



## **Consultation on Implementing the Overseas Territories Strategy**

### **Response from the UK Overseas Territories Conservation Forum**

i) Note: The UK Overseas Territories Conservation Forum (hereinafter UKOTCF or "the Forum") was created in 1987 and formally constituted as a charitable company in 1996. The Forum brings together, as its Members and Associates, conservation and science bodies in the UK Overseas Territories (UKOTs) & Crown Dependencies (CDs), supporting ones in Great Britain & Northern Ireland (GB) and elsewhere; and a wider network of specialist volunteers. It advances and promotes the conservation of biodiversity, ecosystem services, and their contribution, together with other aspects of natural and human heritage, to the well-being and sustainability of the UK's Overseas Territories.

ii) This document uses the questions asked by HMG as its main sub-headings.

#### **Summary**

iii) UKOTCF has long been committed to working closely with government departments in the UK and in the UK's Overseas Territories (and in the Crown Dependencies). We welcome this opportunity to contribute to a fresh look at how best to protect and improve the well-being of these far-flung parts of the British family. Key points we believe should be included in the proposed White Paper are:

a) UKOTCF would wish to see in the forthcoming White Paper specific reference to environment and biodiversity conservation, given the general recognition of the global and local importance of the rich but vulnerable biodiversity of the UKOTs, and its relationships to the livelihoods and well-being of the UK citizens (and visitors) that reside in the UKOTs.

b) Clarification of the relationships between the HMG bodies with apparently overlapping responsibilities would be welcome.

c) We recommend that HMG both restore OTEP as a small-projects fund to respond to applications for environmental work in the UKOTs, as committed by the Environment Charters, and institute a larger fund for larger – and often urgent – conservation needs.

d) We recommend that the White Paper address the issue of profitable engagement with civil society and that, for example, FCO explore with UKOTCF reconvening the bi-annual joint meetings between HMG bodies and NGOs.

e) Given the FCO's current oversight and lead on the proposed White Paper, we recommend that the White Paper clarifies strategic level planning and budgeting across HMG departments and agencies with respect to the UKOTs.

f) Support from Britain is essential and the FCO thus has a dual role both in providing support and in making sure that appropriate support is provided by other government departments and by NGOs.

g) We recommend that HMG work with UKOTCF, its members and other NGOs, together with UKOT governments, towards a common view of biodiversity and other environmental targets. This will help pool resources and attract them from other funders, both charities and individuals.

h) We recommend that JNCC, together with representatives of relevant departments, and representatives of the NGOs, is tasked with preparing an action plan for biodiversity conservation in the UK Overseas Territories and Crown Dependencies. This would not only progress a strategy lacking clear objectives and activities, but also generate wider and more collaborative working practices which should spread into other policy areas. We would wish to see the funding specifically allocated to JNCC, and indeed all parts of government, to be used most effectively for environmental protection and management in the UKOTs, but this would best be achieved in collaboration with the NGOs, not in isolation from them.

i) We would wish to see a strengthening of resolve on the part of the FCO (and other Departments) to ensure implementation and certainly no weakening of the commitments made under the 1999 White Paper, and reinforced by the FCO White Paper of 2006 *Active Diplomacy for a Changing World: The UK's International Priorities*.

j) With regard to the different Ministries leading on policy for different UKOTs and CDs (FCO, Ministry of Justice, Ministry of Defence), other involved departments (e.g. DFID, DEFRA), and the governing of both inhabited and uninhabited UKOTs, we recommend that HMG review the way it relates to UKOTs & CDs, drawing on recent experience in the development of the devolved administrations in Scotland, Wales and Northern Ireland.

k) We recommend that UKOTs introduce (where lacking) and implement legal requirements for EIAs in planning matters and, in accordance with best international practice, make these easily available for reasonable time periods for examination and comment by local people and outside experts, and that, if development goes ahead, the implementation of conditions are monitored and publicly reported, and infractions being prosecuted and publicised. We further recommend that HMG takes an active interest in monitoring and advising on such matters, as well as implementing adequately its own responsibilities under international agreements.

l) Whilst welcoming the one-off contributions by HMG to the eradication of invasive species on Ascension Island and, a decade later, Henderson Island, UKOTCF recommends that substantial, regular funding be made available to meet this aspect of HMG's global responsibilities for biodiversity conservation, and that HMG support also work in the UKOTs on prevention of arrival of invasive species.

m) We recommend that HMG fulfil its commitment under the Environment Charters to support work in UKOTs on environmental education and awareness, and such activities as rainwater harvesting.

n) With regard to water and its management, and the contrast between the funding opportunities available to the UKOTs (and other Overseas Countries and Territories) compared to those available to EU Outermost Regions, FCO should consider working with DFID to (a) assess such needs within the UKOTs and (b) put considerably more effort into undertaking negotiations within the EU on changing the funding rules in favour of the UKOTs.

o) UKOTCF would wish to see specific recommendations relating to the establishment of crisis management plans by HMG and related cross-departmental teams.

p) We recommend that, on many environmental issues, departments like DFID and DEFRA deploy in support of UKOTs their own technical and social expertise, as well as national and international links

to companies and civil society organizations which will be quite unaware of needs in the UKOTs unless someone takes the initiative.

q) We recommend that HMG involves representatives of UKOTs in international discussions on MEAs and other aspects. We recommend also that the Department of Energy and Climate Change engage with the UKOTs.

r) We welcome the overall message from HMG that all HMG departments will now be expected to support UKOTs in the areas of their expertise. This will be a process that needs managing, and we call upon HMG to resource it adequately. UKOTCF, its member organizations and others have long experience in this area and could support this in a very cost-effective way, given modest support by HMG. In this context especially, we have endeavoured to maintain good working relationships with relevant departments, including FCO, DFID and DEFRA, but have found this increasingly difficult as HMG has more and more decreased its engagement with UKOTCF and other NGOs over the past five years. Engagement has now declined from a previously strong and effective level to a very weak and *ad hoc* process, and virtually always generated by those outside government. We wish to have really effective and meaningful engagement with government departments and call upon HMG to revert to its previous positive attitude and liaison practices.

s) UKOTCF considers strongly that the attitude taken by HMG's ministers and officials towards UKOTs needs to be based on recognition of the reality that they are not quasi-foreign countries, embarrassingly shackled to Great Britain so that HMG carries the can when things go wrong (as they have done over the years in several territories). The attitude should be positive: these are places whose citizens are British but with many distinctive features, so that local democracy, rather than colonial rule from Whitehall is the guiding principle. However, there also needs to be recognition that, in ways analogous to local democracy in the UK, there needs to be acceptance of common standards in such areas as the rule of law, freedom under the law, freedom of information (subject to constraints affecting privacy of personal information) on matters of public policy, responsible fiscal and environmental management, and international obligations.

t) Support for UKOTCF-organised conferences has been the principal way in which HMG has been able to meet its commitment under the Environment Charters to "promote ...sharing of experience and expertise between ... other Overseas Territories and small island states and communities which face similar environmental problems." We note also that organisation by NGOs is generally considerably more cost-effective than organisation by a government body, due partly to the deployment of large amounts of unpaid voluntary effort. Accordingly, we recommend that HMG restore its financial support for UKOTCF-organised conservation conferences.

u) We recommend the opening of bodies such as the Heritage Lottery Fund and the Big Lottery Fund to applications supporting conservation and other works for the UKOTs and CDs.

v) UKOTs have advised us that they would like to see greater engagement and interaction between Britain and the UKOTs with regard to education, training, and scholarships, as well the development of exchange visits, joint teams, sharing of knowledge, skills and potential resources between Britain and the UKOTs. UKOTCF supports this, has been engaged in this sort of approach for some years, and is currently developing further a skilled volunteers programme, as resources allow, despite HMG's unwillingness so far to support it.

w) Local checks and balances need to be underwritten by a monitoring role by HMG. This should not be micromanaging, but checking that UKOTs are doing what is agreed periodically, especially in the areas of good governance and international commitments. HMG should be in a position of offering early help, if needed. This would be much less intrusive than having to intervene in a major way if failures become major.

