



**Environmental conservation and UK
Government's June 2012 White Paper
*The Overseas Territories: Security, Success
and Sustainability* (Cm 8374)**

**Proceedings of a workshop on 2nd October 2012 at
Gibraltar House, the Strand, London, organised by the
UK Overseas Territories Conservation Forum**

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CONTEXT AND BACKGROUND

This workshop arose from concerns that the UK Overseas Territories Conservation Forum network believes exist with the environmental aspects of UK Government's White Paper *The Overseas Territories: Security, Success and Sustainability* (Cm 8374). FCO's then Director of Overseas Territories had forewarned UKOTCF's Chairman that UKOTCF and other environmental conservationists would be pleased that there would be a chapter dedicated to the environment but would not like some of the contents of the White Paper.

Following the publication of the White Paper, UKOTCF put considerable effort into analysing the White Paper and produced a review (Annex 2). This was widely circulated and made available on UKOTCF's web-site (as was a link to the White Paper itself).

UKOTCF remained keen to engage with UK Government, and to discuss the filling of gaps left by the White Paper, and re-develop complementary working. As part of this exercise, this workshop was organised.

This workshop follows on from workshops organised by UKOTCF in 2010 and 2011 on biodiversity strategies, trying to complement the UK Government biodiversity 'strategy' for UKOTs – which was really a Memorandum of Understanding (MoU) between UK ministries, rather than a strategy – and attempting to relate this to other commitments, such as the Environment Charters and the Aichi Targets. The reports of these workshops are available in *Forum News* 37 (www.ukotcf.org/pdf/fNews/37.pdf) and at www.ukotcf.org/pdf/fNews/BiodivWorkshop1106.pdf, respectively.

UK Government representatives participated in those workshops. Its agency, JNCC, initially agreed to participate in this workshop with a presentation and discussion, and both FCO and DEFRA led UKOTCF to believe that they would do so also. However, a few days before the workshop, the then FCO Director of Overseas Territories wrote to indicate that FCO and DEFRA would not participate. In the circumstances, JNCC's Chief Executive felt that JNCC had to withdraw also. UKOTCF was pleased that another UK Government department continued to participate, as did a range of other bodies.

UKOTCF regrets that the government bodies with responsibility on this subject chose not to engage in constructive discussions, especially as they have worked with UKOTCF's voluntary efforts in these areas for some 20 years. To try to ensure that some of their views were represented, UKOTCF included in the programme statements sent by FCO and collated information previously supplied by other UK Government departments and agencies.

Prior to the workshop, UKOTCF had supplied participants with a link to the White Paper and copies of two analyses by UKOTCF (Appendices 1 and 2). These were also tabled at the workshop.

The intention was that two series of presentations would be given (at the starts of the morning and of the afternoon) to help stimulate structured discussions in the following sessions. The proceedings take the presentations and discussions in order. The presentations are given either as text documents or visual presentations (or as a combination) depending on how these were supplied by authors. In one case, some of the material supplied in the discussion, from St Helena, is included at the end of the second discussion session. (St Helena personnel wished to participate in the workshop remotely. However, Cable & Wireless have a monopoly of communications there; their cost structure made the link prohibitively expensive.)

UKOTCF is grateful to HM Government of Gibraltar for making available its board room at Gibraltar House, on the Strand, London.

SUMMARY OF PROCEEDINGS

1a. Welcome and Opening Statement

The Chairman of the UKOTCF, Dr Chris Tydeman, opened the proceedings with a welcome to all participants. He then went on to discuss the reasons for the absence of HMG officials from the FCO, DEFRA and JNCC, all of whom had initially indicated that they were planning to attend and participate.

He noted a sense of concern expressed by Francis Maude, Cabinet Office Minister, that in some cases, officials were not carrying out Ministers' policies. He cited, as a relevant case to the Overseas Territories, the fact that Ministers have expressed a desire for the National Lottery to be available to the UKOTs, and yet no direction to that effect seems to have been made to Lottery officials.

He then went on to review the history of the Forum's relationship with the FCO, formerly an excellent and productive working relationship, and the course of a seeming decline in recent years. He detailed with regret a recent meeting and officials' dislike of the Forum's reaction to the 2012 White Paper, culminating in the three departments' decision not to attend the workshop.

Dr Tydeman's remarks are more fully laid out in Topic 1a, page 21.

1b. Review of the Forum's Concerns and Recommendations

Dr Mike Pienkowski, UKOTCF Honorary Executive Director, then summarised some of the main issues which were of concern to the UKOTCF network. His PowerPoint presentation is at Topic 1b, page 22, and the paper on which it was based is at Annex 1, with UKOTCF's earlier review at Annex 2.

The key recommendations addressed by the Forum and reviewed by Dr Pienkowski follow below.

The Forum recommends that:

- i) the UK Government re-affirm its commitment to the Environment Charters which form the basis of UK and UKOTs fulfilling their international conservation obligations.
- ii) the UK Government increases the funding for UKOT biodiversity conservation, as already recommended by two Select Committees of the House of Commons, instead of its present practice of decreasing the availability of funding to conservation bodies working for the UKOTs, and ensures that UKOT NGOs and their umbrella body, UKOTCF, and other NGOs are again eligible for such funding.
- iii) the FCO & DFID restore an open process of reviewing grant applications and return to a system that involves fully the expertise of NGOs (and umbrella bodies like UKOTCF) working alongside officials to decide on grant funding.
- iv) the UK Government engages more with the European Union institutions in order to ensure that UKOTs are not effectively excluded from EU funding for biodiversity conservation – and that, when funding is made available, procedures are simplified.
- v) Ministers act on the importance they attach in the White Paper to the UKOTs and direct the National Lottery bodies to give at least equal priority in making grants for UKOTs as for metropolitan UK.
- vi) UK Government Ministers instruct their officials and agencies to respond positively to the repeated invitations from UKOTCF, its member organisations and other NGOs, to restore the productive communication and collaborative working that formerly characterised conservation work for the UKOTs.

1c. Statement from the FCO on what it is trying to achieve with respect to the environment

FCO had been invited to give a presentation “The White Paper: what it is trying to achieve in respect of the environment”. As they had declined to attend the meeting, Dr Tydeman, in the Chair for the morning session, read out the correspondence received from FCO so that the ministry was not misrepresented. This includes also the background and some points which UKOTCF would have put to FCO if it had attended (Topic 1c, page 26).

The FCO statement, at page 27, explains the changes it is making to the way it manages the FCO’s Overseas Territories Environment Programme (OTEP). Its objective is to develop a more strategic approach to funding of environmental issues in the UKOTs through a new Environmental Mainstreaming Initiative and the development of a new funding mechanism to replace OTEP.

It describes environmental mainstreaming as the integration of environmental considerations into Government policies and processes. The aim is to recognise better the economic value of the environment to growth and development, and human wellbeing, to facilitate more balanced decision-making and long-term, sustainable, benefits. The work is participative and aims to understand the state of knowledge, legislation and capacity within the Territory to deal with environmental issues and carry out an assessment of the value of the natural environment to the economy.

So far, FCO has carried out pilot projects in the Falkland Islands and the British Virgin Islands. Separately, DEFRA is funding environmental mainstreaming in Anguilla. While FCO asserts that it is maintaining its spending commitments over the current spending review period on their UKOT environment programme, it explains also that it is moving away from OTEP. FCO hopes to make available additional funding opportunities later in the year and announce a new cross-government approach to funding environment and climate related work in the Territories. [This was followed up, in the weeks after the workshop, with the announcement of the Darwin + programme; this combines the previous FCO/DFID OTEP and the UKOT part of DEFRA’s Darwin Initiative at about the same total funding level as before the cancellation of OTEP about a year earlier.]

Dr Tydeman then reviewed five key questions the Forum would have liked to address with officials, had they been present; these are detailed at page 30.

With regard to finances, UKOTCF’s complaint is not so much about the total amount (which repeated questioning has failed to reveal) but about the move from an open process to a secret one (for which not even the process of making applications has been made available), the effective exclusion from funding of most NGOs (which had been some of the most cost-effective in the past), and the abandoning of consultation with long-term partners.

2a. The Environment Charters

The third presentation was given by Dace McCoy, Lady Ground, of the Bermuda National Trust. She is a US lawyer by training, but with a physical planning background too. She worked in the Cayman Islands on the setting up of marine protected areas. She later worked with various conservation bodies in Bermuda, before moving to Turks & Caicos. There, as well as working with various conservation bodies, she was one of the facilitators helping develop a strategy to implement the Environment Charter, this being the pilot for other UKOTs. In 2004, she moved back to Bermuda and has been a very active member of the Bermuda National Trust.

Her full presentation is at page 31. In it she reviewed the commitments both the UK and each Territory government made with respect to environmental management, summarising these as the Charters – recognising that if care of the environment is to be devolved to the Territories themselves, the local government must be committed to best practice in its management, and HMG must ensure that the Territory government has the help and resources it needs.

She discussed three aspects of the UKOTs which make the Charters important. First is the political nature of land use and development decisions, by which it is felt in many Territories that major

development is the purview of Ministers, resulting in government departments responsible for planning and conservation being totally outgunned by the political influence of developers. Second is the culture of secrecy in UKOT governments, which results in decisions with huge environmental consequences being made in secret with no consultation. And third, she discussed the tiny constituencies in many Territories which make it difficult for politicians with small majorities to make politically unpopular long-range conservation policies, even when these will benefit in the long run the very people who oppose them.

She then reviewed evidence leading the Forum to believe that the UK was abandoning the Charters. These culminated in the 2012 White Paper failing to mention the Charters even once, followed by a statement from the Bermuda Minister for the Environment asserting that, having taken advice from their Attorney General and the FCO via Government House, they consider that the Charters do not constitute law, but rather are 'aspirational'.

Dace then reviewed statements by each of the relevant UK Government (HMG) departments regarding the Charters, which present them, as DEFRA said in 2012, as 'formal, individual agreements, listing commitments'.

Finally, she reviewed the position of the Bermuda Ombudsman, Arlene Brock, whose insistence that the Charter commitment to carry out environmental impact statements in cases of high-impact development was binding on Bermuda, and to whom the Ministerial statement that the Charters are aspirational was addressed.

Ms Brock's position is that general principles of international law make such bilateral agreements binding given certain circumstances which are present in this case. She notes that they are not enforceable in court, but rely on the integrity and goodwill of the signatories and their desire to be perceived as responsible members of the international community. She also refers to other similar bilateral agreements such as the OECD Tax Information Exchange Agreements which are taken very seriously indeed by all parties.

Ms Brock then refers to the Convention on Biological Diversity which makes Britain responsible for meeting its requirements in its Territories. Ms Brock concludes (and the Forum agrees) that the 1999 White Paper and the subsequent Environment Charters are the means by which HMG meets this obligation.

Dace concluded that the 2012 White Paper lists compliance with MEAs as one of its four goals for environmental management, and asked that, if the Charters are not the means for compliance, what is the mechanism? But more importantly, most people seem to understand that the UKOTs have a variety of cultural and financial issues which affect the achievement of best practice in environmental management. The 1999 White Paper and the subsequent Environment Charters took a realistic look at what would be needed to enable local UKOT governments to care for their environmental resources, and developed a detailed programme of mutual commitments that would enable that to happen. Both White Papers recognise the hugely more valuable biodiversity of the UKOTs as against metropolitan UK. Why turn our backs on the one scheme that will enable effective conservation of these resources?

2b. JNCC: project management and mainstreaming

The fourth presentation was the one from which JNCC withdrew at a late stage. Amongst other roles, Ann Pienkowski is Secretary to UKOTCF's Wider Caribbean Working Group. In this capacity, she had been trying to liaise with JNCC to find out about their work. Accordingly, UKOTCF asked Ann to collate relevant statements from JNCC and elsewhere to fulfil at least some of the role from which JNCC withdrew.

With regard to JNCC's project management, Ann found that a much more relaxed style was employed by JNCC than that used by FCO and DFID. In managing OTEP projects, FCO/DFID required regular reporting, made regular visits to assess project progress and had a firm policy of publishing reports and results online. JNCC takes the position that projects are controlled by the Territory government, and, whilst they do keep an eye on them, JNCC view the right to publish any information on the

projects as a decision for the project management team, not JNCC. However, Ann found that, of the ten projects she was trying to track for the Forum's Wider Caribbean Working Group, one was unknown to the body supposedly managing it, and in one case the in-Territory manager to which JNCC had referred her had been out of post for some five months, leading her to wonder just how closely JNCC does keep an eye on the projects it funds.

The other issue we had hoped to learn more about from JNCC at the workshop was their mainstreaming programme. Ann presented a statement from JNCC describing the programme, which can be found on page 37, and summarised as follows:

JNCC is managing a project on behalf of the FCO, the overarching objective of which is: *'To work with each Overseas Territory (OT) Government to understand the economic and overall value of its natural environment, the threats posed and options available for managing these threats, and to enable environmental issues to be integrated into strategic decisions.'*

The project is based on the premise that this objective can be achieved through strong integration of environmental issues ('mainstreaming') within UKOT Government processes. Mainstreaming will require a better appreciation of the role and value of ecosystems in delivering those natural assets which are key economic drivers, of the pressures on natural assets and the measures needed to manage them.

The project will involve two UKOT case studies which will serve as pilot projects: the (British) Virgin Islands and the Falkland Islands.

The statement goes on to list the objectives of the Falklands project, including determining mechanisms in the FI government for mainstreaming; identifying necessary short, medium and long term actions; producing a list of the nature of political, technical and financial support needed for implementation to be achieved, to be conveyed from the Falkland Islands to the UK Government. The project will allow the UK Government to take a strategic overview of how to provide such support using its own resources and those available through the European Union.

Ann then went on to seek information on the two pilot projects, and learned that facilitation of the Falklands Islands exercise was contracted to a consultancy company. JNCC provided her with two summaries from the FIG. The first summarised the recommendations from the workshop as

- the formation of the cross-sectoral Biodiversity and Environmental Mainstreaming Group (BEMG), to drive forward environmental mainstreaming at the policy and decision-making level;
- re-consideration of the Falkland Islands' position on the CBD – with the costs and benefits of doing so explored; and
- carrying out a study of the costs and benefits of the environment, as part of Phase 3 of this Environmental Mainstreaming Project.

The second was a summary of the Falkland Islands Executive Council meeting minutes of 27 June 2012 which accepted the Environmental Mainstreaming Project Recommendations and noted that there were no financial obligations to FIG in taking forward Phase 3 of the project.

Ann noted that she has been able to find even less information on the British Virgin Islands exercise, which she understands is being managed by JNCC itself, with a contract to CANARI to facilitate. In conversations held between the Forum's Chairman and Honorary Executive Director and many of those invited to participate suggested bewilderment on the part of Virgin Islanders more than anything else. Considerable further searching has revealed only a range of aspirational comments about what the work is intended to do, without any details of action or output.

Ann concluded her presentation with a series of key questions the Forum would have liked to discuss with JNCC (at page 42), mainly involving the ending of OTEP, the costs of these exercises and why the extensive planning exercises carried out by many of the UKOT governments in developing strategies for action to implement the Environment Charters seem not to be being used in this new strategy.

Discussion Session on Topics 1 and 2: How can we fill the gaps in the White Paper and reinforce the Environment Charters? Summary

Notes from the full discussion are at page 43.

