responsibility lay for conservation within the UK Government. At that time there was a growing interest amongst NGOs and also within the Nature Conservancy Council (NCC), the statutory body for nature conservation in Great Britain, in promoting conservation in the Dependencies.

The result of the review was the publication of *Fragments of Paradise*<sup>3</sup> in 1987. This included a series of recommendations for action in each DT and some general recommendations. The first of these was fulfilled by the formation of the NGO Forum for Nature Conservation in the UK DTs (now the UK Overseas Territories Conservation Forum, a charitable company). WWF UK's programme for the conservation of biodiversity in the Dependent Territories was developed as a response to *Fragments*



of *Paradise*. The priority areas for support, in this and other bodies, continue to be guided by discussion within the Forum.

The current members of the Forum are: British Association of Nature Conservationists (BANC), British Microbial Biodiversity Association (BMBA), British Ecological Society (BES), British Ornithologists' Union (BOU), Fauna and Flora International (FFI), Plantlife, Royal Botanic Gardens, Kew (RBG Kew), Royal Society for the Protection of Birds (RSPB), World Conservation Monitoring Centre (WCMC), World Wide Fund for Nature UK (WWF-UK), Zoological Society of London (ZSL).

These part-fund the Forum on a subscription basis, with other funding raised from contributions and contract work. The Forum is currently under-resourced in relation to its objectives, and excessive amounts of input of voluntary time have been required of both the Co-ordinator and officers. Partly as a result of its own success, expectations of the Forum have increased dramatically, for example, in terms of providing advice and information to Government agencies on policy and on project development and implementation.

The relationship between the Forum and Government has also evolved. Currently the Forum has frequent contact with the UK Government, including twice-yearly meetings co-ordinated through the Environment, Science and Energy Department (ESED) of the FCO, as well as bilateral meetings with other parts of government. The Forum provides advice including recommendations on projects submitted for FCO funding. The UK and UKOT governments are also given the opportunity to participate in DT Forum working groups (see below).

The *Conservation Review*,<sup>1</sup> produced in early 1996 with support from the first round of the Darwin Initiative, outlined what Forum member organisations believed should be done to implement practical conservation measures in the UKOTs, and what the Forum itself would do. The *Review* resulted from a process of extensive consultation. A major future activity will be to liaise closely with our partners to ensure that this is kept up to date, and that it is used to promote and monitor important conservation activities. The Forum has plans (seeking funding) to enable this database to be kept up to date and widely available through the internet, with minimal work effort. Linked to this, we have advised governments in UK and the OTs on conservation matters, and advised governments and NGOs on the funding of priority work. In consultation with its Associate Members, the Forum has been active in identifying the need for, and developing, a wide range of projects. We have disseminated information through *Forum News*, and have also established a preliminary presence on the world-wide web. The Forum also developed, in partnership with Associate Member organisations in the UKOTs, a major project to link the Forum, these partners, and schools in the Dependencies using the internet, and funding for this is being pursued.

The Forum works mainly by reinforcing the activities of other like-minded organisations, and in particular facilitates the work of locally based groups devoted to conservation action in the UKOTs. Current Associate Members of the Forum are: Anguilla National Trust, Ascension Heritage Society, Bermuda Audubon Society, Bermuda National Trust, Bermuda Zoological Society, Friends of the Chagos, British Virgin Islands National Parks Trust, National Trust for the Cayman Islands, Falklands Conservation, Gibraltar Ornithological and Natural History Society, Montserrat National Trust, St. Helena Nature Conservation Group and National Trust of the Turks and Caicos Islands

Several other environmental groups in the UKOTs, including the few not currently represented, are exploring membership of the Forum.

The achievements of locally based NGOs are substantial, especially given that resources are so limited. It is interesting to note the formation of new NGOs in the UKOTs within the life-time of the Forum: Anguilla National Trust, Turks and Caicos National Trust, and St Helena Nature Conservation Group, for which the Forum and its members can take some credit, and also the UK-based Friends of the Chagos.

One of the other main activities on which the Forum has embarked is a restructuring of its own operations to improve further the service to Associate Members in Overseas Territories. In particular, the successful model of Working Groups is being reorganised to a regional grouping. As local NGOs gain strength, this approach will be helpful, in assisting Associate Members to exchange relevant experience, in helping represent their views in UK, and generally in co-ordinating support where they require it. The feedback from members, UKOT members, governments and others is that the Forum is fulfilling the needs of the conservation bodies in the UKOTs and the supporting objectives of the other members.