- x) Other HMG departments need to build up close working relationships with the equivalent departments in UKOTs.
- y) Both HMG and the UKOT governments should be more ready to involve NGOs and other parts of civil society in support of good governance.
- z) We recommend that HMG engage with the European Commission to reduce the bureaucratic load on applying for, accessing and reporting on grants, especially small ones.
- aa) UKOTCF recommends that HMG give more support to NGOs and others attempting to access EU funding for UKOT conservation work.
- ab) We recommend that a greater level of creativity be adopted by DFID for environmental funding in the UKOTs, especially given the primacy of the UKOTs in DFID's responsibilities.
- ac) We recommend that HMG reviews its commitment to UKOTs in respect of EU matters and particularly its frequency and level of representation.
- ad) UKOTCF recommends that HMG either meet the needs of UKOTs as part of UK or else uses its leverage as a funding body to modify the rules of operation of the international bodies so as to include UKOTs as eligible. Crown Dependencies also are excluded from most funding sources.
- ae) We recommend that a specific output of the upcoming White Paper is the production and implementation of a communications strategy, with necessary funding, involving government in partnership with civil society, both in the metropolitan UK and in the UKOTs.

## **Detail**

### **Introductory**

1. This submission will concentrate on the environment and its intimate links to good governance. The future well-being of the territories will be bright if HMG recognises: the global significance of biodiversity in the UKOTs and its local economic importance; and that good environmental management demands the shared resources of many parts of governments and of civil society - in the UK and in the territories.

### **Question 1. Challenges**

- **What are the main challenges facing your Territory/the Territories?**

#### **A) UK Government institutional arrangements and approaches**

2. Currently HMG's "three practical policy goals" in respect of the UKOTs are:

- To strengthen the engagement and interaction between the United Kingdom and the Territories;
- To work with the Territories to strengthen good governance arrangements, public financial management and economic planning where this is necessary; and
- To improve the quality and range of support available to the Territories.

3. UKOTCF believes that it should be a source of pride for HMG that the UK is responsible for globally important biodiversity in the UKOTs, and should take pride in safeguarding this, in many cases, threatened wealth of wildlife. Likewise HMG should take pride in citizens of the UKOTs wishing to remain part of the United Kingdom and treat them and their locations accordingly. Whilst the latter may be covered in part by the aforementioned policy priorities, environmental issues are not and **we believe there should be specific reference in the new White Paper to environment and biodiversity conservation, given the general recognition of the global and local importance of the rich but vulnerable biodiversity of the UKOTs, and its relationships to the livelihoods and well-being of the UK citizens (and visitors) that reside in the UKOTs.**

4. We need not go into the detail here. Fundamentally (and reversing relative importances in most other ways), the UKOTs are of much greater global significance for biodiversity than is the metropolitan United Kingdom (GB&NI) or even the whole European Union, despite the UKOTs' small extents. This biodiversity has served to underpin sustainable livelihoods in these areas for many generations. Biodiversity provides also the potential for improving living standards. These natural assets need safeguarding and management, in order to preserve the attractions on which sustainable tourism can be based and to maintain the quality of life and culture of local communities.

5. HMG has committed itself, in various multilateral environmental agreements to conserve the biodiversity of UKOTs. As these are international agreements, the primary responsibility for making sure that these commitments are met in respect of specific territories lies with HMG, not the governments of the UKOTs themselves. In any case, for HMG to devolve these commitments would be impracticable, as the House of Commons Environmental Audit and Foreign Affairs committees have recognised. Biodiversity conservation is not just a responsibility. The ecosystem services they provide, already or potentially, underpin the economies of the UKOTs. The territories thus give the UK an opportunity to demonstrate a leading role in global conservation.

6. Despite fine words in the 1999 White Paper, in practice HMG has often treated UKOTs' environmental issues as a low priority. Indeed, in a recent consultation relating to HMG's developing strategy, DEFRA referred to the UKOTs as a "burden". In formal terms, FCO usually leads within government on policy concerning the Overseas Territories. However, responsibility for biodiversity matters is now largely devolved to DEFRA, which in turn devolves much responsibility to the Joint Nature Conservation Committee (JNCC). According to the FCO website, all government departments have a role in the UKOTs, but there is little evidence of effective coordination between them, including making sure that adequate staffing, training and budgetary resources are available. We sense that the territories are often treated as the source of unwelcome pressures and problems by civil servants whose departmental and ministerial priorities mean that dealing with the UKOTs is not seen as an attractive career move. In addition, the National Security Council has been established which, according to the DEFRA White Paper<sup>1</sup> of early 2011, takes the lead on issues relating to the UKOTs. **Clarification of the relationships between the HMG bodies with apparently overlapping responsibilities would be welcome.**

7. There is a group at officials level – the Overseas Territories Biodiversity Group – with representatives from FCO, DEFRA (which chairs) and DFID, with JNCC acting as secretariat. This meets "broadly quarterly" but has not met since February 2011. It does not include specifically relevant Departments such as Defence, Justice or DCMS. It does not make policy nor report to Ministers, and thus its purpose is obscure. The Ministerial-level equivalent appears to have ceased functioning. A case can, perhaps, be made for a different and more functional institutional structure. The UK Overseas Territories are not foreign and – as with other sub-national jurisdictions (the devolved administrations and the Crown Dependencies) – voters at these sub-national levels of government remain British citizens. Precisely because they are not foreign countries, the UK Overseas

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<sup>1</sup> DEFRA (2011) *The Natural Choice – Securing the Value of Nature*

Territories are rarely given the attention they deserve. That applies to their citizens as well as their biodiversity.

8. These three departments (DEFRA, DFID, FCO) did work together to produce a Biodiversity Strategy for the UK Overseas Territories.<sup>2</sup> While worthwhile as a memorandum of agreement between these three departments, it was not strategic, lacking proper objectives and an action plan. Ironically, one of the few specific objectives was to maintain the small grants programme (OTEP) at £1 million per annum. This resulted from a commitment in the 2001 Environment Charters (foreshadowed in the 1999 White Paper, and an earlier UKOTCF suggestion). However, we were advised late in the day this year that grants from OTEP were “suspended”, with the funds being instead deployed by HMG centrally, rather than in response to applications from those with experience of conservation needs and projects in the UKOTs. This was the second time that HMG had overlooked its 2001 commitment. Within one year of that commitment, FCO cancelled the then Environment Fund for Overseas Territories which had been named in the Charters. Intervention by UKOTCF and the UKOTs themselves resulted in FCO reinstating the fund, merging that with belated DFID funding promised in the White Paper, to form OTEP. With, from 2011, OTEP no longer accepting applications, for the first time in two decades, there is no HMG fund to which to apply for small grants for UKOT environmental work. This not only puts HMG in breach of the Environment Charters that it drafted and signed, but also of its 2009 commitment (confirmed by the present administration in 2010) to maintain and increase this fund, and to strive to fill the gap that, unlike within GB, there is no fund to provide for larger projects, such as for species recovery, which follow from the sort of pilots (previously) funded by OTEP. We therefore recommend **restoring OTEP as a small-projects fund to respond to applications for environmental work in the UKOTs, as committed by the Environment Charters, and instituting a separate, fund for larger – and often urgent – conservation needs**. It is worth noting that, for many globally significant biodiversity projects, such as the control or removal of invasive species from islands with no local resident population (*e.g.* the mice that threaten endangered seabirds on Gough Island; rats and reindeer on South Georgia) there simply is no local source of funding.