National Lottery Funding for the UKOTs

The Forum started looking into Lottery funding for the UKOTs a decade ago. We were first told that UKOTs were not legally allowed to apply. However, after checking the legislation, there was no such constraint as UKOT citizens are UK citizens. Lottery bodies had a poor understanding of what the territories are -- the examples of territories they were citing were not actually UKOTs. The current response is that UKOTs are treated as low priority, which means they are unlikely to be awarded funding.

Dace Ground noted that the White Paper appeared to present the Lottery as a possibility for funding. Mike Pienkowski added that this did not mean that it was government policy. If the UK Government was serious about this why had Ministers not given a direction to the Lottery Boards?

Chris Tydeman added that rules had been tightened to make the Lottery even more focussed on metropolitan UK, insofar as players could not now change their direct debit so that they could continue playing the Lottery from abroad. This was in contrast to other EU countries such as France and Spain. Another problem is that all applications for Lottery funding go through a regional office in Britain meaning that they compete with local community projects (for projects below £100,000). This puts the UKOTs at an additional disadvantage.

EU Funding

Chris Tydeman noted that the White Paper had made reference to **BEST** (Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories) funding from the European Commission as well as other horizontal funds. FCO had indicated that it was currently looking at the legality of this and what was available. DEFRA felt that it was too late to influence decisions on Horizon 2020, which had already been decided. The French and Dutch Governments were applying pressure to the Commission to ensure that they were eligible for funding and yet HMG has not.

Jonathan Hall reported that it was a real possibility that **LIFE+** within Directorate-General Environment would be extended to all EU overseas territories. There was a lot of support for this in general but not necessarily across the European Commission and in some member states. This would now need to go through the European Parliament.

In discussion all agreed that it was important for the workshop to highlight the need for HMG to work more in influencing EU regarding budgets for environmental work in the UKOTs.

RSPB positions and projects

Chris Tydeman asked about RSPB's thoughts on the White Paper.

Jonathan Hall reported that RSPB's submission to the consultation on the White Paper had called for targets, strategic objectives and an agenda, and the Society is disappointed that the Paper included no targets. RSPB is pleased that other government departments now had a responsibility towards the UKOTs. The Society is pleased to see a chapter relating to governance. This gives a more concrete position that many areas devolved should have same standards as UK and that there were areas where UKOT governments do have gaps.

Two areas RSPB is looking to progress are: an implementation plan for the biodiversity strategy, which DEFRA has now agreed to pursue; and supporting the creation of this implementation plan and

searching for funding for such work. This work would include: assessing extinction risk across UKOTs (RSPB would now be moving to an all nature approach as well as continuing to utilise its core expertise in birds) and looking at greatest extinction risks (following the loss of the St Helena Olive); and collecting and consolidating information on invasive species across islands.

RSPB had commissioned Foundation for International Environmental Law and Development (FIELD) to do a gap analysis of biodiversity and planning legislation as there is no current strategic overview of this for the UKOTs.

A general discussion agreed that the implementation plan, which was expected in spring, would be a good opportunity for HMG to impose some targets and objectives on themselves without imposing anything on the UKOTs.

Jonathan Hall noted that input in to the implementation plan would be the next step from the White Paper.

Environment Charters

Iain Orr (formerly career FCO officer, responsible for the negotiating of the Environment Charters), welcomed the work commissioned from FIELD by the RSPB, and emphasised that the likely outcomes of the report on invasive species represents a flow from the commitments of the Environment Charters. The Environment Charters took a year and a half to negotiate and were not drafted purely by FCO; they led a consultation process, mainly by email. The HMG commitment to provide financial support was meant to emphasise that the Charters were two-sided. They had been considered in the same ways as other international documentation that HMG has put a signature to. The 5th Commitment in the Charter is openness; having clearly identified the structure of the 2012 paper, which was building on its predecessor, it was strange that they should be absent. FCO reported that it had felt they did not need to mention them and so this should be taken to be a positive sign that they have not disowned them.

UKOTCF/HMG relations

Philip Ashmole felt that it was clear from withdrawal of support for the Forum and lack of attendance at the meeting that HMG felt that the Forum had become a nuisance and wished we would just go away. In order for potentially positive outcomes, it might be necessary to go right to the top of government with a question to the Prime Minister, who had professed to lead the 'greenest government ever'. Chris Tydeman felt that it would be easy for the Prime Minister to pass questions to the FCO. Several years ago, FCO had responsibility for UKOTs, but now responsibility was being shared with several government departments, which meant that questions would have to be very specific.

Tony Gent felt that HMG's problems dealing with the devolved UKOTs were similar to their problems dealing with devolved entities within the UK -- they do not know how to interact with Scotland and Wales, and the UKOTs are even more difficult. We need to ask why they are reacting in way they are. Chris Tydeman related experiences similar to those Tony had raised, noting that HMG Departments, such as DEFRA, have difficulty in distinguishing their UK roles from their England ones, and tend to concentrate on the latter.

Alison Debney felt there was an opportunity to give positive response from meeting and to put the noise behind us. Mike Pienkowski agreed and felt that the fact of FCO officials saying they do not need to mention the Environment Charters in the White Paper (because the Charters remain current) provided grounds to build on this and take the officials at their word. Pat Saxton felt that it was encouraging that there were people out there that care about the UKOTs and there was an urgent need to get together and take this forward, welcoming the opportunity that this workshop gave to do this.

Environmental Audit Committee

Alison Debney noted that the Environment Audit Committee had launched an enquiry.

Nick Beech expanded upon this, stating that the press release went out on the 26th September. The White Paper had given the members of the select committee a hook to hang several points of discussion particularly the human angle such as development. Submissions would be welcomed until Friday 30 November 2012. Guidelines would be available at:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news/new-inquiry-sustainability-in-the-overseas-territories>.

Several witnesses would then be called upon to give oral evidence and it was anticipated that several NGOs could participate via video link.

Topic 3: Funding - UK Government (OTEP, Darwin, openness); EU funding; Lottery; &

Topic 4: Getting UK Government to work with the UKOTCF network again

After a lunch break, Bruce Dinwiddy, former Governor of the Cayman Islands and Chair of the Forum's Wider Caribbean Working Group, took the chair for the afternoon session. He noted that first presentation was a view from a UK Overseas Territory.

3/4 a. Terrestrial Ecology: *Little Go a Long Way; Nothing Go Nowhere* -- Dr Mat Cottam, Cayman Islands

Dr Mat Cottam has worked in Cayman for some 10 years, initially with the NGO, the National Trust for the Cayman Islands, and then for many years with the Cayman Government's Department of the Environment (DoE). The latter is reflected in his title: "Terrestrial Ecology Unit: Little Go a Long Way - Nothing Go Nowhere." The text and PowerPoint presentation for this talk are at page 47.

Mat began with the work of the Terrestrial Ecology Unit, noting the incredible biodiversity Cayman supports and the key challenges to its preservation: invasive species, development pressure and severe constraints on availability of manpower to deal with environmental issues. For example, the DoE Terrestrial Ecology Unit has, for the majority of its existence, numbered a single paid member of staff. Currently it is manned by two volunteers. This workload is not offset by economies of scale; rather it encompasses many of the elements found in larger countries.

To overcome this shortfall in paid workers, the DoE relies heavily on partnering with others to get its work done. Partnerships include members of the public, skilled volunteers and visiting scientists; also, partnering with other branches of local government, with NGOs, and with international organisations. In the past, the triennial meetings organised by UKOTCF proved an invaluable mechanism whereby UKOT conservation managers might meet and share ideas, expertise and inspiration with their (otherwise equally isolated) counterparts. In the case of the Cayman Islands, one such example was a meeting with Sugoto Roy of FERA, which led to the commencement of a feral cat control project in the Sister Islands.

Mat then went on to funding conservation work, noting that with efficient UKOT conservation departments and NGOs, *A Little Go a Long Way, but Nothing Go Nowhere*. Grant funding is an essential component of the work they do.

The Darwin Initiative has been important to Cayman; it was core to the development of the National Biodiversity Action Plan for the Cayman Islands. While organisations are often forced to cut corners due to a lack of resources, this was not the case with the Cayman Islands NBAP. In addition to plans for habitats and endemic species, it includes control plans for invasive species, and plans for

manmade environments, towards maximising their ecological value. Thanks to Darwin, Cayman has a world-class BAP.

With regard to other funding sources, Cayman's high GDP excludes eligibility for many international grants.

And there are problems with locally generated fund sources. The Cayman Islands Environmental Protection Fund raises some \$4-5 million per year and currently stands at \$50 million, but it is used as an emergency reserve by Government, and so it is not spent on the environment. In the absence of appropriate regulation and genuine returns to the environment, the economic boom in Cayman simply takes from the environment and gives nothing in return. Matters of the environment are devolved from the UK to local government. Until one government or the other decides to take the lead in addressing this issue, there would appear to be little reason to expect any change.

OTEP has been a very useful funding source, both for local and for cost-effective cross-territory projects. Mat described one successful, cost-effective, cross-territories project regarding access to and use of the Global Invasive Species Database, in order that all conservation managers around the world might have the potential to access this information, and also to introduce the GISD as a tool to UKOT managers.

Mat described Cayman's large and effective Department of Environment, with a total staff of about 30, half of whom are researchers. This year, the operating budget for this heavily staffed and equipped department has been slashed to £165,375. Against this background, the need for grant funding to supplement the research budget could hardly be more apparent.

Mat closed with a note on the usefulness of the Environment Charters. In the absence of any appropriate local legislation or regulations, the DoE has developed a form which formalises research agreements with visiting scientists. The text of the Guiding Principles of the Environment Charter is included in the body of the form to display the foundation principles from which it was developed. To these ends, the Department does not regard the Charter as being an aspirational document; but rather a practical tool which it is using day-to-day to encourage best practice and protect the environment.

3/4 b. Potential EU funding for UKOT conservation and how the UK Government can help

The Chairman introduced Nick Folkard of the RSPB, noting that an issue of great concern to all of us working in this area is, of course, funding – or the lack of it. Nick Folkard works in the International Funding section of RSPB, and addressed funding biodiversity conservation in the UKOTs, including European Union funding and how UK Government could increase the potential for this in a presentation prepared with assistance from Hannah Ward, of his Unit. The PowerPoint is at page 54.

Nick opened with a review of the huge value of biodiversity in the UKOTs as against the UK and the European mainland, noting that global extinctions are not theoretical: the St Helena Olive Tree went extinct as recently as 2004. He then reviewed the RSPB's involvement in the UKOTs which takes a partnership approach and provides financial and technical support to partners on a predictable, long-term basis.

He then addressed the challenge set by the 2012 White Paper: How to apportion resources strategically to UKOTs.

The UKOTs fall 'between the gaps' of many UK and international conservation funding mechanisms. He reviewed the discouraging list of funding sources which are not available or difficult to access for the UKOTs:

- **The Heritage Lottery Fund** which has allocated £4.97 billion across the UK since 1994. The Foreign Office Minister has made a number of speeches about opening up the Heritage Lottery Fund to the Overseas Territories, but there appears no movement from the Lottery's sponsor ministry, the Department of Culture, Media & Sport (DCMS).

- **The Overseas Territories Environment Programme** which, since its inception, has disbursed £8 million through more than 140 projects across the Territories. However, calls for proposals suspended were in 2011.
- **The Darwin Initiative** which has provided £88 million to 756 projects in over 150 countries, including £3.8 million to conservation projects in the UKOTs. In 2009, at the UKOTCF-organised conference in Cayman, some Darwin Initiative funds were earmarked for UKOTs and the Overseas Challenge Fund was launched to enable the UKOTs to carry out longer-term and more ambitious scoping projects. But, since 2012, the Darwin Initiative is jointly funded by DFID in addition to DEFRA, and DFID's funding priorities are countries and territories within the definition of Official Development Assistance (ODA). This excludes most UKOTs, so that they are now excluded from the main Darwin Initiative.
- **European Union LIFE+**, the EU's only financial instrument dedicated solely to the environment and nature conservation, which has co-financed 3,708 projects, providing around €2.8 billion to environmental protection across the EU. Outermost Regions (like the Azores and Guadeloupe) are eligible for LIFE funding but Overseas Countries and Territories (OCTs), including UKOTs, are not at present eligible. The future scope of LIFE programme is being decided as we speak - UK Government and MEPs have called for LIFE to be made accessible to the OCTs. The battle is not yet won – stakeholders, MEPs and Ministers must keep up the pressure!
- **BEST** - Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories. This started as a preparatory action to provide further means to protect biodiversity and ecosystem services in the Union Outermost Regions and Overseas Countries and Territories. In the first year (2011), an open call for proposals was launched. €2 million was available for projects in the 2011 and 2012 call. However, BEST's future seems very much in doubt. There is no high level support (or money) in DG Environment for the programme, while the DGs with the money (Development and Regional Policy) have not engaged. Strong efforts are needed by UK Government (Ministers and Officials) and UK stakeholders to raise the political profile of BEST, or it is likely to die after the next funding round.

In summary, he repeated the sad refrain of the UKOTs: they fall between the gaps – ineligible for much international funding because they are deemed the responsibility of the UK, but not able to get UK funds (e.g. Lottery) because they are not part of metropolitan UK itself.

He noted that DEFRA has increased biodiversity spending on the Overseas Territories from £0.5m pa to £2.9m pa – but this is still only 0.6% of the England biodiversity conservation budget (£495.4m), and equates to only about £9,500 per globally threatened species. JNCC has calculated that the cost of meeting high-priority biodiversity conservation projects in the UKOTs would be just £9.6m pa for five years; the RSPB commissioned a similar review which put this cost at £16m pa for five years. Either way, extremely cost-effective!

3/4 c. Information from the UK Government on its ideas for future funding

At this point we had expected a contribution from DEFRA on future funding from the various UK Government Departments and Agencies. Unfortunately, FCO, DEFRA and JNCC decided, at a late stage, to withdraw from this workshop. Therefore, a collation of relevant statements from UK Government on this issue has been made, and Mr Dinwiddy had agreed to read it (page 58).

However, this has been partly superseded by the announcement of the Darwin Plus: Overseas Territories Environment and Climate Fund. This restores the total level of funding from FCO, DFID and DEFRA approximately to that preceding the recent changes. The Forum welcomes this

restoration. Whilst still having some reservations about this new funding mechanism, it has hopes for successful projects by NGOs and UKOT governments.

3/4 d. Conservation Partnerships: UK Overseas Territories Conservation Forum and the Turks and Caicos Islands

Returning again to more views from UKOTs, Bryan Naqqi Manco has worked in conservation in the Turks & Caicos Islands for some 13 years, initially in the NGO sector and currently for the TCI Government's Department of Environment & Maritime Affairs, although his work is mainly terrestrial. Many regard him as the leading expert on the wildlife of TCI. Naqqi spoke via Skype and had supplied a Powerpoint presentation in advance. His presentation was on conservation partnerships between the Turks & Caicos Islands and the UK Overseas Territories Conservation Forum (page 63).

Naqqi addressed the relationship between the Forum and both NGOs and the TCIG in three areas: Grant and Funding Location and Access; Project Management Guidance and Partnership; International Networking for Biodiversity Expertise, Training, Capacity Building, Volunteerism, and Sharing.