As should be clear, the Forum exists to promote the co-ordinated conservation of the diverse and increasingly threatened plant and animal species and natural habitats of the UK Dependencies. It aims to do this by providing assistance in the form of expertise, information and liaison between non-governmental organisations and governments, both in the UK and in the Dependencies themselves. The UKOTCF is concerned with the socio-economic issues which effect the natural environment and believes that nature conservation, as a positive force for improving the relationship between human culture and wild nature, makes an essential contribution to the well-being of the community of life and the processes which sustain it.

### Biodiversity responsibility

*UK Dependent Territories: a Conservation Review*<sup>1</sup> noted that biodiversity in the Dependencies had received increased attention from the UK Government since the publication of *Biodiversity: the UK Action Plan*<sup>4</sup> in 1994. In Step 59 of the latter, the UK



Co-operative conservation measures: an endemic rock iguana *Cyclura c. carinata* inspects the sign at the start of the nature trail on Little Salt Cay, Turks and Caicos Islands, supported by TCI National Trust, UK and TCI Governments, international NGOs and the local tourist industry.  
photo: Mike Pienkowski

Government committed itself to "encourage individual Dependent Territories to develop strategies for biodiversity conservation, including updating existing legislation and developing new legislation to protect species and habitats as appropriate."

In May 1996, in the foreword to the *Government Response to the UK Steering Group Report on Biodiversity*,<sup>5</sup> the then Prime Minister, John Major, said

We recognise that we have a commitment to make to the richness of the world's wildlife. We are making an important contribution through the aid programme, the Darwin Initiative, biodiversity plans for the dependent territories, and the work that our institutions do.

The *Government Response* also includes an explicit commitment to further action:

The Government welcomes and fully supports the work being undertaken in the Dependent Territories, as indicated in Annex B of the UK Steering Group Report. Matters are being successfully carried forward through joint action by the Government, the UK Dependent Territories Forum and bodies in the Dependent Territories. This has focused attention on the need for biodiversity conservation in the Dependent Territories and Government's commitment to assist actions to fulfil that need, in consultation with Dependent Territories Governments.

In May 1997, the new Government made clear its strong commitment to both the environment and overseas aid, and the Forum looked forward to further strengthening of UK Government's help to biodiversity conservation in our Dependent Territories.

In June 1997, the Forum drew to the attention of the Secretary of State for International Development a crack into which biodiversity conservation in these Territories is in danger of falling. The major financial contribution of the UK to international conservation is to the Global Environment Facility (GEF). However, because UK's Overseas Territories are considered part of UK (not a developing country), they are not generally eligible for GEF funding. Hence, there is an anomaly that the only areas internationally for which UK has a legal (as well as a moral) responsibility for biodiversity conservation are also the areas excluded from receiving support from UK's prime funding mechanism in this field. It is true that smaller funds are available through the Darwin Initiative (although this has rarely funded work in UKOTs), and in the FCO Assistant Under Secretary Project Budgets (now called Command Programme Budgets). There is also funding as well as manpower and expertise brought together by the Forum's NGO members and network. The Forum and its member organisations would welcome exploration of some funding provision from the Department for International Development's Global Environmental Assistance budget line to provide the missing mechanism to help deliver UK's commitment to biodiversity conservation in the UKOTs. The Forum's letter was acknowledged in August 1997, indicating that the matter was under active consideration and that it was hoped to send a fuller reply "in a few weeks". In April 1998, this is still awaited, despite several enquiries.

The Forum has also taken the initiative in promoting the designation and management of wetlands of international importance in the UKOTs. Domestically, the British Government has done well in listing such sites under the Ramsar Convention, but designation in Overseas Territories represents a sadder tale. Much of the groundwork has been done and there is considerable interest locally in many cases. The meeting of

the Parties to Ramsar in early 1996 placed some emphasis on coral reefs and other tropical wetlands. The next meeting of the Parties, in Costa Rica in 1999, presents an excellent opportunity for the UK and its Overseas Territories to report major progress. The Forum stands ready to help in this and other positive initiatives.

In the period in which the UK Government's review of the relationships with UKOTs was in progress, on 22 October 1997, I wrote on behalf of the Forum and its members to the Foreign Secretary:

As was recognised in *Biodiversity: the UK Action Plan* (Cm2428) and statements by UK Governments since, the Dependent Territories are home to rare species and habitats including some found nowhere else in the world. Most of these areas are richer in biodiversity than the UK itself, but the areas are subject to intense pressures, which often impact adversely on the local people as well as on the wildlife. We agree that it is our international responsibility to help people living in the Dependent Territories to protect this biodiversity as well as the natural resources essential for sustainable development and human well-being.

For many of the Dependent Territories, conservation of a high quality of environment is not just a fulfilment of international commitments made by the UK, but something which is fundamental to the long-term well-being of the local communities. Many aspects of their economies are based on sustainable use of wildlife through well managed fisheries or agriculture or tourism based on the riches of these natural environments. The small size of human populations of small territories make a framework of guidance from UK on good governance necessary on many issues; however we agree that the correct balance has not yet been found to allow appropriate standards to be maintained, whilst enabling proper local decision making. Often, the environment as well as small local communities are the losers in this.