9. Despite good words in the Ministerial Foreword to HMG’s “UK Overseas Territories Biodiversity Strategy” about the necessity to involve civil society organisations in its implementation, none were invited to become involved in its drafting. Even the voluntary OTEP assessors (who have rather more experience both in running programmes and projects and in environmental matters in UKOTs) were not consulted (or even advised in advance that OTEP would no longer accept funding applications). This lack of consultation has become the norm in recent years. For many years previously (under both Conservative and Labour administrations, FCO (then the only HMG department closely involved) cooperated closely with UKOTCF and its member organisations. This included UKOTCF and FCO jointly chairing a twice yearly meeting of HMG departments, UKOT government representatives, and UKOTCF member organisations; this proved successful in pooling effort to drive forward conservation issues. The joint efforts also pulled more HMG governments and agencies into involvement. However, this involvement of more HMG bodies seems to have had an unfortunate side-effect of HMG bodies tending to exclude the NGOs from discussions. Co-operation (and therefore cost-effectiveness) has declined particularly in the past 6 years since FCO abolished its environmental posts. One would have expected HMG to want increased cooperation to compensate for the loss of its in-house capacity. However, it was, for example, FCO which unilaterally ended the twice-yearly meetings. UKOTCF had cooperated well over many years with FCO (and other HMG departments) and hopes to continue to do so. What matters is that consultation should be part of a natural working pattern, rather than just when governments feel the need to demonstrate that consultation has taken place. There is a tendency over issues with any degree of sensitivity for different government departments to get together to agree an official line before engaging with NGOs, who sometimes seem to be regarded as the enemy. That is not the best way to benefit from the different perspective which civil society generally can provide; and so help governments to avoid mistakes. Accordingly, **we recommend that the White Paper address the issue of profitable engagement with civil**

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<sup>2</sup> DEFRA (2009) *United Kingdom Overseas Territories Biodiversity Strategy*

**society and that, for example, FCO explore with UKOTCF reconvening the bi-annual joint meetings between HMG bodies and NGOs.**

10. Given the FCO's current oversight and lead on the proposed White Paper, we recommend that the White Paper **clarifies strategic level planning and budgeting across HMG departments and agencies with respect to the UKOTs**. Policy areas where the FCO has the lead include such fundamental issues as constitutional reform, and the appointment of governors and their staff. However, many areas can impact on UKOTs where the lead and the expertise lie elsewhere: offshore finance, regulation of onshore banking and insurance, international transport, international trade, climate change, defence, education in the UK, nationality, world heritage, disaster management. Here the crucial role of the FCO is a coordinating one, to make sure that the interests of the UKOTs are taken into account. That means making sure that other government departments are aware, for example, that international agreements may affect the UKOTs as well as GB & NI, both during the original negotiations and at subsequent conferences of the parties.

11. Of direct interest to the Forum are multilateral environmental agreements (MEAs). Here the lead or very significant interests can lie with other departments, often including the Treasury where funding or contingent liabilities are involved. Because of the rich biodiversity of the UKOTs, there is often much directly relevant experience in NGOs, both in the territories and in the UK. However, there is also a crucial issue of resources, human and financial, for good environmental governance in the territories. The territories are often small in population and remote. Many of the areas richest in biodiversity are islands that have no permanent resident population but where the threats to biodiversity stem from historic damage to the environment, often through invasive alien species: goats, rats – even reindeer in South Georgia – and several plant species. Support from Britain is essential and the **FCO thus has a dual role both in providing support and in making sure that appropriate support is provided by other government departments and by NGOs.**

12. There seems to be some confused thinking in current biodiversity strategic planning within DEFRA and JNCC. The UKOTs are mostly absent from the draft UK Biodiversity Strategy but are mentioned in parts; Scotland, Wales and Northern Ireland are treated as devolved governments but the devolved governments of the UKOTs receive completely different treatment. The Aichi Targets were derived and agreed (including by HMG) at the Convention on Biological Diversity (CBD) COP in Nagoya, Japan in 2010. When UKOTCF (with DEFRA's concurrence, and support from UKOTs and CDs) tried to be helpful and ran a seminar on key objectives for the UKOTs Biodiversity Strategy, we were advised by DEFRA officials that these Targets were too complex for strategic planning purposes. However, they now form the basis of the UK Biodiversity Strategy, produced under DEFRA auspices. We recommend that **HMG work with UKOTCF, its members and other NGOs, together with UKOT governments, towards a common view of biodiversity and other environmental targets. This will help pool resources and attract them from other funders, both charities and individuals.**

13. Whilst UKOTCF does value the increased involvement of JNCC in matters relating to the UKOTs since it began work in this area about five years ago, the Forum remains to be convinced that the additional funding provided to JNCC to meet additional responsibilities is good value for money. UKOTCF strongly promoted the additional funding for JNCC (and for the UKOTs in general), having reached an understanding with JNCC that this funding would be used in cooperation with UKOTCF and its many partners, not in competition with them. Sadly, the latter has proved to be the case, and the level of cooperation has declined along with the funds available for NGOs. JNCC (and DEFRA) often fail to understand that there are severe resource limitations within the UKOTs on environment matters, and also JNCC management (as it admits) fails to understand NGOs and how they work, and does not understand how to work in cooperation with them. This is to the detriment of nature conservation. NGOs, such as UKOTCF, can be a valuable asset. Given the limited resources available, it is in everyone's interests to achieve the maximum synergies in protecting the environment of the UKOTs and their rich biodiversity. As a specific example, there still appears to be little activity in operationalising the *UKOTs Biodiversity Strategy* and producing an action plan,

despite offers of assistance from the NGOs. **We recommend that JNCC, together with representatives of relevant departments, and representatives of the NGOs, is tasked with preparing such an action plan. This would not only progress a strategy lacking clear objectives and activities, but also generate wider and more collaborative working practices which should spread into other policy areas. We would wish to see the funding specifically allocated to JNCC, and indeed all parts of government, to be used most effectively for environmental protection and management in the UKOTs, but this would best be achieved in collaboration with the NGOs, not in isolation from them.**

**14. We would wish to see a strengthening of resolve on the part of the FCO (and other Departments) to ensure implementation, and certainly no weakening, of the commitments made under the 1999 White Paper, and reinforced by the FCO White Paper of 2006 *Active Diplomacy for a Changing World: The UK's International Priorities*.**

15. In constitutional terms, the Crown Dependencies are, of course, not Overseas Territories - some in the CDs point out that parts of GB were once overseas territories of theirs - but their governments and NGOs have chosen to work with UKOTCF. As small island territories, they share many social and environmental features with the Overseas Territories; and as sub-national jurisdictions (also like the devolved administrations) they depend for their engagement with important international agreements – the Convention on Biological Diversity the Ramsar Convention on Wetlands of International Importance and many more – on HMG and its departments. A biologist might conclude that the CDs and the UKOTs have undergone something like convergent evolution. It is rather odd that the two types of territory sit as somewhat anomalous and isolated sections within two different departments of HMG (the FCO – though UKOTs are not foreign; and Justice – though the CDs, like Scotland, have their own legal systems) . Furthermore, one UKOT – the Sovereign Base Areas on Cyprus – is managed by the Ministry of Defence.

16. Several UKOTs without resident human populations are managed by HMG (which appoints officials to be the government of that territory). In these cases, the argument which has sometimes been advanced by departments of HMG that environmental matters are the sole responsibility of the Overseas Territories' government is even odder.