Grant and Funding Location & Access

The TCI, like all UKOTs, has terrible trouble accessing conservation funding. However, working with the Forum, the Turks & Caicos National Trust (TCNT) won major Darwin and OTEP funding for an eight-year series of projects to protect the biodiversity and promote sustainable development and ecotourism to help preserve the large Ramsar site in Middle, North and East Caicos. This produced a management plan for the area and had a large number of direct results:

- Continuing the cataloguing of biodiversity (fed into curricula and legislation)
- Wetlands habitat mapping and descriptions (fed into Terrestrial Habitat Mapping)
- Staff capacity-building and training (resulting in increased local capacity)
- Creation of ten eco/ethno-tourism hiking trails (field-roads) with interpretation
- Creation of the Middle Caicos Conservation Centre
- Creation of a National Herbarium Collection for TCI
- Rediscovery of two endemic species thought to be extinct, and range expansion data of other endemic species
- Capacity building for TCI staff to be able to write successful conservation grants
- Enhancement and marketing of eco-tourism related small businesses
- Locally-driven stewardship and increased land management capacity
- Educational programmes and curricula that include TCI biodiversity data
- Training and work opportunities for young people interested in conservation

Project Management Guidance and Partnership

UKOTCF assisted TCNT in NGO-management, education, and marketing capacity by recruiting experts; provided invaluable guidance on financial management of projects when outside the capacity of TCNT; and provided expertise on maximising resources and minimising maintenance by drawing on experiences of partner organisations.

International Networking

UKOTCF's main purpose is to form a network of international conservation links to bring to the UKOTs. UKOTCF initiated lasting partnerships between TCNT and TCI Government with some 15 institutions in the US, UK and Caribbean, each of which has had concrete results in biodiversity management, and which have led to working relationships with a further 11 institutions.

Training: UKOTCF's partnership has enabled TCI conservation workers to get formal and informal training from:

- Royal Botanic Gardens Kew (Botanic Gardens and Composting, Herbarium Techniques and Management, Seed collection, Propagation techniques, GIS data collection)
- Alderney Wildlife Trust (Visitors Centre Development)
- Cayman Islands National Trust (Native Plant Nursery Management)

Volunteerism: UKOTCF has recruited and secured funding for volunteer scientists to assist in conservation work and for practical engineering and environmental educational volunteers to carry out work in TCI.

Sharing and learning:

– reciprocation: TCNT and TCI Government have also been able to share well-trained and locally-expert staff with partner institutions through UKOTCF links, helping the San Diego Zoo with an iguana diet study and plant identification; and RBG Kew and Fairchild Tropical Botanic Gardens with TCI plant specimen identification.

– triennial UKOTCF Conferences:

- have been of the utmost value for sharing knowledge, techniques, and ideas
- build binding, long-term professional and personal links between UKOTs and the UK mainland
- bring attention to common themes and issues in the UKOTs in a way no other forum can or does

How has UKOTCF helped TCI?

By building a strong network of dedicated conservationists throughout the UK, including its Overseas Territories, who recognise the global importance of UKOTs' biodiversity and strive to protect it, by helping one another, for future generations of the UKOTs, the UK mainland, and the world.

UKOTCF makes the UKOT conservation NGOs and government bodies **stronger, better connected, more credible, and more capable** by bringing together world expertise from within and outside the UKOTs, so that each can benefit from the others' increased conservation capacity.

However, he closed on a negative note: Due to the tax changes implemented by the FCO, as TCI was currently under direct rule by FCO, there would no longer be a Conservation Fund. The elimination of the Hotel and Tourism tax, which gave 1% for conservation, would mean that there would be no locally-provided fund for environment work in TCI.

3/4 e. Partnering with UKOTCF: The Turks and Caicos National Museum Foundation

The presentations ended with another from TCI on partnership, but from a very different perspective. Patricia Saxton's background is in business, including tourism and setting up the first water supply business in Grand Turk – something of a challenge on an arid island. She has worked to mentor other local small businesses, and volunteered for the Turks & Caicos National Museum – which eventually captured her business skills to appoint her as Executive Director. She spoke (again using Skype and a PowerPoint supplied in advance) on partnership from the viewpoint of the National Museum as an NGO. (Powerpoint at page 67)

Pat began by detailing successes the museum has had in partnering with the Forum. To begin with, Forum volunteers recorded grave sites at the old Anglican Church yard, a tremendously important source of local knowledge to both the TCI and the large population in Bermuda with ties to the islands, helping the Museum to respond to the many requests for information on the burial stones.

UKOTCF then assisted the Museum in accessing the Carnival Corporation/TCI Government Infrastructure Fund for a joint project setting up a Bird Walk and Bird Drive Trail on Grand Turk, and for a Botanical and Cultural Garden which the Museum had long wanted to establish. The bird trails

are established, using as markers reclaimed telephone poles from Hurricane Ike, enforcing the reclaim, recycle, reuse philosophy. The trails are popular with visitors and locals alike, and serve as a vital tool in educating local people about the TCI's fantastic bird life.

The Botanical and Cultural Garden is complete. This again was with the help of the UKOTCF, TCIG, Kew Gardens and many volunteers. In addition to attracting tourists, school groups and adult groups learn about indigenous plants during garden public events. Phase II of the project included an outdoor classroom used for general environmental education.

But the most important project has been working with the Forum and the TCIG to establish the Grand Turk Salinas as protected areas. Because of this, the bird population (which has always been spectacular) has now continued to flourish.

From this happy beginning, Pat then went on to detail the difficulties in enforcing protective legislation, particularly when the person who illegally fills a protected Salina to build a filling station is an important local politician. Despite the protective designation, there are still problems with people building on 'reclaimed' ponds, and not putting in the proper sewage disposal system.

If Turks and Caicos simply relies on TCI Government Officials to enforce the laws that protect this very fragile eco-system ... it will be the beginning of the end. Even under the watchful eye of the UK Government direct-rule Interim Government, many infractions against the environment have been allowed to continue. Once a new local government is in place in one month's time, what chance does our ecosystem have? Without the UKOTCF, the Turks and Caicos National Museum Foundation has little chance of enforcing any environmental laws. The Overseas Territories need a strong voice in the UK to highlight sensitive environmental issues, in the context of the Environmental Charters. This is one of the roles where the UKOTCF is so very important.

Discussion Session on Topics 3 & 4: How can we address the funding available to most NGOs, restore open-ness of process; and restore the previous very constructive joint working between the UK Government and the UKOTCF network?

Summary (full discussion at page 71)

Limitations of the White Paper, starting with comments from St Helena

Philip Ashmole had received several emails from the community on St Helena. He read them out. The key points included:

- The White Paper is poor on detail.
- The WP needs a much stronger commitment and meaningful path to progress engagement / relationships with civil society.
- There are worries about the dilution of biodiversity within the sustainable development agenda. There is a risk that the intrinsic value of biological diversity, in all its shapes and forms, will be lost.
- NGOs and governments are, by their definition, quite different in their respective roles and responsibilities. If NGOs cannot apply separately for funds, then she would see this as a mechanism of control, management and manipulation.

A colleague in St Helena felt that many of the values of mainstreaming according to FCO are human values and do not mention the intrinsic values such as cultural, biodiversity, support of ecological process that have no recognised value – pollination, catchment protection, etc. Tony Gent added that similar comments had been received on the Scottish biodiversity strategy.

Bryan Naqqi Manco echoed the comments that there is a need for more consultation within territories on any environment programme, as it is critical that local values and concerns be the focus.

Funding issues

Chris Tydeman expressed some concern that it appeared that Directorate-General for Development, despite the efforts of DG Environment, had not bought in to the development of a long-term BEST scheme, for which it had provided funding for in the first two rounds. Any pressure RSPB could put on DG Development with others would be encouraged. It was disappointing that other funds, such as the new DG Research framework programme from 2014, Horizon 2020, did not include a budget line for biodiversity. Nick Folkard agreed that this was a missed opportunity by the biodiversity community.

Chris Tydeman felt that the complicated procedures involved in the application process would certainly hinder many UKOTs from making successful proposals. Large conservation bodies would have the organisational capacity to complete the massive applications but some UKOTs would find this very difficult. UK Government could provide some sort of fund and/or assistance for the smaller conservation bodies in the UKOTs, should funding be available from the EU.

Nick Folkard added that, even for a large organisation, such as RSPB, the procedures have been a drain on their resources and some past experience had made them wary of dealing with them. Mat Cottam agreed his experience in Cayman proved that the bureaucracy involved in EU projects had made them hard to manage. Generally, the group believed there would be a benefit in having a two-stage process. Although, this may bring in many first-stage applications, it would prevent the smaller NGOs from wasting their already stretched resources.

Ann Pienkowski raised the tourist tax earmarked for environment work. Mat Cottam noted that DoE in Cayman had conducted a survey of views of a tax on environment and this received unanimous support. Mike Pienkowski felt that there were not many taxes that were popular but a tourism tax, which went directly towards conservation, seemed to work, provided that there is feedback on the uses made of the funds.

Philip Ashmole felt that the barring of NGOs from applying for funding under an open process (or making this difficult) was disturbing. The beneficial multiplying effect of NGOs and what they can do that a government could not had been ignored. Scottish National Heritage funding was given to NGOs around Scotland; this was crucial in order to keep them going as organisations with a very strong multiplier effect.

Jonathan Hall emphasised the benefit of smaller projects, as well as the larger more long-term projects. Whilst funding to many NGOs had decreased, the Coalition Government had increased the funding provided to RSPB, and there was an opportunity to formalise overspends, which do not have budget lines. It was important that we do not go backwards. Hopefully this would be attached to the biodiversity strategy. Tony Gent felt that there should be a coherent message coming from NGOs, with lists of projects that could be put to HMG for overspend.

Mike Pienkowski felt that governments and most officials do not understand small projects. Forum personnel have a lot of experience in running and supervising small projects and so understand them.

Tony Gent proposed that the government might consider giving the funding to a consortium of NGOs, which could manage the programme with, for example, £5m per year. Philip Ashmole added that the Millennium Woodland Trust was a good example of this where they had been given an amount to manage and delivered £80 million of projects. Nick Folkard added that the administration of the Darwin Initiative had been outsourced.

Iain Orr had been struck with contributions from TCI about added value of these small projects but somehow this high value does not get counted in.

Iain Orr urged all to think about levels of contributions to the Environmental Audit Committee inquiry. Chris Tydeman felt that Ministers, especially the Environment Minister, Richard Benyon, are

sympathetic. Jonathan Hall stressed that it was not RSPB's experience that a disjoint exists between officials and Ministers. He considered that HMG had maintained Darwin and increased funds to RSPB for UKOTs: they had positive engagement with officials and had been given space to do more.

Iain Orr felt that one important and troubling point from White Paper was the new division between inhabited and uninhabited UKOTs.

Mat Cottam suggested encouraging NGOs in the UKOTs to come forward and express their views, and thought a one-page easy-to-complete survey might produce feedback directly from UKOTs rather than Forum. There was general concurrence that this is a good idea.

Philip Ashmole felt that the workshop must show FCO that the Forum needed to continue to exist - to continue to promote the biodiversity that exists in UKOTs; insist on importance of the Charters; enforce conviction that volunteers and NGOs are key to conservation in UKOTs. Generally, all agreed that it was important to send positive messages on such aspects.

Jonathan Hall added that further discussions with HMG should focus on implementation of the biodiversity strategy. Even with a large PR department, RSPB struggles to get messages out there.

Conclusions

Dr Tydeman in the short time available attempted to summarise the outcomes of the workshop:

1. There was general perception that the White Paper showed a lack of substance, was poor in detail, lacked clear objectives and firm commitments and, in some people's view, consisted largely of spin.
2. The Bermuda Ombudsman's report on Environment Charters was an important development and it was both interesting and of concern that FCO Overseas Territories Directorate apparently did not know about it. In Cayman and TCI, examples were presented that the Charters are strong supports for conservation, practical and well used. This applies too to other UKOTs. There was considerable support for the Environment Charters and the workshop felt that their role should be reinforced rather than cut out as in the White Paper
3. There was a general view that it was worrying that OTEP had been suspended and apparently superseded by a "strategic" funding programme decided by FCO rather than with agreed, open objectives. This had led to much unhappiness amongst not only the Forum and its network of members and associate organisations.
4. NGOs have a very important role in conservation in the UKOTs – a role which is often underestimated in significance
5. While large strategic funding has its place, it should not be forgotten that small grants can be very effective and give good value – making a little go a long way, as had been demonstrated in the example of the Cayman Islands in the workshop
6. There were some concerns around changes in funding projects under the Darwin Initiative with relation to DFID's objectives. The concentration on meeting the 0.7% of GDP for ODA funding was in danger of skewing priorities for the UKOTs which generally do not qualify for ODA funding.
7. There remain big gaps in funding opportunities for the UKOTs which are currently insufficiently addressed by the UK Government
8. One such is the Heritage Lottery Fund process in which Ministers can and should intervene.
9. Worrying examples were provided where taxation which provided greatly needed funds for the environment were either misused (Cayman) or were to be lost through changes in taxation policy whether by design or by oversight as to the consequences (HMG in TCI). Given the dearth of funding sources, such changes could be critical and there were opportunities

elsewhere for such environmental/tourist taxes – one of the few sorts of taxation which could be popular with those paying if well handled.

10. There was concern over the complexity of EU funding and application processes as well as accounting and management of projects. There was a need for discussions on ways of simplifying procedures in respect of accessing EU funds.
11. There remain significant capacity issues within territories which exacerbates issues such as accessing funds from the EU and in direct networking with both other UKOTs and UK government and agencies
12. Concerns were expressed as to the role of JNCC in project management, reporting or lack of it, their capacity and capability
13. Concerns were expressed about cross-department liaison, especially in light of the enhanced emphasis on the role of all departments across government having responsibility for the UKOTs – i.e. lack of coordination which also exists sometimes within departments too. There appears to be the possibility of weakening arrangements with existing processes rather than strengthening them with the involvement of departments outside the current three (FCO, DFID, DEFRA together with JNCC)
14. It was noted that consultation seems to mean different things to different organisations, in some this seeming to be more words than actions.
15. There was strong backing for improved networking and the re-establishment of the UKOTCF conferences.
16. It was noted that the White Paper refers to civic society (normally only relating only to local community issues and functions) rather than civil society, the usual term, but this was probably poor use of English rather than a deliberate change
17. There was some discussion about economic evaluation of biodiversity and environmental values and its potential and dangers. The Forum had taken this issue up with Caroline Spellman following the DEFRA White Paper issued in 2011 when a new committee was established in the Treasury to consider this in detail, to see whether there were possibilities of taking this outside metropolitan UK into the UKOTs but the response was at best indifferent. It was felt that this was worth following up for the UKOTs especially in the light of the White Paper text.
18. There was strong agreement on the need for an implementation plan for the UKOTs Biodiversity Strategy linked to the White Paper. This should relate to UK Government objectives in respect of the UKOTs and should not be entirely government process but including NGOs. A joint government/NGO Task Force was suggested. RSPB and UKOTCF committed to working towards common goals to provide good examples.
19. There was strong feeling that leadership had been lacking but needed to come from somewhere. The FCO formally takes responsibility for the UKOTs and, in the White Paper, commits to coordination across all departments. However, this has always technically been the case but FCO failed to show leadership even with fairly simple sets of circumstances where several departments are involved. It was suggested that as the Prime Minister had made such very forthright statements in the Foreword to the White Paper that he should be asked to intervene and that a note should go from this workshop to that effect

Chris added that UKOTCF would put together and circulate a record of the workshop and presentations and would be discussing the outcomes and way forward in its next Council meeting on Friday 5th October.