Robin Cook replied on 10 November that

The focus of the review will be in the political and constitutional relationship between the UK and its remaining Dependent Territories rather than such specialised areas as biodiversity. However I certainly share your view of the importance of environmental protection within the Dependent Territories...

The idea that biodiversity is a "specialised area" rather than a fundamental basis of much of the economy of the UKOTs seemed an interesting revision of the Government's expressed position. Globally, the services supplied to the human economy by ecosystems has recently<sup>6</sup> been costed as at least US\$ 33 trillion<sup>7</sup> per year, compared with global gross national product total of US\$ 18 trillion per year. In the UKOTs, the economy relies even more directly on the natural environment than it does in many other places.

The Forum asked me to write again, on 8 December 1997:

We do understand that your review is concerned with the constitutional position. The Forum has asked me to highlight one aspect of that constitutional position which is fundamental to the UK's fulfilment of its environmental treaty commitments. Several former Governors and Administrators now contributing to the Forum have drawn our attention to this point. Although UK Government is accountable internationally for delivering the commitments under such environmental (and other) treaties, there is no ready mechanism to ensure that

the requirements are addressed in the Territory concerned. While no-one would wish UK Government to seek to interfere frequently in the internal affairs of a Territory, we would suggest that what is needed is some sort of framework within which the Territory's Government would work. Indeed, it is the need for such safeguards, based on the wider pool of expertise and experience not available to Territories with small populations that is the main reason that many Territories remain "Dependent". Such frameworks exist already – although not always explicit – in terms of legal arrangements, policing and increasingly the financial sector. We suggest that the same would be appropriate for most sectors including the environment and biodiversity conservation. International agreements would obviously provide parts of these frameworks. We suggest that the existence of such explicit guidelines would be helpful to all parties by making clear the division of responsibilities, thereby easing the sometimes awkward relationships involved.

The Foreign Affairs Committee of the House of Commons, in its report<sup>7</sup> of January 1998, also considered that the Foreign Secretary's review should include wildlife: "We recommend that the Government give careful consideration in the context of the Review to ways in which wildlife conservation can be enhanced in all the Dependent Territories, inhabited and uninhabited."

The conservation bodies present at the conference of the Dependent Territories Association on 4 February 1988 were disappointed to hear the Foreign Secretary present the conclusions of his review,<sup>8</sup> with no mention of the environment. Interestingly, he adopted the approach advocated by the Forum for other aspects of the relationship. In setting out four principles for future relationships to UKOTs, he noted that:

Britain has willingly granted independence where it has been requested. Equally, Britain remains committed to those sovereign territories which wish to retain the British connection.

For the territories that wish to retain the British connection, the British Government will not shirk its responsibilities. Those responsibilities create duties for both sides. The British government has a duty to defend the Dependent Territories, to look after your fundamental interests, to ensure that you are democratic and politically stable, and to promote good government and prosperity.

You have made great strides in diversifying your economies, developing your tourism industries like Anguilla and the Turks and Caicos Islands, and becoming major players in financial services like the Cayman Islands and Bermuda.

Britain should provide assistance to those of her Dependent Territories which need it

Mr Cook set out new arrangements, based on a 'check-list' approach to ensure that, by the end of 1999, every Overseas Territory would have certain measures in place in respect of financial regulation. Similar frameworks would be in place in respect of financial borrowing, and human rights.

The Forum is concerned that the UK Government seems to have misunderstood its own commitment to the conservation of biological diversity. This is not an optional extra. The conservation of biodiversity is important in its own right, but also as a fun-

damental basis of human economies. The UK Overseas Territories include the richest in biodiversity of the family of UK territories. Not surprisingly, therefore, the economies of several are particularly closely dependent on maintaining this biological richness. This applies, for example, to the tourist industry of the Caribbean, as well as the sustainable fisheries which make the Falkland Islands and Tristan da Cunha financially self-sufficient.

The natural environment is easily damaged and its importance is recognised in international agreements, which UK enters on behalf of itself and, where appropriate and agreed, its Overseas Territories. It is the view of the Forum that the sort of attention given in the Government's review to one basis of the UKOTs' economies, financial services, should be given also to another which is of even wider importance, the natural environment.

### **A check-list for the natural environment in UK Overseas Territories**

The Forum and its partners have worked closely with the UK and UKOT governments over the years, and wish to continue to do so. It is in that spirit that I offer a first draft of a check-list on conserving the natural environment. The Forum looks forward to the Government adopting this approach so that we can work together on this, which is generally more cost-effective than separate routes.