17. We recommend **that HMG review the way it relates to the UKOTs and the CDs**, drawing on recent experience in the development of the devolved administrations in Scotland, Wales and Northern Ireland. This seems overdue.

## **B) Environmental Challenges**

### ***i) Tourism, Built Environment, Planning and Environmental Impact Assessments***

18. Biodiversity and ecosystem services can raise living standards, for instance through tourism – if this is conducted in an environmentally sustainable way. However, such natural assets can also easily be lost or degraded in the absence of skilled management which is also strong enough to fend off pressures from vested interests. Uncontrolled tourism can lead to: loss of fragile habitats and species, notably tropical dry forest and shrubland, mangroves and sea-grasses in the Caribbean for buildings, cruise-liner docks, marinas, golf-courses etc; terrestrial and coastal soil erosion; sand-mining in support of the construction industry for hotels, and marinas; increased raw sewage; oil, plastic and other non-biodegradable discharges by cruise ships and local fishing and diving vessels into coastal waters; removing coral as souvenirs; and depletion of freshwater resources needed by local communities and ecosystems. Tourism's biological accounts cannot afford to become overdrawn. Otherwise, not only tourism value but also other uses and the quality of life and culture of local communities, can be damaged.



19. The natural areas on which biodiversity depends are under threat from non-sustainable developments, which tend to benefit short-term interests of a few individuals and corporations, rather than the long-term interests of local communities and the environment. These threats tend to be greatest in the Caribbean UKOTs and Bermuda. Having protected areas is one way of maintaining areas specifically for biodiversity, for example in Cayman, the Central Mangrove Wetlands, Mastic Trail, and iguana restoration habitat.

20. The widespread, historic failure to consider fully the environmental impacts of economic development activities, which rely fundamentally on natural resources, has severely undermined the sustainability of human endeavours. Internationally, there is an increasing shift towards the integration of environmental considerations into high-level policy development, as the need to protect biodiversity and ecosystem services becomes more urgent and apparent. An underlying issue with all the UKOTs is capacity. Many of the Territories have small populations with a lack of appropriate expertise – especially the kind needed to prepare and deliver development plans. Since competent Development Plans, which also adequately address the potential sustainable economic benefits these areas may offer, are fundamentally important to the success of conservation and sustainable development, it would be useful to improve planning capacity across the UKOTs.

21. Whilst planning regulations in some UKOTs require environmental impact assessments (EIAs), others do not (or the regulations are not implemented effectively), and so developments take place without considering the damage or impact on the surrounding environment. On St Helena, the Land Planning & Development Control Ordinance (2008) makes provisions for EIAs to be undertaken (if deemed necessary by the Planning Officer) and included with any plans submitted for development permission. The public are given 28 days to view any documentation, including any EIAs that are produced, relating to any requests for development permission. However, in some other UKOTs, the system is, in practice, much more secretive. Deficiencies in planning processes can be greatly exacerbated if there are insufficient institutional constraints against the development of corrupt practices by some officials and elected politicians (as seen in recent years in the Turks and Caicos Islands). A robust Freedom of Information system and a complaints commissioner/ Ombudsman would help address the planning deficiencies across the UKOTs.

22. In Anguilla, local reports note that the exercise is often cosmetic in terms of the timing and decision-making and is not an open consultation with the public. It is commonplace for the development to proceed before EIAs are completed and reports reviewed. Without monitoring, developers have continued to “do their own thing.” Where EIAs are carried out, the government must be prepared to monitor and evaluate the practices of the developers otherwise they become meaningless.

23. Building, an extension to the runway and other actual and proposed developments within a section of the North, Middle and East Caicos Ramsar Wetland of International Importance in the Turks and Caicos Islands, are believed to have taken place without an open (or probably any) EIA. An invitation appeared in the Turks and Caicos Islands press for bids to construct a causeway between Joe Grant's Cay and East Caicos. Such a causeway would have to pass through the North, Middle and East Caicos Wetland of International Importance under the Ramsar Convention. However, no Environmental Impact Assessment (EIA) has been mentioned and no consultation took place. This potentially means that the Government of the United Kingdom is in breach of the terms of the Convention, which require: that the Secretariat is advised of expected impacts on the site; avoidance of these if possible; and that a comprehensive EIA is carried out before any construction work begins (with examination of alternatives, plan for minimising impacts and compensatory measures if the national interest requires the work to go ahead).

24. Whilst these examples are from just some UKOTs, there are local current concerns (which we have published) too about procedures in cases in Bermuda, the Cayman Islands and the British Virgin Islands. We are concerned that HMG has fulfilled neither an advisory role to the UKOTs nor its international commitments in some of these cases, even when the details have been reported to them.

We recommend **that UKOTs introduce (where lacking) and implement legal requirements for EIAs in planning matters and, in accordance with best international practice, make these easily available for reasonable time periods for examination and comment by local people and outside experts, and that, if development goes ahead, the implementation of conditions are monitored and publicly reported, infractions being prosecuted and publicised. We further recommend that HMG takes an active interest in monitoring and advising on such matters, as well as implementing adequately its own responsibilities under international agreements.**

## *ii) Invasive species*

25. Invasive species continue to represent a major environmental challenge, including (it has been argued) as the greatest threat to the biodiversity of island ecosystems. In addition, the substantial economic and human costs of managing invasive species and their impacts are increasingly clear. Difficulties in funding long-term programmes, particularly in support of measures such as biosecurity, which could vastly reduce long-term costs by preventing species introductions (and the need to manage the spread and impacts of invasive species, once they are established) remain a significant obstacle in the UKOTs. Mammal-induced declines of threatened endemics (*i.e.* species which do not occur anywhere else on earth) and seabird colonies continue, with four Critically Endangered endemics on Gough Island (Tristan da Cunha), St Helena and Montserrat directly threatened by invasive alien house mice *Mus musculus*, feral cats *Felis catus* and rats *Rattus spp.*

26. Control of invasive species presents an extraordinary problem for conservation managers and for island governments but there are few examples of island disaster plans dealing with this issue of biosecurity. The Forum suggests that this be incorporated into FCO/DEFRA guidance to UKOTs. Human-introduced invasive species have an inherent capacity to overwhelm naturally present local species, which have evolved in the absence of such threats. In some cases, single invasive species may overwhelm entire habitats or species complements, representing a whole scale loss of biodiversity. The Caicos pine *Pinus caribaea* variety *bahamensis*, the national tree of the Turks & Caicos Islands, has suffered over 90% mortality in just a few years since the accidental introduction of an invasive North American plant pest, the pine tortoise scale *Toumeylla parvicornis*. The concept that otherwise charismatic exotic creatures may constitute biological pollution can be highly problematic to communicate effectively to the public. This is one challenge faced by the National Biodiversity Action Plan for the Cayman Islands. The Plan, completed in 2009, includes action points aimed at the control of charismatic invasives, both in the marine environment (lionfish *Pterois volitans*) and the terrestrial environment (casuarina *Casuarina equisetifolia* and beach naupaka *Scaevola sericea*). Detailed habitat mapping established that *Casuarina equisetifolia* has established some 5,082 individual stands on Grand Cayman, covering an area of over 320 acres. The majority of occupied habitat is coastal, and together these invasives constitute a significant pressure on the native species associated with coastal shrubland and forest. In many cases, the problems of implementing conservation management actions are compounded by lack of understanding. Shifting baselines and lack of awareness amongst members of the public often result in well-intentioned efforts geared towards the preservation of “charismatic” invasive species, media backlash, or the proposal of unrealistic management scenarios. In the face of public outcry, effective conservation strategies may be severely hampered, cancelled, or simply delayed until remedial action is no longer tenable. Nevertheless, some interesting and ambitious projects are taking place across many of the UKOTs where invasives are a major threat to biodiversity.