WORKSHOP PROGRAMME

10:00	Coffee & registration
	Topic 1. Introduction
10:30	Chairman's welcome; purpose of meeting. Chairman: Dr Chris Tydeman
10:40	Introduction: Concerns with the White Paper and the situation it addresses in respect of environmental conservation – Dr Mike Pienkowski, UKOTCF
10:55	White Paper: what it is trying to achieve in respect of the environment – Statement from FCO*
	Topic 2. Environment Charters, biodiversity strategies etc
11:10	The value of Environment Charters – Dace McCoy, Lady Ground, Bermuda National Trust
11:25	Information on mainstreaming and JNCC project funding*
11:40	Discussion on topics 1 & 2: how can we fill the gaps in the White Paper and reinforce the Environment Charters?
12:45	Buffet lunch
	Topic 3. Funding: UK Government (OTEP/ Darwin/ openness), EU, National Lottery Topic 4. Getting UK Government to work with the UKOTCF network again Chairman: Mr Bruce Dinwiddy CMG
13:45	Terrestrial Ecology Unit: Little Go a Long Way - Nothing Go Nowhere – Dr Mat Cottam, Cayman Islands
14:00	Potential EU funding for UKOT conservation, and how UK Government can help – Nick Folkard, RSPB
14:15	Information from UK Government on its ideas for future UKOT conservation funding
14:30	UK Overseas Territories Conservation Forum and the Turks & Caicos Islands: Conservation Partnerships – Bryan Naqqi Manco, Turks & Caicos Islands
14:45	Partnering with the UKOTCF – Patricia Saxton, Director, Turks and Caicos National Museum Foundation (TCNMF)
15:00	Discussion on topics 3 & 4: how can we address the funding available to most NGOs and restore open-ness of process, and how can we restore the previous very constructive joint working between UK Government and the UKOTCF network, largely lost over the past half-decade.
16:10	Wrap-up
16:30	End

*Notes:

1. FCO senior officers had recently indicated that they wished to participate in meetings with UKOTCF, and had been invited to participate in the workshop and address “White Paper: what it is trying to achieve in respect of the environment”. However, a few days before the workshop, FCO indicated that neither they nor DEFRA would participate. However, FCO supplied a statement.
2. DEFRA initially lost the invitation and asked for it to be re-sent, which it was. DEFRA had implied that they would participate on the “Role of UK Government in follow-up and resourcing”, but did not correspond further, although FCO did on their behalf (see 1 above). Instead, publicly available information has been collated.
3. JNCC agreed to participate and present on “Implementation of the UK Government’s UKOT “Biodiversity Strategy” and how current “mainstreaming” projects fit into this.” However, a few days before the workshop, JNCC indicated that they were withdrawing, under pressure from FCO. Relevant information supplied by JNCC has been collated.
4. UK Overseas Territories Association was invited but was unable to contribute due to a clash of dates with the OCT Governments with the European Commission in Greenland. We are pleased that one of the UKOTA representatives is able to be present.

PARTICIPANTS

Mr Nicolas Andrews-Gauvain	Environmental Advisor, Defence Infrastructure Organisation/MOD
Dr Philip Ashmole	St Helena
Mr Nick Beech	Clerk, House of Commons Environmental Audit Committee
Ms Kerstin Brauner	Ecosystem Assessment Programme, UNEP World Conservation Monitoring Centre
Dr Mat Cottam	Cayman Islands
Mrs Alison Debney	Marine and Freshwater Conservation Programme Manager, Zoological Society London
Mr Bruce Dinwiddie CMG	Chairman, UKOTCF Wider Caribbean Working Group
Mr Nick Folkard	Head, International Funding Unit, Royal Society for the Protection of Birds
Mrs Nida Al Fulaij	Development Manager, People's Trust for Endangered Species
Dr Tony Gent	Executive Director, Amphibian and Reptile Conservation Trust
Dace McCoy, Lady Ground	Bermuda National Trust
Mr Jonathan Hall	UK Overseas Territories Officer, Royal Society for the Protection of Birds
Mr Bryan Naqqi Manco	Caicos Pine Recovery Project Manager, Dept of Environment & Maritime Affairs, Turks & Caicos Islands (by Skype)
Mr Iain Orr	UKOTCF Council
Mrs Ann Pienkowski	Secretary, UKOTCF Wider Caribbean Working Group; and UKOTCF Environmental Education Co-ordinator
Dr Mike Pienkowski	Honorary Executive Director, UK Overseas Territories Conservation Forum
Mrs Patricia Saxton	Director, Turks & Caicos National Museum Foundation, Turks & Caicos Islands (by Skype)
Mr Richard Smith	Meadows & B-Lines Officer, Buglife
Mr Joseph Smith Abbott	Director, National Parks Trust of the Virgin Islands, British Virgin Islands (by Skype)
Dr Chris Tydeman	Chairman, UK Overseas Territories Conservation Forum
Mrs Catherine Wensink	Coordinator, UK Overseas Territories Conservation Forum
Dr Jonathan Wentworth	Energy and Environment Adviser, Parliamentary Office of Science and Technology

TOPIC 1: INTRODUCTION

Topic 1a - Chairman's Welcome

Dr Tydeman opened the meeting with a welcome to all participants.


He opened his remarks by noting that, in a speech at the Institute of Government, Francis Maude, the Cabinet Office Minister, the same day had condemned the “unacceptable” behaviour of some government officials, who are refusing to carry out the orders of their ministers. Dr Tydeman felt that there were some grounds to agree with this in some UK Government departments insofar as Government Ministers gave clear positive indications of increasing support for the territories. For example, Minister Henry Bellingham had given several indications that the National Lottery should be accessible to the UKOTs. It was reasonable that Ministers could give direction to the Lottery, given that the reason UKOTs were not able to apply was not a legal constrain.

UKOTCF and HMG had previously had an effective working relationship when the FCO led on UKOTs. Dr Tydeman noted that later the House of Commons Environmental Audit Committee and the Foreign Affairs Committee had published reports with severe criticisms and strong recommendations regarding HMG's conservation policies for the Overseas Territories. The Forum met with the then new Director of Overseas Territories, Colin Roberts, in 2008. At this time, he had indicated that he was keen to work with the Forum on recommendations from the select committees. The Forum was never actually told this wish for co-operation had stopped; instead it was repeatedly told that no rooms were available for meetings. The Forum suspected that something was not quite right and questioned why the relationship had broken down, to which FCO responded that there was no problem. In 2012, following a freedom of information request on another matter, an internal HMG email detailed the purposeful undermining of UKOTCF by officials and the ‘lack of confidence’ felt by the FCO officials. Following this discovery, in June 2012 a meeting was held with Mr Roberts and his Environmental Advisor, Sion Griffiths. The conclusion of this meeting had been that both parties should continue to have further discussions on how to work together.

However, a further meeting with FCO and DEFRA showed that information had not been passed on through departments. The Forum had been invited by DEFRA to meet DEFRA’s new divisional director and to discuss some of the concerns with the Darwin Initiative application processes. This meeting took some time to organise. However, a few days before the meeting, UKOTCF was told that FCO would also attend the meeting. At the beginning of the meeting, the new DEFRA director had asked why the Forum had asked for the meeting, when in fact the request was from DEFRA. It was clear that information not been passed to him by colleagues, and so the meeting did not start well. The Forum had not expected to discuss the White Paper in the meeting as it was not on the agenda, although FCO officials clearly expected to discuss this. So the meeting had a particularly negative feel, rather than a relationship building one. Apparently as a result of this, FCO had decided not to attend the workshop.

Topic 1 b. Concerns with the White Paper and the situation it addresses with respect to environmental conservation - Dr Mike Pienkowski, UKOTCF

This Powerpoint presentation is below. The UKOTCF paper on which it is based is at Annex 1.




UKOTCF concerns with the White Paper and the situation it addresses in respect of environmental conservation


UKOTCF considers environmental conservation in UK Overseas Territories and Crown Dependencies important, and has put great effort into submissions to the consultation and analysis of the White Paper after publication.

The full analysis is available on www.ukotcf.org and has been copied to participants. This presentation will be essentially of headline points, relating to that.


To try to recall what all this policy stuff is supposed to be about, where space allows, we have inserted a few pictures of the unique wildlife of the UKOTs, including many endemic species.




Caicos Islands Reef Gecko, TCI
(Photo: Richard Brown)



Drury's Hairstreak, Turks & Caicos Is




Falkland flightless Steamer Duck




Global biodiversity importance of UKOTs and UK responsibility

Long-awaited UK Government White Paper on the UK Overseas Territories (UKOTs) published in late June 2012; it recognises:

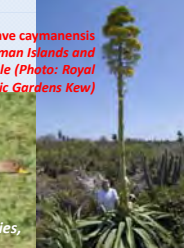
- the importance of the environmental assets of the UKOTs: "The Territories are internationally recognised for their exceptionally rich and varied natural environments. They contain an estimated 90% of the biodiversity found within the UK and the Territories combined"
- UK's constitutional responsibility for the UKOTs




St Helena cloud forest



Pair of endemic Pintail subspecies, South Georgia




Agave caymanensis
endemic to the Cayman Islands and listed as Vulnerable (Photo: Royal Botanic Gardens Kew)




UKOTCF is concerned that many aspects of the White Paper represent set-backs from the 1999 White Paper on the UKOTs and its follow-up

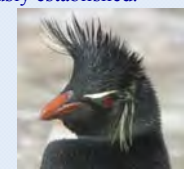
- The description of the *status quo* is seriously flawed; if one is inaccurate with this, how can one plan sensibly future actions?
- There are many fine aspirations for environmental management of the UKOTs, but virtually no mechanisms for achieving them.
- It does not mention the Environment Charters and seems to be abandoning these and other mechanisms previously established.




Cahow (Bermuda Petrel) chick



Endemic Turks & Caicos Heather



Rockhopper Penguin, Falklands



Following the 1999 White Paper, UK Government negotiated mutual commitments with each of its Overseas Territories: the Environment Charters.

These form the heart of the strategy to conserve and manage sustainably the environmental assets of the UKOTs but they are not mentioned in the 2012 White Paper.

This follows several years of the UKG backing away from its commitments under the Charters. In 2008, despite promising a House of Commons Select Committee that it would "carry out a review of the Environment Charters which have now been in place for five years" and referred to awaiting UKOTCF's analysis, the FCO told UKOTCF which was conducting (at FCO request) a review of progress in meeting Charter commitments that it did not have the resources to review its own performance, and, indeed, it has never carried out the review it promised in 2008.





Environment Charters (continued)

UKOTCF and many of its partners in UKOTs and Britain believe that the Environment Charters remain a central element of the relationship between HMG and the UKOTs, and that it would be a seriously backward step for HMG now simply to try to wish them away. They are legally binding documents and should be accepted as such. *This is explored further in a later presentation.*

UKOTCF calls on the UK Government to re-affirm its commitment to the Environment Charters which form the basis of UK and UKOTs fulfilling their international conservation obligations – for both the inhabited and uninhabited UK Overseas Territories.

Leopard Seal, British Antarctic Territory






How well has UK Government implemented its Environment Charter Commitments?

Ministers stress in the White Paper the importance of scrutiny from the public in respect of reporting on progress. Therefore, Appendix 1 makes an overview of the performance of FCO and other UK Government Departments since the 1999 White Paper against the Commitments it set itself in the Environment Charters. It is important to note that this period embraces both about a decade under the previous Administration and about two years under the present Government.

UKOTCF identified 15 milestones from UKG's 11 Charter Commitments. These included:

- 3 indicating generally positive progress (signpost):
- and
- 12 indicating negative or no movement (tombstone):





Learning from experience?

UKOTCF has 25 years of experience of working on conservation for the UKOTs and CDs (see Appendix 4). For much of this time, UKOTCF advised and worked closely with UK Government.

Ministers underlined the importance of the preceding public consultation in determining the priorities set in the White Paper. UKOTCF, on the basis of its interactions with its member organisations and other partner bodies, especially in the UKOTs, supplied a reasoned set of recommendations in December 2011. In summary, only 1 of UKOTCF's 31 recommendations has been taken up, and this was generally accepted already. Of the others, 24 have clearly not been acted upon or even moved in a negative direction. For 6, the White Paper lacks specific commitments and measurable targets, making clear conclusions difficult, and so can hardly be considered supportive.



"Mountain Chicken" frog, endemic to Montserrat and Dominica



The 1999 White Paper strengthened collaborative working by the UK Government with the environmental NGOs (and some official bodies in the Territories) brought together in UKOTCF

The 2012 White Paper lists strengthening cooperation with NGOs as one of its four goals for the UKOTs.

However, over the last few years, this mutually productive partnership between the UK Government and UKOTCF member bodies has been gradually phased out by officials, without consultation. We are concerned that this is part of a general movement away from support of local NGOs (which have generally proved highly cost-effective) and moving towards conservation policy which is driven by UK officials, rather than being demand-led from the UKOTs.



Sombrero Black Lizard, endemic to the tiny island of Sombrero, Anguilla



Co-operation between UK Government and the UKOTCF network (continued)

Over many years, UK officials and UKOTCF member organisations, together with UK representatives of UKOT governments, met twice yearly. These meetings were dropped unilaterally by HMG in 2008.

In 2011, officials belatedly indicated that support for the next UKOTCF-organised three-yearly conference bringing together NGOs and OT Governments will not be forthcoming (so that it has been cancelled). 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." So the decision to drop funding for these is another way that UK's obligations of the Environment Charters are being abrogated.



Co-operation between UK Government and the UKOTCF network (continued)

In 2006, the FCO dropped virtually all its environmental posts, claiming that other government departments would pick up this role for the UKOTs, but in practice little of this happened effectively. One might imagine that, with reduced UK Governmental capacity, the government would seek to fill the gap by encouraging work by many NGOs and their umbrella body, UKOTCF, which had worked in partnership with government for two decades. However, the reverse was true from the middle of the first decade of the millennium. References to the 'Big Society' gave hope that the new Coalition Government would reverse this negative trend. In practice, however, the decline in UK Government's interest in working with UKOTCF and its member bodies has continued and possibly accelerated. It may be that there is a mis-match between Ministers' intentions and the actual actions of their Departments.



Co-operation between UK Government and the UKOTCF network (continued)

Locally-based NGOs serve vital functions. They educate local people and represent their concerns. They are aware of local issues and work at the grass-roots level to address them. They carry out vital environmental programmes, at very low cost to all concerned. And when it happens that a local government makes a decision which would have severe environmental consequences, they are the only force that can stand up for the environment. The change in approach by the UK Government overlooks also the high efficiencies and value-for-money of NGO contributions.

UKOTCF recommends that UK Government Ministers instruct their officials and agencies to respond positively to the repeated invitations from UKOTCF, its member organisations and other NGOs to restore the productive communication and collaborative working that characterised conservation work for the UKOTs, until unilaterally reduced by officials over the past half-decade.



Resources for environmental work in the UKOTs a) UK Government Financial Support

Funding for UKOT conservation is vital because bodies in the UKOTs are not eligible for most international funds, because they are British. Sadly, the underlying assumption that Britain significantly funds conservation work in its own territories is not true. Britain's support is negligible.