Each UKOT should have in place, and the UK Government should ensure and assist this:

1. the inclusion of the Territory in UK's ratification of appropriate international conservation conventions, including that on Biological Diversity;
2. appropriate legislation, and mechanisms to implement this, which fully meet these international obligations;
3. a properly staffed department, headed by a Minister or equivalent, within each UKOT government, with responsibility for ensuring the conservation of biodiversity and the natural heritage;
4. an environmental NGO, supported and consulted by government, to provide an independent voice on conservation matters ;
5. plans for the conservation of biodiversity throughout the land and sea areas of the Territory, and the incorporation of biodiversity conservation in the plans for all sectors of the economy;
6. clear mechanisms to deliver these conservation plans, and for the provision of adequate funding;
7. a requirement for independent environmental impact assessment, open to public consultation and scrutiny, for any major development in the Territory, with expert evaluation to ensure that the common faults of such assessments<sup>9,10</sup> are avoided;
8. a system of site-safeguard for the most important areas for biodiversity, with clear management plans developed and implemented in consultation with environmental NGOs;
9. the development of biodiversity targets, including restoration and recovery of damaged ecosystems and threatened wildlife populations, and action plans to achieve these;

10. the development of a time-tabled plan to compile existing data, to survey biodiversity and to conduct cross-sectoral reviews of policies that relate to biodiversity use and conservation;
11. ecological studies necessary to inform plans for sustainable use and conservation;
12. a system for monitoring and reporting publicly (including in fulfilment of international commitments) of the state of biodiversity and any impacts upon it; and
13. plans for training programmes for key personnel and the integration of biodiversity conservation into education curricula and public awareness programmes.

These are not naive ideas from an inexperienced organisation. The Forum is a learned and deliberative body putting forward ideas from a scientifically and practically informed viewpoint. Working in close liaison with its local partners, it has direct experience of a wide range of conservation and sustainable development actions in the Overseas Territories. Many of these projects have been undertaken in partnership with both the Overseas Territories and UK governments, as exemplified in this issue.

### Coverage in this issue

In this issue we have tried to give a flavour of the different territories, the issues of conservation importance, the ways in which these are being addressed, and the major impediments. We cannot address all major issues for these Territories. However, we have tried to make sure that the contributions come from a mixture of UKOT and UK bodies; that they address a range of OTs, both in type and geographical coverage; and that these do not simply describe particular OTs, but are used as examples to draw out wider issues.

At this time, it would be negligent not to mention Montserrat and its currently unenviable situation (Sarita Francis's article). Shortly after Montserrat was chosen for a pilot biodiversity study in a Caribbean dependency, volcanic activity started there. Those of us present at the planning meetings in Plymouth in early 1996 little knew how great would be the challenge to our Montserratian friends and colleagues. Despite the increased eruptions, they have continued biodiversity work in accessible areas. For our part, the Forum looks forward to helping with the resurrection of the Montserrat National Trust as soon as conditions allow.

The Cayman Islands (Fred Burton's article) provide a warning of the problems of rampant development and tourism, a feature which is increasingly spreading to some other UKOTs.

St Helena (by Rebecca Rowe) illustrates the opposite problems of a remote Territory with very little economic business, but also good NGO:Government cooperation on environmental issues.

John Topp provides an example in the Chagos (British Indian Ocean Territory) of a Territory uninhabited, except for a military base, with almost unspoiled ecosystems which were the subject of a recent detailed survey. There are both advantages and problems for conservation in such areas. There are several UKOTs with very small populations but with some similar problems, like infestations with introduced mammals. Projects are in hand (Pitcairn) and proposed (Ascension) to address these, as outlined by Mike Brooke.

The legal position of overseas territories, whether of UK or other EU countries, is so complex that probably no-one fully understands the whole picture. Clare Coffey

and I attempt to delve into this legal mine-field in respect of conservation conventions, EU legislation and the like.

The Falkland Islands are experiencing a major change from an economic backwater to a financially self-supporting economy, on the back of fishing and potential oil revenues: Ann Brown considers how the environment is faring. Gibraltar faces a different set of challenges, sitting in a European context, as outlined by John Cortes; it is the only UKOT within the European Union.

Rampant tourism is giving problems in many areas. Lianna Jarecki examines whether models of tourist development can be beneficial for the environment. This seems to be a potential (though not yet universally realised) of exclusive island resorts. However, this raises questions about the involvement of local people, and a future challenge will be to resolve these while maintaining the value of the wildlife resourced.

There is much going on in the various territories supported by various UK member organisations of the Forum. Examples have been provided by some member organisations to give a flavour of this, to highlight their projects and priorities.

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