27. The South Atlantic Invasive Species Project, funded by the European Union EDF 9, ran from 2006-9. The project, whose initial development was facilitated by UKOTCF, saw regional cooperation between five UK Overseas Territory governments (Ascension Island, St Helena, Tristan da Cunha, Falklands, and South Georgia & the South Sandwich Islands) and several NGOs including RSPB and other bodies, across the half a billion square miles of the South Atlantic. Early planning with local stakeholder workshops produced priority actions. Implementation of activities was guided by the input of local steering groups, conservation organisations and advisory bodies in the UK.

Additionally, a worldwide e-network was established for exchange of ideas, information and advice. Representatives of this wider group and partner organisations constitute a regional steering group which consider invasive species which have a common theme across the region. On both Ascension and St Helena Islands, significant gaps in quantitative baseline data were highlighted as detrimental to the planning of invasive alien species management. To begin to address this, botanical surveys of both islands were completed in 2008, with support from Royal Botanic Gardens Kew. The outputs from this considerable dataset are now informing decisions on island in the management of invasives and beyond. Major work remains to be resourced and undertaken. One start is provided by the South Georgia Heritage Trust Habitat Restoration Project (funded largely from non-governmental sources). This aims to remove rats from the entire island of South Georgia with a view to restoring the island to its earlier status as one of the most important seabird islands in the world. The restoration is due to take place in two phases. The first (trial) phase took place in February-March 2011, and will be followed by monitoring to ensure the complete eradication of rats, assess the effects of bait on non-target species and assist in the optimisation of logistics and operational procedures for the remainder of the project in the challenging conditions of South Georgia.

28. The Caicos Pine Recovery Project aims to safeguard the future of the Caicos pine *Pinus caribaea* variety *bahamensis*. The Recovery Project, managed by the Turks & Caicos Department of Environment & Coastal Resources, in collaboration with the Royal Botanic Gardens at Kew, and funded primarily by the Turks & Caicos Islands Conservation Fund, aims to create an *ex-situ* conservation population of Caicos pines while documenting the extent of the damage to wild populations. The project aims also to establish an international working group, investigate the historic extent of pine-yard habitat and its fire-dynamics, and identify potential reintroduction areas.

**29. Whilst welcoming the one-off contributions by HMG to the eradication of invasive species on Ascension Island and, a decade later, Henderson Island, UKOTCF recommends that substantial, regular funding be made available to meet this aspect of HMG's global responsibilities for biodiversity conservation, and that HMG support also work in the UKOTs on prevention of arrival of invasive species.**

### *iii) Freshwater*

30. Responsible use and management of water is essential, for both people and wildlife, on many islands where this valuable resource is limited. Agricultural use and supplies to households can have an impact on habitats which support biodiversity. Environmental mismanagement can lead to loss of water retention capacity and, in certain Caribbean UKOTs, the natural ground freshwater lens has been damaged in many places by inappropriate built development. In other areas, development of cruise port facilities without adequate environmental planning and assessment has more than doubled the demand for freshwater, indirectly causing major environmental damage. Septic tanks are widely used where sewage treatment works are not in place, leading to another potential pollution source.

31. On St Helena, a Water Catchment Management Study informed the programme for invasive plants removal on the Central Peaks. Natural vegetation provides a better water reservoir than invasive species, but the restoration needs to be managed. A more phased approach to clearing the flax is occurring so that there is maximum opportunity for interception of water resources from this (water important) area of the plant community on the Peaks. The Drip Irrigation Project provided for the establishment of infrastructure that allows for a more efficient use of water resources for both agricultural and horticultural uses than overhead irrigation practices. Both full-time and part-time farmers are practising drip irrigation methods across the island for particular arable purposes.

32. A key aspect of this topic (as of others) is education. Amongst several other environmental education projects, UKOTCF is working, at the request of the Turks & Caicos Education Department, in consultation with local teachers, to produce a curriculum framework and course materials for upper primary and lower secondary schools on all aspects of water in this arid territory: "Wonderful Water".

Under the Environment Charters, UKOT governments undertake to “encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment” and “promote publications that spread public awareness of the special features of the environment in each of the Territories; promote within the Territory the guiding principles set out above.” **We recommend that HMG fulfil its commitment under the Environment Charters to support work in UKOTs on environmental education and awareness, and such activities as rainwater harvesting.**

33. The issue of water and its management provides also an example of a contrast between the funding opportunities available to the UKOTs (classified by the EU as Overseas Countries and Territories, OCTs), as compared to those available to EU Outermost Regions (ORs, including some overseas entities of France, as well as those of Spain and Portugal). Considerable sums are available to ORs for wastewater treatment and other environmental services from EU cohesion funds, some €105 million for 2005-2013 but which are not available to UKOTs. **FCO should consider working with DFID to (a) assess such needs within the UKOTs and (b) put considerably more effort into undertaking negotiations within the EU on changing the funding rules in favour of the UKOTs.**

#### *iv) Marine*

34. By-catch or the indiscriminate catch of non-target species in fisheries remains one of the most critical marine conservation issues, threatening biodiversity and the delicate ecological balance of oceans. In the Caribbean region alone, tens of thousands of marine turtles are estimated to be accidentally killed each year by long-line fishing operations.

35. Enforcement of marine protected areas (MPAs) is a huge issue in the UKOTs. As many of them are remote, there are chances that large fishing vessels are able to fish in areas that should be protected, both for biodiversity conservation and for sustainable use. Whilst excellent management is in place in the waters of the Falkland Islands and South Georgia, patrol vessels are lacking at Ascension and St Helena. At Tristan da Cunha, inadequate harbour facilities mean that a vessel large enough to patrol all the waters cannot be used (and this also limits the potential for sustainable tourism)

36. Dredging to create thoroughfares for cruise ships and fishing boats, as well as to mine sand for construction projects, can disturb and destroy coral reefs with their great biodiversity. In the Cayman Islands and Turks & Caicos Islands, dredging has become common, in some cases with no environmental impact assessment, as appears to be the case in TCI (and even while run by HMG).

37. Sadly, March 2011 saw a major pollution disaster in one territory, when the Greek-owned bulk carrier *MS Oliva* (carrying soy-beans from Brazil to Singapore) was wrecked after hitting, in clear daylight, the well-charted rocks of Nightingale, an uninhabited island of the Tristan Group. The immediate impact was to cause the closure of the crayfish fishery on which Tristan's economy depends. Pollution from fuel oil killed thousands of seabirds, despite the efforts of the islanders and a bird rescue team from South Africa. Surprisingly, HMG has still said nothing about the causes of the accident (not even mentioning the name of the captain), has not reported on the damage to nearby Inaccessible Island (part of one of the world's most important natural World Heritage sites for seabirds and endemic biodiversity) or reported a change in ecological character to the Ramsar Secretariat; or on how it will use this disaster in discussions with the International Marine Organization (IMO, one of the few UN agencies with its headquarters in London) and others to improve the environmental protection of remote islands. Furthermore, despite efforts to obtain information on the crisis management plan for this, or similar, events from UK government sources, UKOTCF failed to obtain any such information, or indeed that such existed. UKOTCF was surprised at the lack of intervention by the Royal Navy or involvement by the Ministry of Defence or National Security Council. **UKOTCF would wish to see specific recommendations relating to the establishment of crisis management plans by HMG and related cross-departmental teams.**

38. Terrestrial-sourced pollution may also impact marine and coastal areas (see the example from Jersey in section (v) below).