UK Government's Commitment 8 under the 2001 Environment Charters is: "Use the existing Environment Fund for the Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to the Territories' environment." Only a year after drafting and signing this Commitment, the FCO absent-mindedly terminated EFOT. After much effort by UKOTCF and UKOTs, an interim grant fund was put in place a year later, and subsequently this was combined with matching funding from DFID, to create the Overseas Territories Environment Programme (OTEP). However, OTEP was closed as a grant-fund allowing open process and application from users in 2011, despite a commitment in the UK Government's Overseas Territories Biodiversity Strategy to retain and enhance it, and despite the 2012 White Paper presenting it as one of the key mechanisms for conservation work in the UKOTs. **It is perhaps indicative of UK Government's delivery of its commitments that it has killed off the means of fulfilling this long-term commitment twice in a decade.**

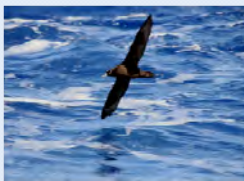


UK Government Financial Support (continued)

The 2012 White Paper offers only two funding mechanisms for conservation work in the UKOTs: OTEP (now dead as a fund one can apply to) and the Darwin Initiative.

The widening of the Darwin Initiative to include UKOT focus in 2009 is already threatened by 2012. DFID is now funding part of the Darwin Initiative, but has its own target to contribute 0.7% of GDP to poverty alleviation – thereby causing it to try to steer the Darwin Initiative funding away from UKOTs and towards foreign countries, because grants for UKOTs do not fall within this target.

UKOTCF recommends that the UK Government increases the funding for UKOT biodiversity conservation, as already recommended by two Select Committees of the House of Commons, instead of its present practice of decreasing the availability of funding to conservation bodies working for the UKOTs, and ensures that UKOT NGOs and their umbrella body, UKOTCF, and other NGOs are again eligible for such funding.



Spectacled Petrel off Tristan da Cunha group, this species breeds only on inaccessible island



Openness of UK Government grant processes

The White Paper includes “Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their actions and restrict information only when the wider public interest clearly demands.” Sadly, movement in UKG has been in the opposite direction. In administering EFOT, FCO worked jointly with UKOTCF to help UKOT bodies develop proposals to meet the joint UK/UKOT responsibilities for conservation. After FCO’s absent-minded cancellation of EFOT, OTEP was influenced by DFID’s more formulaic approach to a bid-based system. This did include a review panel, initially with strong NGO representation (although its recommendations were sometimes over-ruled without explanation by FCO & DFID). Progressively, the representation of UKOTCF and other NGOs was reduced (and their time no longer paid), and the recommendations of the NGOs for better procedures ignored. In 2011, without consultation with NGOs, FCO and DFID cancelled the grants programme. FCO indicated that some funding is still available, but the process for applying for, and awarding of, funding – and even the subject of the funding – remain secret despite enquiries.

UKOTCF recommends that FCO & DFID restore an open process and return to a system that involves fully the expertise of NGOs (and umbrella bodies like UKOTCF) working alongside officials to decide on grant funding.



Funding from the European Union

Working with its equivalent bodies for French and Dutch overseas territories, UKOTCF some years ago planted the idea of European Union support for conservation in the OTs (almost all of which are not eligible for most EU funds). The idea was taken up by a senior European Commission official, and then by European Parliamentarians from French territories. A pilot programme Preparatory Action (Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories) ‘BEST’, was established by an initiative of the European Parliament, in collaboration with Directorate-General Environment, utilising funds from Directorate-General Development Cooperation. There have been two tranches of €2 million.

... It had been assumed that the plan was a permanent fund arising out of this preparatory action, with the current BEST results proving the need for it. Unfortunately, a senior official from Directorate-General Environment has now indicated that establishing such a budget-line would be impossible. The policy now is to access existing EU budget-lines to fund environmental projects. This, however, causes major problems for the UKOTs since, aside from the possibility of access to the EU fund LIFE + for the UKOTs, there are virtually no European Union funds that are accessible to them.



Funding from the European Union (continued)

At present, it seems that even inclusion in LIFE+ may not be extended to OTs, but may be extended to non-EU countries in Asia! There is a need for considerable lobbying on the part of the UK Government to change this situation. On past experience, this seems unlikely, it being clear that lack of attendance at meetings by UK ministers and officials is one of the main reasons that UK (and UKOT) bodies fare poorly in EU funding for the environment. UKOTCF has previously indicated also the need for the UK Government to work with other states to press the European Commission to reduce the needless and disproportionate bureaucratic load on applications and other processes.

A later presentation will explore this further.

UKOTCF recommends that UK Government engages more with the European Union institutions in order to ensure that UKOTs are not effectively excluded from EU funding for biodiversity conservation – and that, when funding is made available, procedures are simplified.



King Penguins, South Georgia



National Lottery Funding

The benefits of the National Lottery are not available to the UK Overseas Territories, unlike for example its Dutch equivalent for Dutch territories.

The Department for Culture, Media and Sport (DCMS) states that “*Lottery funding can be made to organisations based in the UK for activities overseas, such as in the Overseas Territories*, provided the funding meets the purposes (legislation or charter) of the relevant distributor. There is no bar on Heritage Lottery Fund (HLF) making such grants *but HLF’s current policy is to treat any such applications as a low priority*. When making decisions on funding, HLF take into account their policy directions, which place an emphasis on funding the heritage of the UK for access by the people of the UK [emphasis added].” *HLF seems unaware that the UKOTs are sovereign UK territory and their people UK citizens.*

The problem with this statement is the HLF’s express policy is to treat such applications as low priority, so once again a funding source described in the White Paper is not actually available to the UKOTs.

Blue Iguana, endemic to Grand Cayman



National Lottery Funding (continued)

UKOTCF agrees with The Hon Mr Henry Bellingham MP, then Minister for Overseas Territories, who said during a visit Bermuda in late 2011 “It seems to me grossly unfair that the citizens of these Territories who have British passports, that they are keen to retain the link with Britain and it seems to me quite wrong and anomalous that they can’t enjoy the benefits of the Lottery.” *It is not clear why Ministers have not given the Lottery bodies a Direction in line with the intentions expressed in the White Paper.*

UKOTCF recommends that Ministers act on the importance they attach in the White Paper to the UKOTs and direct the National Lottery bodies to give at least equal priority in making grants for UKOTs as for metropolitan UK.



Reddish and Great Egret fishing, Grand Turk, Turks & Caicos



Topic 1 c. Statement from FCO on what it is trying to achieve with respect to the environment

Background and introduction by UKOTCF

UKOTCF and FCO used to work very effectively together to improve the conservation situation in UK Overseas Territories. This positive relationship ran through the 1990s but began to fade from about 2006, when FCO ended most of its environmental posts and abolished its department dealing with environmental policy. Co-operation declined rapidly, as did FCO's approach to conservation in the UKOTs, leading to severe criticism of FCO in reports in 2008 by the House of Commons Select Committees on Foreign Affairs and Environmental Audit.

Shortly after his appointment as FCO Director of Overseas Territories, Colin Roberts met UKOTCF's then Chairman (Dr Mike Pienkowski) and then Development Director (Dr Oliver Cheesman) for a brief introductory discussion on 29th July 2008. Mr Roberts indicated that he was keen for FCO engagement with UKOT issues to improve during his 3-year tenure, noting that he had 3 years to turn things around from a failure to a success [following the Parliamentary reports]. Mr Roberts added that that Dr Pienkowski should take the opportunity of dropping in on him when at FCO for other meetings.

However, shortly afterwards, FCO unilaterally cancelled the joint meetings of Government bodies and NGO meetings which had met twice yearly for some 20 years, under the joint chairmanship of UKOTCF and FCO. These meetings had proved effective in driving forward conservation in the UKOTs by facilitating all sorts of co-operations and sorting out misunderstandings. Accordingly, conservationists in the UKOTs and Crown Dependencies greatly regretted the loss of these meetings – a loss imposed on them unilaterally by FCO, and without consultation.

In the course of time various issues arose for which consultations between UKOTCF and FCO would have been appropriate. However, despite Colin Roberts' initial invitation to meet at any time, even without prior arrangement, he declined all requests (with prior notice from UKOTCF) for meetings for almost 4 years, until finally meeting UKOTCF's current Chairman, in June 2012.

UKOTCF was pleased to re-establish links, also because it had just discovered from an internal DEFRA email had recently come to light in 2012, reporting a meeting between DEFRA and FCO officials, the latter including the Director of Overseas Territories, Colin Roberts. This made clear that FCO had been trying to undermine UKOTCF since at least 2009, while simultaneously denying to UKOTCF any dissatisfaction with it. Although this had been sent in 2009, it had only just been seen by UKOTCF.

At the meeting in 2012, Mr Roberts indicated that FCO would now treat the Forum more sensibly. He indicated also that UKOTCF would not like the contents of the White Paper (which had not then been published) but that he looked forward to future discussions.

As Mr Roberts anticipated, UKOTCF was very unhappy with the White Paper when it was eventually published, and put a great deal of work into analysing ways forward (as you will have seen from circulated papers and the preceding presentation). UKOTCF similarly looked forward to constructive debate with FCO and others, and invited FCO to present their viewpoints and participate in discussions at this workshop.

UKOTCF was therefore amazed that, a few days before the workshop, FCO withdrew on behalf of itself and DEFRA, and pressured others to do so.

FCO declined our invitation to participate, but sent a statement. I am going to read this in full. After that, as we cannot engage in discussion with FCO, I will make a few comments where there appear to be factual errors or important misinterpretations in the statement.

Email and message from FCO's Director of Overseas Territories, Colin Roberts

From: <Petrolla.Clarke@fco.gov.uk>

Date: 17 September 2012 15:16:05 GMT+01:00

To: <ctydeman@lineone.net>

Cc: <Eric.Blencowe@defra.gsi.gov.uk>, <L-Reid@dfid.gov.uk>, <Jane.Rumble@fco.gov.uk>, <James.Jansen@fco.gov.uk>, <Sion.Griffiths@fco.gov.uk>

Subject: Re: Seminar on White paper

Sent on behalf of Colin Roberts

Dear Chris,

Thank you for your e-mail below inviting participation in a forthcoming seminar you are planning on the Government's recent White Paper on the Overseas Territories. We also understand you have extended similar invitations to colleagues in Defra and we have discussed with them the appropriateness of HMG's engagement with the Forum going forward. This response is therefore on behalf of FCO and Defra.

The Forum's recent newsletter, published on its website, included an extensive critique of the recent White Paper, suggesting that the White Paper is a backwards step in the Government's commitment to environmental conservation in the Overseas Territories. As we have reiterated (at meetings in FCO in June, prior to publication of your newsletter, and subsequently in Defra on Monday 10 September), the Government clearly signals throughout the White Paper that it continues to attach a high importance to OT environmental matters.

We have also talked to other interested NGO's about why the White Paper does not set hard targets for the OTs, explaining that as environment is a devolved responsibility for the OTs, this is something we are supporting each of the OTs to develop locally, through the environmental mainstreaming initiatives and local engagement. We have also been able to demonstrate that closer working within Government, particularly among Defra, DfID and FCO is seeking to achieve a more co-ordinated one-stop-shop source of funding support for environment and climate change initiatives in the OTs. The sum of which, we have committed, will be at least at the level of existing funding. Additional funding has also been made available for the OTs this year, both through the Darwin initiative and through direct funding by the FCO.

Only the Forum has continued to express the view that the Government is moving backwards on its environmental objectives and we are concerned that the way you have described the proposed seminar below indicates that you see this as a further opportunity to reiterate the views you have already published through your newsletter. In light of this, we do not see any positive benefit for the environmental conservation of the OTs to be gained through a repeat of the discussions we have already had with you. Our desire is now to move forward with the development of the new project support scheme for the OTs, further mainstreaming support and other practical projects and initiatives. In doing so, we will continue to engage with all NGOs who are keen to work with us to deliver agreed objectives.

I hope that your seminar will focus on the positive initiatives the Forum, and its members, may wish to engage on into the future in respect of the environmental management of the OTs. I would be very happy for you to circulate this message (and the attached information note that further sets out the new funding initiative) to each of your member organisations, with whom we look forward to continuing to engage, in each of the OTs.

Regards,

Colin

Colin Roberts CVO
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HM Commissioner, British Antarctic Territory
HM Commissioner, British Indian Ocean Territory
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FCO Overseas Territories Environment Programme – Update to stakeholders

Over the past twelve months we have been making a number of changes to the way we manage the FCO's Overseas Territories (OTs) Environment Programme to develop a more strategic approach to our funding of environmental issues in the OTs. This approach was outlined in our recently published White Paper. I wanted to take this opportunity to tell you a little more about how we are delivering on this more strategic approach and what we have planned for the future.

Before we go into more detail on our new strategic approach it is important to note that we are maintaining our spending commitments over the current spending review period on our OT environment programme – something that we are pleased to announce given the current squeeze on government spending.

At the heart of our more strategic approach is our new Environmental Mainstreaming Initiative and the development of a new funding mechanism to replace OTEP. Further information on these initiatives are summarised below.

Environmental Mainstreaming

What is it? Environmental mainstreaming is the integration (or mainstreaming) of environmental considerations into Government policies and processes. The aim is to better recognise the economic value of the environment to growth and development, and human wellbeing, to facilitate more balanced decision-making and long-term, sustainable, benefits.

How does it work? The work is highly participative and aims to understand the state of knowledge, legislation and capacity within the Territory to deal with environmental issues and carry out an assessment of the value of the natural environment to the economy. A workshop then brings stakeholders, including politicians, together to discuss and review findings and highlight areas where priority action needs to be taken – and which can serve as a focus for future environmental engagement from within the Territory, HMG or elsewhere.

What have we done so far? During 2011/12 we undertook two pilot projects in the Falkland Islands and British Virgin Islands, working closely with Governors' Offices, Territory Governments and local stakeholders on this Territory-led process. Following an evaluation of their success, we have agreed to roll out the programme more widely this year. Separately, the Department for Environment, Food and Rural Affairs (Defra) is funding environmental mainstreaming in Anguilla as a key part of their follow-up to the Overseas Territories Consultative Council last November.

Our focus is currently on the inhabited Territories which are not eligible for ODA (Official Development Assistance), as mainstreaming is an approach that the Department for International Development aim to employ more generally in their work in Territories which are eligible to receive ODA.

Funding of environmental projects – post OTEP

The new strategic approach to funding environment work in the OTs means that we are moving away from OTEP. Since its inception, OTEP has disbursed £8m through more than 140 projects across the Territories and we are keen to build on its success. We hope to make available additional funding opportunities later in the year and announce a new cross-government approach to funding environment and climate related work in the Territories. This is entirely consistent with the approach we have taken in the Overseas Territories White Paper.

I hope you have found this update on our current and future plans helpful. We will aim to keep stakeholders updated over the coming months.

Siôn Griffiths

Desk Officer for Environment & Climate Change Issues | Overseas Territories Directorate | Foreign and Commonwealth Office

UKOTCF comment on FCO statement

As noted earlier, we wanted to read the FCO's email and attached statement in full, so as not to misrepresent FCO. However, there are points which we would have wished to discuss with them, because

they appear to be based on errors or on misinterpretation of UKOTCF's position. Briefly, these include:

1. FCO's expressed surprise at UKOTCF's dissatisfaction with the White Paper is itself surprising because this dissatisfaction was predicted by FCO's Director of Overseas Territories.
2. The 10th September meeting to which reference is made was requested by DEFRA to discuss another matter. By the time of the meeting, DEFRA had forgotten the agenda they set, had invited FCO without advising them of the agreed agenda, and even DEFRA senior staff present had not been briefed on the agreed purpose of the meeting. Not surprisingly in this context, the meeting was not successful as it had not been set up as one to discuss the White Paper.
3. FCO persists in claiming that UKOTCF expects it to set conservation objectives for UKOTs. This is not correct. It is difficult to see why FCO maintains this claim, as the misunderstanding has been explored with FCO and at workshops which UKOTCF has organised in 2010 and 2011, with UK Government involvement, to try to fill the many gaps in UK Government's "*UKOTs Biodiversity Strategy*" (2009). UKOTCF's point is that bodies trying to support conservation in UKOTs need objectives for their own strategies and actions (which may or may not include helping UKOTs develop their own strategies). It is difficult to see how one can have a "strategic approach" (to which FCO frequently refers) if one does not have objectives. FCO, in fact, concedes this point by ending its email with the comment "we will continue to engage with all NGOs who are keen to work with us to deliver agreed objectives."
4. FCO's reference to providing a one-stop shop for UKOT conservation fails to note that the attempt by DEFRA/FCO/DFID to do this in about 2009 never worked, and some queries to that entity in 2009 remain unanswered.
5. With regard to finances, UKOTCF's complaint is not so much about the total amount (which repeated questioning has failed to reveal) but about the move from an open process to a secret one (for which not even the process of making applications has been made available), the effective exclusion from funding of most NGOs (which had been some of the most cost-effective in the past), and the abandoning of consultation with long-term partners. The suggestion that OTEP is being restructured is of interest, because UKOTCF (as previous advisers to OTEP) had repeatedly and privately pointed out to FCO and DFID the poor management of this programme and how this could be improved. It is of concern that the revision is taking place by the bodies responsible for this mis-management, and excluding those with experience of grant management who earlier pointed out ways forward.
6. As well as UKOTCF member and associate organisations, several other bodies have expressed concern at the White Paper. However, they have not made open criticisms because it became clear that remaining UK Government funding to them would consequentially be at risk.
7. UKOTCF remains puzzled by FCO apparently re-inventing the wheel (and thereby squandering public money which could be deployed to conservation) by its "mainstreaming exercise". This appears to overlap the local development of strategies to implement the Environment Charters. With support from FCO, UKOTCF piloted the facilitation of this exercise in several UKOTs in the period 2002-5. In 2003, revised in 2005, UKOTCF (at the request of FCO and DFID) reviewed how this could be rolled out cost-effectively to other UKOTs, but UK Government seemed surprised that all UKOTs would need to undertake this work. Whilst it is encouraging that, 8 years later, UK Government has taken the point on board, it is worrying that it seems to have forgotten the Environment Charter process.

TOPIC 2: ENVIRONMENT CHARTERS, BIODIVERSITY STRATEGIES ETC

Topic 2 a: The value of Environment Charters -- Dace McCoy, Lady Ground, Bermuda National Trust

I'd like to start with a brief overview of the Environment Charters.

The 1999 White Paper Partnership for Progress and Prosperity noted that the UK and its Overseas Territories have not lived up to their obligations with respect to environmental conservation, and promised to resolve that problem by negotiating Environment Charters with the Overseas Territories which would lay out responsibilities for HMG, UKOT governments, NGOs, and other stakeholders.

In 2001 each of the UKOTs signed a Charter, except for Gibraltar, which has subsequently adopted the language of the Charter in another form, and the Cyprus Sovereign Base Areas. Although the language of the Charters is similar, they were developed with each of the Territories by representatives of the FCO, so there are minor variations. The Charters were signed for the UK by Valerie Amos, Overseas Territories Minister, and by the head of each UKOT Government.

The Charters are prefaced by ten Guiding Principles. These principles are followed by the Charter Commitments, a set of mutual commitments which generally set out what each Territory Government will do and how the UK government is committed to supporting that. Thus each UKOT Government will:

1. Develop a detailed strategy for action to implement the charter
2. Protect key habitats and species and control invasive species
3. Integrate environmental considerations into all planning; and promote sustainable production and consumption
4. Carry out Environmental Impact Assessments before approving major projects
5. Commit to open and consultative decision making
6. Meet obligations under MEAs and work towards the extension of other agreements
7. Review the baseline data for conservation work in the Territory
8. Implement 'polluter pays' pollution control
9. Encourage environmental education
10. Promote the Guiding Principles within the Territory and promote the special features of the Territory abroad
11. Abide by the principles of the Rio Declaration

And in return, the UK Government commits to

- help build capacity for integrated environmental management within the Territory and assist with environmental legislation
- facilitate the extension of MEAs to the Territory and help ensure that the Territory can meet its international obligations
- promote cooperation and sharing of experience and expertise
- offer UK expertise on technical and scientific issues
- consult with interested NGOS and networks
- fund conservation work with the Environment Fund for the Overseas Territories; promote access to other sources of public funding; and help the Territory identify other funding partners
- and abide by the principles of the Rio Declaration.

So, what the Charters do is recognise that if care for the environment is to be devolved to the Territories themselves, the local government must be committed to best practice in its management, and HMG will in turn ensure that the Territory government has the help and resources it needs. Totally straightforward: you take proper care of your natural resources and we'll make sure you have what you need to do it right. Who could argue with that?

I next want to address why the Charters are so important to the UKOTs.

I want to talk about three aspects of conservation work in the UKOTs.

- **First is the political nature of land use and development decisions.**

As Gillian Cooper says in her 2010 report to the IUCN:

In the UKOTs 'the political nature of land use and development control brings conservation and environmental departments and NGOs into conflict with more powerful development interests. The ability of environment agencies tasked with the implementation of the CBD commitments to influence development planning and land use is often limited.'

This is something that anyone working in the UKOTs is aware of. Major development decisions are considered to be the province of Ministers, and they tend to feel that they know what is best and that environmental considerations are very much secondary to what often turn out to be short-term economic gains.

When I first went to work in the Cayman Islands we were called 'consermaniacs' by politicians, including the man who is now the leader of the country. It was good-natured, but that doesn't mean it was not serious.

But in Cayman I learned the political nature of development decisions the hard way. I was working as a consultant for the Portfolio (as Ministries were then called) of Natural Resources. At that time there was considerable controversy over a proposed dredge and fill development that would destroy a considerable portion of critical mangrove habitat, proposed by a prominent Jamaican developer. While employed by Government, I happened to attend the Commonwealth Law Conference in Jamaica and at a barbeque dinner around picnic tables, I expressed my view, born of years of working in the American planning system, that politicians should not have influence over development decisions. Unknown to me, across the table was the brother of the developer. By the time I got back to Cayman, I had been fired.

So the first point is that major development decisions are highly political and the government departments responsible for environmental conservation and planning are outgunned by the political influence of developers.

The second point is the culture of secrecy in UKOT governments.

All Cabinet decisions are made in secret and no reasons are given for them. This culture of secrecy extends into many areas of government. Development Application Board meetings in Cayman were closed and in the TCI, the Physical Planning Board Regulations provide that only invited guests may attend meetings and the press is specifically banned. I'd be glad to learn of an Overseas Territory where this is not the practice.

A recent high-profile case in Bermuda illustrates how this culture of secrecy works. The Bermuda Government had decided to issue a Special Development Order (or SDO) to allow a resort essentially to enter the real estate business and sell off land that had been covered by previous SDOs meant to encourage tourism development. The fact that this land was some of the most environmentally significant and vulnerable land in Bermuda made this especially important.

Rumours of this possible SDO were circulating and we at the Bermuda National Trust made formal inquiries of the relevant officials about it. The Trust and other NGOs were either stonewalled or actually told that there was no such proposal being considered. The first the public knew was the announcement that the SDO was being granted. It was a *fait accompli*.

The Trust and other NGOs rallied the public and major demonstrations were held to protest it. This resulted in some of the worst elements of the SDO being abandoned, but even then, there was no consultation or discussion.

It is worth noting that the Bermuda Government asserts that one reason for not requiring an EIA in Ministerial decisions regarding SDOs is that it would *'not be appropriate to mandate that Cabinet declare its deliberations over technical officer recommendations'* -- again, asserting that secrecy trumps consultation.

This all seems a bit ironic in the face of 'The Seven Principles of Public Life' laid out in the 2012 White Paper, which includes the principle *"Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their actions and restrict information only when the wider public interest clearly demands."* How anyone can reconcile those two positions is beyond me.

Anyway, the second issue is decisions with huge environmental consequences made in secret with no public consultation.

- **The third aspect I want to mention is the small populations of the UKOTs.**

In the Turks and Caicos the constituencies are especially small, and margins of victory can be five or ten votes. It is actually a significant factor in some elections which voters are in jail, and therefore won't be voting. This makes it difficult for politicians to carry out long range policies which may be unpopular in the short term, like fisheries management decisions. What politician with a ten vote majority is going to impose controls over something like spear fishing, when a significant number of his constituents will be angered by them?

So to summarise the problems:

- conservation departments outgunned by developers who often feel that EIAs are a waste of time or worse
- absolute secrecy about government decisions
- and small constituencies which make it difficult for politicians to make long-range conservation policies.

We conservationists felt like we were lone voices in the wilderness.

Imagine, then, how we in the Territories felt when the Environment Charters came into being. EIAs, protected area policies, open and consultative decision making and all the rest. Finally there was recognition of the complex issues related to conservation in the Overseas Territories and a mechanism was established to ensure that Territory governments employed best practice, with HMG supporting and advising them. It was a red-letter day when the Charters were signed.

Unfortunately, we feel that the UK Government is now backing away from them.

For a number of years, HMG worked with the UKOTs in a genuine effort to meet the commitments of the Charters, providing funding through OTEP with an open application procedure, working with

NGOs both in the UK and the Territories, supporting sharing of experience and expertise among the UKOTs, and all the rest. Then about five years ago, things started to change.

- In 2008, despite promising a House of Commons Select Committee that it would “*carry out a review of the Environment Charters which have now been in place for five years*” the FCO told the Forum (which had been asked to undertake the review of progress) that it did not have the resources to review its own performance, and, indeed, it has never carried out the review it promised in the Commons.
- Bi-annual meetings between HMG, the Forum network, and UKOT Government representatives and others to keep track of progress in conservation were ended unilaterally by the UK Government. At first we were told that it was just a scheduling problem, but the last meeting was held in 2008 and it was later confirmed that such meetings will not be held in future.
- The application process for OTEP became more and more closed, until it is now no longer available for applications from the outside. OTEP may still exist as some hidden fund -- we have no way of knowing.
- Through all of this we felt that the UK was backing away from its commitment to the Environment Charters, but when the FCO issued its 2012 White Paper on the Overseas Territories, we knew. Despite claiming to build on the 1999 White Paper, and having a chapter on environmental conservation, it fails to refer to the Charters even once.
- This was capped off by the controversy in Bermuda to which I referred earlier, about whether the Charter requirement for environmental impact assessments was binding, as the Bermuda Ombudsman asserted. In an official statement the Bermuda Minister of the Environment, Planning and Infrastructure said on 2 May 2012: “We have taken advice from both the Attorney General's office and the FCO via Government House, and conclude that the UK Environment Charter does not constitute law. It is unenforceable. Rather, the UK itself considers the Charter to be “aspirational”.”

I'm sorry, but we find that risible – and it has been thoroughly refuted in legal terms by the Ombudsman's formal response.

So why do we think the Charters were meant to be mutual commitments, not simply 'aspirational'?

Well, HMG certainly seems to think so:

- In announcing the signing of the Charters in 2001, Baroness Amos stated that the Charters contain '*some real long-term commitments*'.
- The House of Commons Select Committees seem to accept the reality of the Charter commitments. For example, in 2008 the Environmental Audit Committee described the Charters thusly: '*The Environment Charters describe the responsibilities of the UK Government and the Government of each Territory for the conservation of the environment in the UKOTs*'.
- Indeed the FCO evidence to the Environmental Audit Committee in 2007 was that '*the Environment Charters provide the basis on which government departments here, individually and collectively, can work in cooperation with the governments of the OTs*'.
- JNCC includes '*the progressing of Environment Charters*' in the overall aim of its Overseas Territories and Crown Dependencies programme.

- Defra's 2012 report on the environment in the UKOTs. Chapter 2 on delivering environmental policy begins:
'The responsibility for environmental management in the UKOTs has been devolved to the UKOT's governments, but the UK Government recognises that many UKOTs lack sufficient funding and/or personnel capacity to ensure the protection of the local environment and therefore require additional support. Each of the UKOTs has developed an Environment Charter, which is a formal, individual agreement, listing commitments to develop and implement sound environmental management practices in the UKOTs and clarifying the roles and responsibilities of the UK Government, Overseas Territory Governments, the private sector, NGOs and local communities.'
- But in many ways, the strongest evidence is the actions of HMG and the UKOT Governments, which have acted for years as if these commitments are real, and have dedicated funding and resources to meeting the commitments.

And finally, what is the legal basis for our position that they are binding legal commitments?

As I've mentioned several times, the Bermuda Ombudsman, Arlene Brock, has taken up the issue of the Environment Charter in her report on the SDO I described earlier, particularly in reference to the requirement for an EIA before approving potentially harmful development. She did a full investigation of the Tucker's Point SDO that I described at the beginning. It is her position that the Charters are valid and binding, and the Bermuda National Trust and the Forum accept her reasoning and strongly support her view. The following summarises her reasoning.

- The general principles of international law provide that bilateral agreements between governments are binding if
 - they are signed in writing with specific commitments
 - are entered into without coercion or duress
 - and there is no express written provision that the signatories do not intend to be bound.

Clearly the Environment Charters meet these criteria and were intended to meet them.

- We do understand that international agreements of this sort are not enforceable in court. Rather they rely on the integrity and goodwill of the signatories... and their desire to be perceived as responsible members of the international community.

That being said, there are other such agreements about which the UK Government would be horrified if it were suggested that they can be ignored, such as the OECD Tax Information Exchange Agreements. The 2007 TIEA between Bermuda and the UK, for example, is brought into force by the exchange of letters over the signatures of Bermuda Minister of Finance and a Parliamentary Under-Secretary of State, in the same manner as the Charters. Imagine Britain's reaction if Bermuda were to assert that this tax information exchange agreement is 'aspirational'.

- In 1992 the UK became a signatory to the Convention on Biological Diversity which essentially comprises a comprehensive list of actions needed to protect species and habitats -- a list which includes every commitment in the Charters. Section 4 of the CBD imposes accountability on each signatory for processes and activities '*carried out under its jurisdiction or control, within the area of its national jurisdiction or beyond the limits of national jurisdiction.*' Thus Britain, as a signatory, is responsible for meeting the obligations of the Convention in its UKOTs.

- In 1999, the FCO issued its White Paper 'Partnership for Progress and Prosperity'. It lists the responsibilities HMG and the UKOT governments have with regard to sound environmental management, reflecting again the elements of the CBD. It then notes: *'These responsibilities already exist, but the UK and its Overseas Territories have not always addressed these issues sufficiently consistently or systematically.'* It then announces the development of the Environment Charters to clarify respective roles and responsibilities.

We believe that the Charters are the means by which the UK intended to meet its international obligations under the CBD and other MEAs.