#### *v) Pollution and Waste Management*

39. Many UKOTs do not have sustainable waste management policies or procedures. Recycling is limited by lack of facilities. Septic tanks are widely used where sewage treatment works are not in place. Many islands use incinerators to burn waste or bury it in landfills; neither are good solutions and sometimes pose direct threats to health and local habitats. Given their size, remoteness from the UK and the dis-economies of small-scale treatment and recycling plants, this is an area where best UK practice will seldom be applicable to the territories, especially as many have distinctive constraints to consider. However, more can be done here (as on other topics) to meet the UK's commitment under the Environment Charters to “Promote better cooperation and the sharing of experience and expertise between [each territory], other Overseas Territories and small island states and communities which face similar environmental problems.” **We recommend that, on many environmental issues, departments like DFID and DEFRA deploy in support of UKOTs their own technical and social expertise, as well as national and international links to companies and civil society organizations which will be quite unaware of needs in the UKOTs unless someone takes the initiative.**

40. Jersey's first Wetland of International Importance designated under the Ramsar Convention is threatened due to pollution associated with a proposed new waste incinerator. In March 2010, the States [Government] of Jersey established a management authority for Jersey's four Ramsar Sites. This follows a scrutiny panel finding that the incinerator's impact had not been assessed fully by the States. Jersey's authorities have applied for water discharge permits for contaminated and cooling water, the latter 12°C above sea temperature, equivalent to 24 Olympic swimming pools being emptied into the Ramsar Site every day. Local sources comment that, under Article 3.2 of the Convention, the Secretariat should be given prior notice by HMG of such impacts on a Ramsar Site, but that this has not happened.

41. The *Turks and Caicos Islands Journal* and *Turks and Caicos Weekly News* have reported major problems with waste management and health problems caused by the dump on Providenciales.

42. On St Helena there is an informal workable arrangement with the *RMS St Helena* to manage disposal of waste oil generated on the Island.

#### *vi) Climate Change and Natural Disasters*

43. Climate change is one of the six main direct drivers of biodiversity loss identified in the *Millennium Ecosystem Assessment (MA)*<sup>3</sup>. The international scientific consensus is that the changes observed are extremely likely to have been, and continue to be, driven by human activities. Three top-level responses are needed: mitigation of climate change to minimise man-made impacts on the natural environment; adaptive conservation management to enhance the functional resilience of current and future ecosystems; and planning to cope with changes to ecosystems when major changes are unavoidable.

44. South Georgia is dominated by huge glaciers, ice caps and snowfields, which cover about 75% of the island in the austral summer. In winter, the island is entirely covered in snow. Of the 25% of the island that is free of permanent ice, only 8% is vegetated. Nonetheless, the island supports important biodiversity, including 30 million pairs of seabirds. Three key climate change threats have been

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<sup>3</sup> <http://www.maweb.org/en/index.aspx>

identified: glacial retreat, increased vulnerability to alien species invasions (in part, linked to glacial retreat) and oceanographic changes. The mainland is effectively subdivided into smaller “mainland islands” by glaciers. As well as providing South Georgia with much of its natural character, these act as barriers to species dispersal, protecting the south coast against the spread of introduced invasive species (reindeer *Rangifer tarandus*, Norway rats *Rattus norvegicus* and house mice *Mus musculus*) present elsewhere on the island. However, glaciers are retreating at an increasing rate, potentially exposing new sites to species invasions. In combination with increasing temperatures that may independently render new sites favourable for alien species, this substantially increases the threat. South Georgia has recently been identified as the most vulnerable island in the sub-Antarctic to alien species invasion. In this context, biosecurity measures become increasingly important, and are being addressed at a number of levels. The precise effects of global warming on oceanographic processes are difficult to predict. However, sea temperatures, the presence or absence of sea ice, and ocean current dynamics can be linked (for example) to the abundance of krill, which has the potential to impact substantially on South Georgia penguin populations. It seems likely that, with globally increasing temperatures, important food chains could be disrupted.

45. The Crown Dependencies should also be considered with the UKOTs in this context. Guernsey provides an excellent example of the impact of climate change on a small island community. Comprehensive meteorological records, kept in Guernsey for more than 150 years, show that recent years have been the hottest in the entire instrumental record. Whilst the mean daily air temperature over the past 16 years has been, on average, 0.9°C hotter than a 30 year mean of the years 1961-1990, the maximum daily temperature has increased by twice that amount, or 1.8°C higher than the 30-year mean (1961-1990), and summers are becoming considerably drier. The changes in temperature are having a significant impact on wildlife, terrestrial and marine. One of the most eye-catching changes is that spring flowers are now blooming much earlier. Some daffodil cultivars, which used to be exported and sold on the London market in time for Easter, are now in blossom in the island before Christmas. On average, spring flowering wild plants are blossoming some three weeks earlier than they did only 21 years ago. Changes caused by warming temperatures have been recorded in migrating and nesting birds, in the leafing of trees, the flight time of moths and insects, in over-wintering birds and insects, and in the movements of fish, plankton and intertidal species that live along the shoreline.

46. In the Cayman Islands, as elsewhere, there is an increasing awareness of the threats posed by climate change. Storms (hurricanes) have been of greatest concern, requiring property and beach protection to be enhanced through the application of expert judgement and experience. This is of particular concern in the Cayman Islands, where 80-90% of the population live on or near the coast, alongside critical infrastructure. Measures previously taken for coastal defence are now questioned (including the placement of seawalls and the design of breakwaters). Alternative coastal protection measures are being implemented, such as mangrove restoration, but (initially) on a rather experimental basis. It is yet to be determined how successful these attempts will be, in terms of mangrove survival and development, and selection of appropriate sites. This is especially so as other proposed developments would destroy some natural mangrove areas.

47. Climate change is one of several areas in which the needs of UKOTs do not coincide exactly with those of Great Britain. Accordingly, **we recommend that HMG involves representatives of UKOTs in international discussions on MEAs and other aspects. We recommend also that the Department of Energy and Climate Change engage with the UKOTs.**

48. Hurricanes and cyclones can have major impacts across many UKOTs. Some are subject to volcanic eruptions also. The effects of these can interact with those of human actions. The incidence of powerful storms is increasing long-term in relation to climate change (which itself is now generally accepted to be at least partly due to human action). However, other interactions are very important. Damage by human activity to mangrove areas, reefs and other natural coastal features can hugely increase the damage caused by storms. The loss and fragmentation of natural habitats, by reducing the areas of these especially on small islands, can remove alternative places where species can survive in

the event that other parts of their habitats are destroyed by volcanic actions, storms or other agents. These reasons reinforce even further the recommendation on requirements for, and openness of, EIAs, in section (i) above.