- The Environmental Audit Committee of the House of Commons which in its 2006-7 review of the FCO said it was *'necessary to assess whether both the UK Government and the governments of the UKOTs have met their respective obligations under the Environment Charters and Multilateral Environment Agreements.'* They go on to describe the UK's responsibility for the OTs as *'domestic and international environmental commitments'* and note that *'failure to meet such commitments undermines the UKs ability to influence the international community.'*

The 2012 White Paper lists compliance with relevant multilateral environmental agreements as one of its four goals for environmental management. Our question is: if the Charters do not constitute the mechanism by which the UK meets its international obligations, what is that mechanism?

But more importantly, most people seem to understand that the UKOTs have a variety of cultural and financial issues which affect meeting best practice in environmental management. The 1999 White Paper and the subsequent Environment Charters took a realistic look at what would be needed to enable local UKOT governments to care for their environmental resources, and developed a detailed programme of mutual commitments that would enable that to happen. Both White Papers recognise the hugely more valuable biodiversity of the UKOTs as against metropolitan UK. Why turn our backs on the one scheme that will enable effective conservation of these resources?

We urge HMG to reaffirm its commitment to the Environment Charters.

Topic 2 b: Correspondence relating to information on mainstreaming and JNCC project funding

UKOTCF was keen to involve the Joint Nature Conservation Committee in this workshop, especially to address the “mainstreaming” initiatives that UKOTCF had heard of but could not locate any information about, and also the grant programme to which some UK Government funding appeared to have drifted, but less explicitly than former arrangements. UKOTCF was interested especially in how the “mainstreaming” related to the Environment Charters and the facilitated strategy development which was undertaken for those in 2002-5, involving UKOTCF, as well as the later monitoring of progress coordinated by UKOTCF.

Initially, JNCC’s Chief Executive, Marcus Yeo, agreed that JNCC would be represented and give a presentation. However, about a week ago, Marcus Yeo wrote again to UKOTCF’s Chairman, indicating that, as FCO and DEFRA had withdrawn from participation in the workshop, JNCC (as a DEFRA agency) would have to as well.

UKOTCF thought it important that JNCC’s position, as indicated by information on the record, should not be overlooked. As Secretary of UKOTCF’s Wider Caribbean Working Group, I had been in communications with JNCC to try to find out what they are doing in the UKOTs. Accordingly, UKOTCF asked me to extract relevant material to summarise this.

First some Background:

JNCC’s involvement in UKOTs and Crown Dependencies was very limited until about 2006. UKOTCF had liaised closely with JNCC prior to this, and indeed supported JNCC’s wishes to be allowed to do more with UKOTs and CDs. UKOTCF and JNCC were, at the time, agreed that any increased involvement by JNCC should bring in additional resources for conservation in UKOTs/CDs, and that JNCC should not compete with NGOs and local bodies for existing resources.

In the early period after JNCC’s spread into UKOTs/CDs, its officers asked to be invited to UKOTCF regional working group meetings alongside FCO, DFID and DEFRA officers who were invited and sometimes attended. Accordingly, UKOTCF invited JNCC personnel, who attended for a few meetings. However, a few years ago, JNCC and later the departments stopped attending the UKOTCF working group meetings. UKOTCF later discovered that JNCC had, without informing UKOTCF, set up its own networks. These included only governmental personnel from UKOTs and CDs, not the NGOs and UKOTCF was not invited or even informed. The UKOTCF groups had always included both governmental and NGO groupings. It later became clear that this undeclared initiative by JNCC had caused considerable confusion in several UKOTs where, not surprisingly, personnel did not realise that JNCC was not liaising with UKOTCF and that the JNCC groupings were so exclusive.

Trying to overcome this blockage in information flow, the UKOTCF Wider Caribbean Working Group asked me to find out about projects that JNCC was funding and what this was resulting in – so that at least this information could be available and duplication avoided.

So, turning to **JNCC-funded projects**, in January 2012, I wrote to Tony Weighell, JNCC’s Overseas Territories officer, asking for an update on JNCC-supported projects in the UKOTs. Tony replied that he did not have the material to hand, but would report at the end of the financial year (March 2012) when he would have to assemble a report anyway.

After the end of the financial year, in early May, I wrote again to Tony Weighell at JNCC, to follow up progress on this report. In June Tony, replied with a list of project titles. At the request of WCWG, I wrote back to Tony on 22nd August, saying:

QUOTE

Dear Tony

UKOTCF's Wider Caribbean Working Group was very interested to learn about the projects JNCC is funding or involved in with the Caribbean UKOTs, as noted in the minutes of the last meeting, and would greatly appreciate finding out more about the progress and outcomes of these projects. WCWG asked me to contact you for more details.

For ease of reference, I copy below the information from the table of projects which you previously supplied to WCWG

[I then listed the JNCC Caribbean projects:]

BVI - Developing an ecosystem based decision support tool - with the BVI Government funded and managed by JNCC (2012)

Anguilla - Wetland Ecosystem Assessment - with the Anguilla Government funded by JNCC (2012)

Anguilla - Terrestrial Habitat Mapping - with the Anguilla Government funded by JNCC (2011/12)

Turks and Caicos - Rescue and collection of endemic and endangered plant species for biodiversity conservation - with TCI Government funded by JNCC (2011/12)

Turks and Caicos - Assess and monitor Nassau grouper populations and spawning aggregate locations - with TCI Government funded by JNCC (2011/12)

Bermuda - Seagrass Survey - with Bermuda Government funded by JNCC (2012)

Caribbean - Threats to marine ecosystems/biodiversity in the Caribbean Overseas Territories - being carried out by Newcastle University with funding from Defra (2012/14)

Anguilla - Lionfish Ecology in Anguilla - being carried out by Southampton University with funding from Defra (2012)

BVI - BVI environmental mainstreaming - being carried out by Canari with funding from FCO and JNCC (2011/12)

Anguilla - Application of a National Ecosystem Assessment to Anguilla - with Anguilla Government, funded by Darwin Initiative Challenge Fund for Overseas Territories (2012)

[I then continued:]

I am more than happy to receive hyperlinks to online reports and summaries about these projects which I can use to further inform WCWG, or receive pdfs of reports and summaries which I can likewise use to extract relevant information for WCWG. Or you might have information about the status, outputs and conclusions from these projects which you can send to me.

As noted in the last set of minutes, a Skype-only meeting of WCWG will take place in September, and I will circulate date and time for this once finalised. Our next physical meeting is scheduled for December.

In the meantime, I hope that you have had/ are having, an enjoyable summer break.

Best wishes

Ann

ENDQUOTE

Tony Weighell replied on 29th August 2012:

QUOTE

Dear Ann

Thank you for the enquiry. Most of the projects mentioned are being managed by OTs themselves rather than JNCC and in the first instance if you want information on the work you should contact the relevant OT contact. For the TCI this will be Wesley Clerveaux, Anguilla Karim Hodge, Bermuda Samia Sarkis. In due course JNCC will post summary reports on its website.

The Anguilla lionfish ecology project is in its early stages and results for reporting will not be available until early next year.

The BVI Green Economy project was managed under contract to the FCO. They, and the BVI based Project Oversight Group, have reports on the project and you should approach them for information.

Of course, the simplest way for you to receive first hand updates would be to invite the appropriate OT representatives to report at your next regional meeting.

Best wishes.

Tony Weighell

ENDQUOTE

This surprised us somewhat because a condition of all previous project schemes using UK public funds in the UKOTs had been that information on projects and their results should be publicly available (with exceptions for sensitive information). We were surprised also because one of the persons that we were advised to contact had left that post over 5 months earlier – which did throw some doubt on how closely JNCC were monitoring their use of taxpayers' money.

I wrote back to Tony Weighell on 12th September 2012:

QUOTE

Dear Tony

Thank you for your reply. I note that you do not have information on the projects, and I will seek information directly, along the lines you suggest.

For your further information, the Caribbean UKOT government representatives are already part of the UKOTCF WCWG network. Indeed, Janice Panton (Montserrat government representative) participated in our last meeting, and Daisy Hooper (Anguilla government representative) participated in the previous one. So I will also make appropriate enquiries of those UKOT government representatives who have JNCC-funded projects in their territories.

Best wishes

Ann

ENDQUOTE

Tony Weighell replied the same day:

QUOTE

Dear Anne

Just to correct an apparent misunderstanding on your part. Given that JNCC is contributing to, managing or advising on all of the projects mentioned we have information on all of these. The point is that most are being managed by OT Government Departments and you should refer to them in the first instance for information - it is not for us to report on their behalf. When we contribute to a project we require as a condition of our financial support that we receive a report when the work is complete. We will receive these in due course from all projects we contribute to and summary reports will appear on our website. In the meantime the best approach is to contact the individuals named in my email. I note you mention that Daisy Hooper, whom I have met on various occasions, represents Anguilla in your working group. As a London based representative of Anguilla she is not well placed to provide information on the biodiversity projects referred to (habitat mapping, wetlands work, lionfish ecology, NEA scoping) and I would again suggest Dr Karim Hodge as the best possible source of information.

For the BVI Green Economy project I explained that it is not for JNCC to release reports until the OT Project Oversight Group gives consent. Although the project was UK Government funded and JNCC managed it was overseen by the BVI POG and is effectively their project. Incidentally, reports on the counterpart project in the Falklands are now available having been released by the Falkland Islands Government. Again the same principle applied as for the BVI, a Falklands based POG representing a wide range of FI stakeholders providing oversight of the work. If the Forum is interested in these documents please let me know.

Tony

ENDQUOTE

This reinforced UKOTCF's puzzlement as to why previous reporting requirements for UK-public-funded projects had been abandoned by JNCC – and UKOTCF had hoped to explore this today.

I am now trying to follow up JNCC's suggestion that we ask individual project managers for information, although UKOTCF recognises that this is not the most efficient use of UKOTCF's time nor that of the project managers. I am also contacting local persons to try to ascertain the contacts for the BVI Project Oversight Group, as these were not supplied by JNCC even though they recommended this as a route to follow.

Our initial enquiries directly to UKOTs have revealed a further point of concern. For one of the projects listed by JNCC, officers in the UKOT government body listed by JNCC as managing it have no knowledge of a project of that name. That does raise some serious questions, including what has actually happened to those UK public funds.

I can now return to the matter of “**mainstreaming**”, touched on in Tony Weighell's messages. In December 2011, FCO had indicated to UKOTCF that the money previously funding the recently cancelled OTEP small grant scheme had been transferred to “mainstreaming” and JNCC were deeply involved in managing this. However, since then it has proved remarkably difficult to discover anything about this programme, despite numerous enquiries to FCO, DEFRA and JNCC.

A general statement of intent can be found in an online document of the Falklands Government:

QUOTE

Paper submitted by the Joint Nature Conservation Committee (JNCC) Environment Committee Meeting 26 October 2011

Background

The Joint Nature Conservation Committee (JNCC), which advises the UK Government on international biodiversity issues, is managing a project on behalf of the UK's Foreign and Commonwealth Office (FCO), the overarching objective of which is: *'To work with each Overseas Territory (OT) Government to understand the economic and overall value of its natural environment, the threats posed and options available for managing these threats, and to enable environmental issues to be integrated into strategic decisions.'* The project is based on the premise that this objective can be achieved through strong integration of environmental issues ('mainstreaming') within OT Government processes. Such integration will require a better appreciation of the role and value of ecosystems in delivering those natural assets which are key economic drivers in the OTs. Mainstreaming environmental issues will also require a good understanding of the pressures on natural assets, and the measures needed to manage them. The project will involve two OT case studies which will serve as pilot projects: the British Virgin Islands and the Falkland Islands. These case studies will involve separate but comparable work-streams.

Project Objectives

The objective of the project is to determine the ways and means whereby existing institutions and decision making processes in the Falkland Islands can be used to integrate environmental issues into decision making. The process will identify short, medium and long term actions necessary to implement such integration. The project will produce a comprehensive set of messages to be conveyed from the Falkland Islands to the UK Government describing the nature of political, technical and financial support needed for implementation to be achieved. The project will allow the UK Government to take a strategic overview of how to provide such support using its own resources and those available through the European Union.

ENDQUOTE

We now know that facilitation of the Falklands Islands exercise was contracted to a consultancy company. There is a certain amount of information such as agendas of meetings, on the FIG website, and Tony Weighell has supplied us with two summaries provided by the Falkland Islands Government.

Recommendations from the workshop were summarised as:

- the formation of the cross-sectoral Biodiversity and Environmental Mainstreaming Group (BEMG), to drive forward environmental mainstreaming at the policy and decision-making level;
- re-consideration of the Falkland Islands' position on the Convention on Biological Diversity – with the costs and benefits of doing so explored; and
- carrying out a study of the costs and benefits of the environment, as part of Phase 3 of this Environmental Mainstreaming Project.

The Falkland Islands Executive Council meeting minutes of 27 June 2012 (in consideration and acceptance of the Environmental Mainstreaming Project Recommendations) noted that there were no financial obligations to FIG in taking forward Phase 3 of the project as funding is available from

JNCC for carrying out a study of the costs and benefits of the environment, as part of Phase 3 of this Environmental Mainstreaming Project.

We have been able to find even less information on the British Virgin Islands exercise, which we understand is being managed by JNCC itself, with a contract to CANARI to facilitate. By chance, UKOTCF's Chairman and Honorary Executive Director were in BVI at the same time as a workshop of that project. It was striking that many of those invited had no idea about the initiative, except that it appeared to be something invented by UK Government, rather than something local bodies had requested. Considerable further searching has revealed only a range of aspirational comments about what the work is intended to do, without any details of action or output.

This gives rise to a range of questions for FCO, JNCC, DFID and others, including – but not limited to:

- Why did FCO chose to abandon the OTEP small grants programme without consultation and in contrast to government commitments shortly earlier? (We understand, from information which will be explored further this afternoon that DFID would not have withdrawn from OTEP if FCO had continued its contribution.)
- Is the cost of “mainstreaming” workshops really costing the half million pounds per year that FCO previously put into OTEP?
- If not, what else is it being spent on and what process is being used to select projects; we have seen no call?
- What has happened to the half million pounds per year previously contributed to OTEP by DFID? (We understand from a DFID report recently discovered that QUOTE ‘as the FCO was not going for a bidding process there would only be a small amount of money the ODA eligible territories would be able to bid for. In our view it was more efficient to run the bidding round a year later when more funds would be available. Besides in terms of human resources capacity in OTD we decided to invest the time saved by not running the bidding round into a cross-Whitehall process to design an "All Overseas Territories Climate Change Programme".’ ENDQUOTE
- What procedure was used to select contractors for the facilitation of the mainstreaming exercises?
- Given that the objectives of the mainstreaming seem remarkably similar to those for the development of strategies to implement the Environment Charters (facilitated at the request of FCO, DFID and UKOTs themselves) by UKOTCF, why did UK Government not seek to learn from this experience?
- Why is the whole mainstreaming exercise (and JNCC grants) surrounded by such secrecy?

DISCUSSION SESSION ON TOPICS 1 AND 2: HOW CAN WE FILL THE GAPS IN THE WHITE PAPER AND REINFORCE THE ENVIRONMENT CHARTERS?

National Lottery Funding for the UKOTs

Mat Cottam raised the issue of the National Lottery funding policy as mentioned in the White Paper.