## **Question 2. Cooperation with the UK**

- **What are the most important areas of cooperation between your Territory/the Territories and the UK?**
- **In what areas would you like to see greater engagement and interaction between the UK and your Territory/the Territories?**
- **How can the UK and your Territory/the Territories strengthen cooperation and build more effective partnerships?**

49. As we have noted in Section 1 (above), the UKOTs need specialist advice on a range of matters. Accordingly, **we welcome the overall message from HMG that all HMG departments will now be expected to support UKOTs in the areas of their expertise. This will be a process that needs managing, and we call upon HMG to resource it adequately. UKOTCF, its member organizations and others parts of civil society have long experience in this area and could support this cost-effectively, given modest support by HMG. In this context especially, we have endeavoured to maintain good working relationships with relevant departments, including FCO, DFID and DEFRA, but have found this increasingly difficult as HMG has more and more decreased its engagement with UKOTCF and other NGOs over the past five years. Engagement has now declined from a previously strong and effective level to a very weak and *ad hoc* process, and virtually always generated by those outside government. We wish to have really effective and meaningful engagement with government departments and call upon HMG to revert to its previous positive attitude and liaison practices.**

50. We are aware that some consultees have called for representation in UK Parliament (and the European Parliament) for the UKOTs (and CDs), as is the case for overseas territories of other European states. UKOTCF can see potential value in this but also problems and has not taken a position in this regard. However, it considers strongly that **the attitude taken by HMG's ministers and officials towards UKOTs needs to be based on recognition of the reality that they are not quasi-foreign countries, embarrassingly shackled to Great Britain so that HMG carries the can when things go wrong (as they have done over the years in several territories). The attitude should be positive: these are places whose citizens are British but with many distinctive features, so that local democracy, rather than colonial rule from Whitehall, is the guiding principle. However, there also needs to be recognition that, in ways analogous to local democracy in the UK, there needs to be acceptance of common standards in such areas as the rule of law, freedom under the law, freedom of information (subject to constraints affecting privacy of personal information) on matters of public policy, responsible fiscal and environmental management, and international obligations.**

51. Cooperative relationships within shared values between HMG and the governments of the UKOTs and CDs need to be complemented by similar relationships with civil society. UKOTCF partner organizations have identified two ways that have been helpful in the past and can be again. One is to restore regular meetings in London, jointly convened and chaired by HMG and UKOTCF, on conservation/ environmental matters, between civil society, the UK representatives of governments of the UKOTs and officials from UK government departments and agencies. Another would be to re-instate the practice of UKOTCF organizing every three years – usually in an overseas territory or Crown Dependency – a week-long conference for conservation practitioners in the UKOTs and others. These were supported by FCO and/or DFID. However, these departments advised UKOTCF in 2011 that they would no longer support such conferences, despite practitioners from UKOT governments and NGOs pointing out the high value of these to enable conservation work – and a senior official in one territory pointing out that, until UKOTCF started these, there had been no

encouragement or help from anyone for opposite numbers in different UKOTs to communicate. Indeed, support for such conferences has been the principal way in which HMG has been able to meet its commitment under the Environment Charters to “promote ...sharing of experience and expertise between .. other Overseas Territories and small island states and communities which face similar environmental problems.” We note also that organisation by NGOs is generally considerably more cost-effective than organisation by a government body, due partly to the deployment of large amounts of unpaid voluntary effort. Accordingly, we **recommend that HMG restore its financial support for UKOTCF-organised conservation conferences.**

52. We referred earlier to HMG withdrawing support in late 2011 for small projects within OTEP. Over the years, this fund and its predecessors have brought together many partners, drawn in other resources and allowed the deployment of expert assistance from within territories, Britain and elsewhere, allowing important conservation work to happen. As we note above in Section 1, HMG should both restore OTEP as a small-projects fund to respond to applications for environmental work in the UKOTs as committed by the Environment Charters (and the *UKOTs Biodiversity Strategy*), and institute a larger fund for larger conservation needs.

53. A major source of funding for conservation work within Britain over recent decades has been the National Lottery Funds. Our initial enquiries about opening these to support conservation in the UKOTs were met initially with a failure to understand what UKOTs are, followed by a statement, later withdrawn, that funds could not legally be deployed there. All that seems to be needed are policy decisions by HMG and the Lottery governing bodies. We welcome the recent positive comments in this direction from FCO ministers, but even they seem to be receiving advice that this is a more involved process than it really is. We recommend the **opening of bodies such as the Heritage Lottery Fund and the Big Lottery Fund to applications supporting conservation and other works in the UKOTs and CDs.**

54. UKOTs have advised us that they would like to see **greater engagement and interaction between Britain and the UKOTs with regard to education, training, and scholarships, as well as the development of exchange visits, joint teams, sharing of knowledge, skills and potential resources between Britain and the UKOTs. UKOTCF supports this, has been engaged in this sort of approach for some years, and is currently developing further a skilled volunteers programme, as resources allow, despite HMG's unwillingness so far to support it.**

55. We recommend that HMG further extend the work started by UKOTCF some years ago to engage UKOT representatives in international conservation initiatives. This could involve implementation of international commitments to support local conservation, and involvement at international meetings, especially in relation to multilateral environmental agreements (with financial assistance to participate).

### **Question 3. Governance, financial management and economic planning**

- **How do you assess the quality of good governance, public financial management and economic planning in your Territory/the Territories?**
- **What are the priorities for improvement?**
- **How can the UK best work with your Territory/the Territories to strengthen these areas?**

56. There is much variation between territories. An important task for FCO and other departments is to work with the UKOTs to make sure that there are local structural checks and balances to support good governance – and that these work effectively, with adequate resources. UKOTs have some similarities to small towns or villages: all the political players know each other and many are inter-related by family or business relationships. This can mean undue personal influence and vested private interests in such areas of life as access to information, planning permission and the operation



of an independent judicial system.

57. In part, the position of the Governor – whose role is very different from that of an Ambassador – provides a constitutional guarantee of the UK's ability to intervene when that is necessary to ensure good governance. Nevertheless – as has been seen in the current example of the Turks and Caicos Islands – needing to invoke the constitutional authority of the governor to intervene is likely to be a sign that things have gone badly wrong at much earlier stages. It is not for the UKOTCF to offer views here on any specific territory. But in such areas as freedom of information, access to an Ombudsman (or comparable independent authorities guards against maladministration) and provision for independent review of major planning and financial decisions, it is far better for the citizens of the Overseas Territories that there are appropriate structures in place to enable them to hold elected and unelected officials to account. To rely too far on governors – who are, after all, generally “birds of passage” – to guarantee good governance of the Overseas Territories is unrealistic, especially as they need the support of key officials in FCO, which is known to have been wanting on some occasions in the past. Governors should be seen primarily as helping FCO to ensure that the interests of the territories are appreciated throughout HMG and civil society in the UK; and to protect the territories' interests internationally. Good governance should generally be assured for the citizens of the Overseas Territories through local democratic institutions working within adequate local checks and balances.

58. This needs to be **underwritten by a monitoring role by HMG. This should not be micromanaging, but checking that UKOTs are doing what is agreed periodically, especially in the areas of good governance and international commitments. HMG should be in a position of offering early help, if needed. This would be much less intrusive than having to intervene in a major way if failures become major.** Sadly, the pattern of neglect, followed by a need for major interventions, has been too frequent in the past.

59. As has been apparent in recent major interventions, FCO is (unsurprisingly) not well skilled across the range of governmental tasks necessary to run a country, and has to resort to contracting in advisers who themselves tend to know little about UKOTs in general or the one that they are trying to assist in particular. This can exacerbate an already difficult situation. One way in which HMG as a whole could better organize resources, with the FCO taking a leading role, would be for **other HMG departments to build up close working relationships with the equivalent departments in UKOTs.** This could involve also encouraging secondments between UK (and possibly Crown Dependencies) departments and the governments of Overseas Territories (especially, but not only, Governors' offices). That would give territories the benefit of wider Whitehall expertise than just that developed in the FCO and, over time, it might help to build up a greater appreciation in other Whitehall departments of the distinctive features of life for fellow British citizens in the Overseas Territories.

**60. Both HMG and the UKOT governments should be more ready to involve NGOs and other parts of civil society in support of good governance.**

#### **Question 4. External support**

- **What do you think of the quality and range of external support (i.e. support other than from the UK) available to your Territory/the Territories, including from regional bodies, the Commonwealth, and the European Union?**
- **What can the UK best do to help Territories access external support?**

61. At the request of FCO, over the past decade or more, UKOTCF has helped UKOTs investigate (on a voluntary basis) the possibility of funding projects from European Union sources. This has resulted in some successful funding. However, all stages, from application, through operation, to reporting, have carried disproportionate administrative and bureaucratic loads, which place heavy burdens on the small NGOs and small UKOT government bodies which are often the bodies with most success in

delivering conservation projects. This seems to be because the European Commission is both excessively bureaucratic and does not scale its procedures to the size of projects, so that a small conservation project is burdened with the same procedures as a grant many orders of magnitude larger. As a consequence, the NGOs may end up subsidizing the Commission and a high proportion of expenditure intended for conservation (or other worthy cause) has to be spent on bureaucracy. We recommend **that HMG engage with the European Commission to reduce the bureaucratic load on applying for, accessing and reporting on grants, especially small ones.**

62. After much encouragement, in 2011 the European Union introduced a programme, called BEST, to grant-aid conservation work in the Overseas Entities of EU member states. Out of 41 applications, 8 were awarded. The coordinators of two were international bodies based in Germany and Switzerland, with no or little direct experience of Overseas Territories, and all other 6 funded projects were coordinated in France or its territories. None of the 19 applications coordinated in UK, Spain, the Netherlands, Portugal, Denmark or their territories were successful. On the other hand, an EU-supported project (Net-Biome) on coordinating and sponsoring biodiversity research in tropical and semi-tropical overseas territories was very strongly funded in 2011 by France, with good support too from the national or regional governments of Spain and Portugal. UKOTCF led UK's involvement in the project (because, at its start, no HMG body was available to do so) but could not persuade HMG to make even a nominal contribution to the funding. As a consequence, UKOT- and British-based researchers could not access this funding (although UKOTCF was able to negotiate some participation by these in collaboration in projects led by others). UKOTCF recommends that **HMG give more support to NGOs and others attempting to access EU funding for UKOT conservation work.**

63. On funding in general, we would emphasise the disadvantage of the UKOTs in accessing funding for environmental projects. We have noted above the problems associated with EU-funded projects in respect of both BEST and Net-Biome, and also earlier with respect to the Cohesion Funds. We would note also the disparity in availability of INTERREG funds with some specific biodiversity-related projects funded to a substantial amount in certain Spanish, French and Portuguese overseas entities, which are Outermost Regions, but this funding is unavailable to the UKOTs (and other OCTs). We note that BEST is funded from EDF funds intended for poverty alleviation, and promoted largely by France, even though it has access to other EU funds. **We recommend that this level of creativity be adopted by DFID for environmental funding in the UKOTs, especially given the primacy of the UKOTs in DFID's responsibilities.** The difference in relative visibility between French representation and others, including specifically the UK, at meetings in the EU is particularly noteworthy, and may go some way to explaining the differentials in allocated funds in, for example, the BEST Programme. Not only is there better representation, but it is often at a higher level. We have heard representatives of the European Commission state that they cannot send high level officials (and certainly not Directors General or Commissioners) to discuss matters relating to the Overseas Countries and Territories unless there is concomitant level representation from the member states. **We recommend that HMG reviews its commitment to UKOTs in respect of EU matters and particularly its frequency and level of representation.**

64. Although HMG is a major contributor to international funding bodies, these generally exclude UKOTs from applying for funds. This is because UKOTs are classified as part of UK, and it is assumed that HMG will fund their needs. **UKOTCF recommends that HMG either meet these needs of UKOTs as part of UK or else uses its leverage as a funding body to modify the rules of operation of the international bodies so as to include UKOTs as eligible. Crown Dependencies also are excluded from most funding sources.**

## **Question 5. Cooperation between Territories**

- **What potential do you see for increased cooperation and partnership between Territories?**
- **In which areas does your Territory/the Territories provide support to other**

## **Territories? How might this be expanded?**

65. Cooperation and partnership between territories are of major importance towards the development of conservation. This brings improved communications, openness, awareness and knowledge with all aspects of conservation.

66. For well over 20 years, a main activity of UKOTCF has been to increase cooperation and partnership between territories, in much of this period with the support of HMG. Particularly effective ways (as judged by the UKOTs themselves amongst others) were the UKOTCF-organised conferences every 3 years, which were financially supported by HMG until 2009, with a decision in 2011 to discontinue support. As noted earlier, reinstatement of HMG funding would be a widely welcomed and cost-effective way forward.

67. Another effective area of co-operation has been by joint project or projects which cross several or all territories, funded by OTEP or its predecessors. As noted earlier, UK discontinued these in 2011, and reinstatement would also help in this area.

68. For over 15 years, UKOTCF has run regional working groups, as a means for conservation workers in UKOTs and CDs to identify between themselves and with supporting partners in Britain and elsewhere ways in which effort could be pooled to meet their needs. As technology has improved, these have become even more participatory, with the free “Skype” communications supplementing physical meetings in real time. Conservation workers in UKOTs and CDs report that they find these helpful and continue to participate. Unfortunately, for the past few years, HMG officials have been too pressed to do so. This seems to be a missed opportunity of keeping abreast of recent events and challenges and informing their work, as well as receiving their input and reactions.

## **Question 6. Global profile of the Territories**

### **How does your Territory/the Territories promote its successes?**

- **What more could be done to raise Territories’ profile internationally?**
- **How can the UK best support this?**

69. Several UKOT conservation bodies produce newsletters and most have web-sites reporting these. Pick-up by local print and broadcast media is generally also good. UKOTCF reports much of this work in its newsletter, on its websites, at conferences and through other means. Its web-site and online database are one of the first points of call for enquiries on conservation in the UKOTs/CDs, and it includes links to partner bodies in the UKOTs/CDs, in HMG and elsewhere. HMG previously provided modest support (to which UKOTCF added a contribution) to report OTEP projects, but this was discontinued in 2010 when the incoming government stopped all use by government of non-governmental web-sites (even when they were joint and more cost-effective than in-house alternatives). With modest support from HMG, UKOT profiles and the unique importance of this part of UK’s heritage could be raised further, including the many success stories.

70. It would be relatively easy for HMG to make more of the biodiversity of UKOTs, at no cost. As far as environmental issues are concerned, FCO has sensibly retained a key role in climate change but now takes a far less direct interest in the loss of global diversity and environmental degradation, especially of the marine environment, with the single exception of polar regions (because of the UK’s territorial stake in Antarctica and in the Antarctic Treaty system). It could do more itself, as well as encourage other HMG departments to be more aware of, and positive about, the UKOTs and the CDs. It was notable that, at the CBD Conference of the Parties in Japan in late 2010, the DEFRA Secretary of State announced £200,000 funding by HMG for an initiative to save the endangered Henderson petrel in the Pacific. This was a perfect opportunity to champion UKOTs and HMG’s support for their biodiversity. Unfortunately, despite prior encouragement to her officials, she did not mention that the work was being done in a UKOT, the Pitcairn Group. Rather than reflecting a pride in them, we

suspect this reflects a deep-seated instinct in many UK politicians and officials to shy away from any mention in international contexts of UK Overseas Territories. The feeling seems to be: “It’s embarrassing that we have them; it opens us to criticism from *e.g.* South Americans in respect of the Falkland Islands; and when we respond to crises like those in the Turks and Caicos Islands we are accused of being colonial.” One reason why this White Paper is so much to be welcomed is that it provides an opportunity to put the relationship with the Overseas Territories on a more honest footing.

71. It is clear from the foregoing and references in strategies, plans and programmes that there is a high degree of ignorance and /or misunderstanding regarding the status of the UKOTs and their inhabitants, whether human or in the natural environment. There is a need for a major education and awareness programme at all levels – within and across departments, in both the UK and European Parliaments, and for the general public – of the status and importance for biodiversity of the UKOTs. **We recommend that a specific output of the upcoming White Paper is the production and implementation of a communications strategy, with necessary funding, involving government in partnership with civil society, both in the metropolitan UK and in the UKOTs.**