Mike Pienkowski recalled that enquires on Lottery funding had started a decade ago. The first answer received had been that UKOTs were not legally allowed to apply. However, after checking the legislation, there was no such constraint as UKOT citizens are UK citizens. Lottery bodies had a poor understanding of what the territories were – the examples of territories they were citing were not actually UKOTs. The current response is that UKOTs are treated as low priority, which means they are unlikely to be awarded funding. It appeared that former Minister for UKOTs, Henry Bellingham, had been misled when he raised this issue as there is no legal requirement that Lottery funds be spent only in countries where tickets can be purchased.

Dace Ground noted that the White Paper appeared to present the Lottery as a possibility for funding. Mike Pienkowski added that this did not mean that it was government policy. If the UK Government was serious about this, why had Ministers not given this direction to the Lottery boards? Perhaps other Ministers of other departments did not support this. Tony Gent felt that the Lottery could not be used as a substitute for government funding.

Chris Tydeman added that rules had been tightened to make the Lottery even more focussed on metropolitan UK, insofar as players could not now change their direct debit so that they could continue playing the Lottery from abroad. This was in contrast to other EU countries, such as France and Spain. Mike Pienkowski noted that other EU countries such as the Dutch Postcode Lottery supported their OTs. In fact, when Forum partners approached the Dutch Lottery when they were campaigning for this, we learned that they were citing the UK Lottery funding of the UKOTs as an example of an existing resource, believing that to be the case.

Another problem is that all applications for Lottery funding go through the regional office in Britain appropriate to the application address in Britain, meaning that they would compete with local community projects (for projects below £100,000), to a local deciding committee. This puts the UKOTs at an additional disadvantage.

EU Funding

Chris Tydeman noted that the White Paper had made reference to BEST (Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories) funding from the European Commission as well as other horizontal funds. FCO had indicated that it was currently looking at the legality of this and what was available. DEFRA felt that it was too late to influence decisions on Horizon 2020, which had already been decided. The French and Dutch Governments were applying pressure to the Commission to ensure that they were eligible for funding and yet HMG has not.

Jonathan Hall reported that it was a real possibility that LIFE+, within Directorate-General Environment, would be extended to all EU overseas territories. There was a lot of support for this. This would now need to go through European Parliament.

Chris Tydeman agreed that, although this was a positive development, it might be the case that the amounts available were small compared to what was needed. Pressing officials on this was critical.

Jonathan Hall felt that this was not a foregone conclusion. Signs were that the Commission and some member states such as Germany were against this but the European Parliament supported it. UK Government needed to keep up this work.

Chris Tydeman felt it was important for the workshop to highlight the need of HMG to work more in influencing EU regarding budgets for environmental work in the UKOTs.

RSPB position

Chris Tydeman asked about RSPB's thoughts on the White Paper.

Jonathan Hall reported that their submission to the consultation had called for targets, strategic objectives and an agenda. They were disappointed that there were no targets and so it was a missed opportunity. They were now working on the glimmers of hope. They were pleased that the National Security Council and every department in HMG had a responsibility towards the UKOTs and that doors had been opened to greater engagement of other departments such as Department for Energy and Climate Change (DEC). Two areas they were looking to progress were: an implementation plan for the biodiversity strategy, which DEFRA have now agreed to pursue; and supporting the creation of this implementation plan and searching for funding to inform work. This work would include: assessing extinction risk across UKOTs (RSPB would now be moving to an all nature approach as well as continuing to utilise its core expertise in birds) and looking at greatest extinction risks, following the loss of the St Helena Olive; and collecting and consolidating information on invasive species across islands. A large number of eradications had already been done but there was a need to bring together information across all territories to enable more prioritising. They would encourage DEFRA to take responsibility and not hand it to JNCC. They feel that JNCC are trying to do everything. They were pleased to see a chapter relating to governance. They gave a more concrete position that many areas devolved should have same standards as UK and that there were areas where UKOT governments do have gaps. For example, Environmental Impact Assessment was not required in all UKOTs.

They had commissioned Foundation for International Environmental Law and Development (FIELD) to do a gap analysis of biodiversity and planning legislation as there is no current strategic overview of this for the UKOTs.

Dace Ground asked if all territory governments were involved and would they be looking at what government requires or what they deliver? For example, the Bermuda Government would tell you that an EIA was mandatory but it would not tell you that it did not require them for major development projects which are decided by Ministers through Special Development Orders. The views of non-government organisations would give a more balanced picture in what is actually happening.

Jonathan Hall replied that the gap analysis would be looking at the status of planning laws and local government views. It would be ideal to have information on other matters such as fisheries and biosecurity, but this was beyond the scope of the current project. Once a draft had been compiled comments would be welcome.

Chris Tydeman felt that the Forum had been blanked over this. At the recent meeting with HMG, they had said that they were forced to do something by pressure from RSPB but pressure from the Forum was having the opposite effect.

A general discussion agreed that the implementation plan, which was expected in spring, would be a good opportunity for HMG to impose some targets and objectives on themselves without imposing anything on the UKOTs.

Jonathan Hall noted that input in to the implementation plan would be the next step from the White Paper.

Mike Pienkowski noted that the Forum had done a lot of work on implementing the Environment Charters led by the UKOTs. The UKOTs had included many aspects into the plans, and UKOTCF had noted that some of these actions had already been in progress. It seems a pity to ignore this work, given that the Charters were highly valued. Chris Tydeman felt that HMG had in the UKOTCF

network a dedicated group of people with experience and expertise to assist them in this process and, given that they were so short on resources, it would seem sensible to use them.

Jonathan Hall remarked that it would be unlikely that FCO would have a large environmental department, as it would be somewhat unsustainable, given that new ministers were able to make changes to their departments.

Chris Tydeman recalled that, at the recent World Water Conference in Stockholm, a lady had approached him, identifying herself as staff from the environment department of FCO, so there are contacts there to be made.

Environment Charters

Iain Orr (former career FCO officer, responsible for the negotiating of the Environment Charters), welcomed the work commissioned from FIELD by the RSPB and emphasised that the likely outcomes of the report on invasive species represents a flow from the commitments of the Environment Charters. The Environment Charters took a year and a half to negotiate and were not drafted purely by FCO; they flowed from a consultation process, mainly by email. The 1999 White Paper had been quite secretive, although the governors were informed of part of the process. The HMG commitment to provide financial support was meant to emphasise that the Charters were two-sided. The actual text had been negotiated with UKOTs governments and main departments, FCO, DEFRA, DFID and in part by MoD, which made making the text into decent language a difficult process. If you took the language straight from Rio Declaration it was quite spongy. They deliberately had commitments with actions e.g. Will do this..., Ensure that..., Attempt to.... In this way, nothing could be guaranteed but it was recognised that resources were needed to try to progress each commitment. They had been considered in the same ways as other international documentation that HMG has put a signature to. The 5th commitment in the Charter was openness; having clearly identified the structure of the 2012 paper, which was building on its predecessor, it was strange that they should be absent. FCO reported that they had felt they did not need to mention them and so this should be taken to be positive that they have not disowned them.

Dace Ground felt that the omission of the Environment Charters from the White Paper had led the Bermuda Government to believe that this authorised it to disown and disregard them. This had not been the first time an omission had been made to a HMG document. The Environment Charters in the 2009 biodiversity strategy had been listed with the exception of the HMG commitment to working with NGOs and civil society. Chris Tydeman felt that the omission was either deliberate (hoping that they would go away) or that it was a genuine accident. Parliamentary questions may be one way of finding this out.

Although Iain Orr had suggested that there had been no consultation on the detail of the 1999 White Paper, Mike Pienkowski noted that there had been consultation of a different sort prior to the 1999 White Paper, but it was in a less structured form than current. A year before it, there was a conference which announced the forthcoming White Paper. It had become clear that an environmental chapter was not envisaged. However, one was introduced as a result of correspondence between UKOTCF and the then Foreign Secretary.

Forum/HMG relations

Philip Ashmole expressed concerns that discussions were getting into tit-for-tat, which would not get anyone anywhere. It was clear from withdrawal of support for the Forum and lack of attendance at the meeting that HMG felt that the Forum had become a nuisance and wished we would just go away. In order for potentially positive outcomes, it might be necessary to go right to the top of government with a question to the Prime Minister, who had professed to lead the 'greenest government ever'. The Environment Charters had been the way in which the previous government had committed itself to the UKOTs; one wonders why were they being disregarded.

Chris Tydeman felt that it would be easy for the Prime Minister to pass questions to the FCO. Several years ago FCO had sole responsibility for UKOTs, but now responsibility was being shared with several government departments, which meant that questions would have to be very specific. There was an Interdepartmental group, but FCO had recently indicated there was no longer a role for that. At the recent Forum meeting, FCO said that all departments had considered a different group. Furthermore, William Hague stated in the White Paper that he would consider a new working group if required. As it seems that cross-government approaches do not seem to be working, then some sort of group would be desirable. There would almost certainly be some tension formed by the new direction of OTEP given that DFID had part-funded OTEP and were now funding part of the Darwin Initiative. As those making the decisions on this funding do not feel competent in the discussions, they seem to be ignoring advice and making decisions in isolation.

Mike Pienkowski added that there was interest from within local communities for green development, even if the DFID-dominated leadership did not place great value on it. Tony Gent felt this was institutional and an attempt to block this issue (as he had similar experience). What is the UK and how does it interact with its territories? UK Government Departments do not even know how to interact with Scotland and Wales, and so the UKOTs are more difficult for them. We need to ask why they are reacting in way they are. HMG may have decided, for now, that there is better value in working with one organisation, RSPB, and or they could be playing several organisations against each other.

Chris Tydeman added that metropolitan UK had devolved responsibilities for conservation within its devolved administrations. It was now the Chief Scientists for each country nature agency that were brought together to discuss the metropolitan UK biodiversity strategy in some very strange meetings. As they were dealing with other devolved entities, why would UKOTs not be treated the same? The officials just did not understand this suggestion. A flow-chart created in one meeting had not included UKOTs on there at all. When the subject of the UKOTs was raised, they were put on the chart with a dotted line that did not say who was to deal with them. It is unclear if there is a lack of capacity in DEFRA, but JNCC are desperate not to upset Scotland – and this impedes a logical approach to devolved entities. Meetings on this have been postponed.

Alison Debney felt there was an opportunity to give positive response from meeting and to put the noise behind us. Mike Pienkowski agreed and felt that the fact that FCO officials saying they do not need to mention the Environment Charters in the White Paper, because they are still in play, provided grounds to build on and to take them at their word. Pat Saxton felt that it was encouraging that there were people out there that care about the UKOTs and there was an urgent need to get together and take this forward, welcoming the opportunity that this workshop gave to do this.

Environmental Audit Committee

Alison Debney noted that the House of Commons Environment Audit Committee had launched an enquiry.

Nick Beech, from the EAC Secretariat, expanded upon this, stating that the press release went out on the 26th September. The White Paper had given the members of the select committee a hook to hang several points of discussion, particularly the human angle such as development. Submissions would be welcomed until Friday 30 November 2012. Guidelines would be available at:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/environmental-audit-committee/news/new-inquiry-sustainability-in-the-overseas-territories>.

Several witnesses would then be called upon to give oral evidence and it was anticipated that several NGOs could participate via video link.

Chris Tydeman welcomed the announcement and gave one example where the green economy and sustainable development in Montserrat would put areas of exceptional human/cultural value at risk. DFID were at pains to enable them to be financially self-sufficient at, what it seemed, any cost.

**TOPIC 3: FUNDING – UK GOVERNMENT (OTEP, DARWIN, OPENNESS); EU FUNDING; LOTTERY; &
TOPIC 4: GETTING UK GOVERNMENT TO WORK WITH THE UKOTCF NETWORK AGAIN**

Topic 3/4 a: Terrestrial Ecology: *Little Go a Long Way; Nothing Go Nowhere* -- Dr Mat Cottam, Terrestrial Ecology Unit, Cayman Islands

Dr Mat Cottam has provided this text to accompany slides shown on the following pages:

1. INTRODUCTION: Terrestrial Ecology Unit. *Little Go a Long Way – Nothing Go Nowhere*.
2. INTRODUCTION: The work of the Terrestrial Ecology Unit.
3. BIODIVERSITY OF THE CAYMAN ISLANDS: It is an often stated fact that the vast majority of the biodiversity of the UK resides in its overseas territories. The Cayman Islands is no exception. The Cayman Islands supports a great diversity of plants and animals, many endemic to the Islands: in this example (clockwise, from top left): The Little Cayman Snail *Cerion nanus*, *Turnera triglandulosa*, Cayman Ghost Orchid *Dendrophylax fawcettii*, Grand Cayman Blue-throated anole *Anolis conspersus*, Sister Islands Rock Iguana *Cyclura nubila caymanensis*, Cactus *Opuntia millspaughii*, Century plant *Agave sobolifera*, Broadleaf *Cordia sebestena* var. *caymanensis*.
4. INVASIVE SPECIES: It is also well recognised that, within historic times, the majority of extinctions have occurred on islands. Cayman has no shortage of threats to its unique biodiversity, and in common with many island systems is especially prone to impact from invasive species (clockwise, from top left): Cuban Knight anole, feral cats, Green iguana, Lionfish, Monk parakeet... to name but a few.
5. DEVELOPMENT PRESSURE: Development in the islands brings with it severe challenges for the environment. In the absence of any formal requirement for EIA, planning legislation has lagged behind the development boom and the environment has paid the price. Habitat loss due to land clearance, filling of wetlands and canalisation are perhaps the most significant threats to island habitats. Associated impacts, such as litter, pollution, fire and IAS impact habitats on the periphery of developed areas.
6. HUMAN RESOURCES: In common with many UKOTs, the Cayman Islands suffers from severe constraints on availability of manpower and human resources to deal with environmental issues. The Department of Environment's (DoE) Terrestrial Ecology Unit has, for the majority of its existence, numbered a single paid member of staff. Currently it is manned by two volunteers.
7. WORKLOAD: The environmental workload of a small island, however, does not benefit from an economy of scale. Instead it encompasses many of the elements found in larger countries.
8. PARTNERSHIPS: To overcome this shortfall in paid workers, the DoE relies heavily on partnering with others to get its work done. Partnerships include members of the public, skilled volunteers and visiting scientists. Also partnering with other branches of local government, with NGOs, and with international organisations. In the past, the triennial meetings organised by UKOTCF proved an invaluable mechanism whereby UKOT conservation managers might meet and share ideas, expertise and inspiration with their (otherwise equally isolated) counterparts. In the case of the Cayman Islands, one such example was a meeting with Sugoto Roy of FERA, which led to the commencement of a feral cat control project in the Sister Islands.
9. PARTNERSHIPS IN PRACTICE: DoE staff and members of the public restore damaged mangroves in the wake of Hurricane Ivan.
10. PARTNERSHIPS IN PRACTICE: A survey of the Red-footed booby population on Little Cayman Booby Ponds (designated Ramsar site). The survey team comprised staff from DoE,

Blue Iguana Recovery Programme, National Trust, Turtle Farm and a student volunteer, with aerial support and photography from the Mosquito Research and Control Unit plane. Equipment was paid for by small grants from JNCC and RSPB.

11. PARTNERSHIPS IN PRACTICE: The time burden of field research is spread between students and visiting scientists, (clockwise, from top left): surveys for invasive sliders, Little Cayman Green anole, Green iguana, Brac Parrot.
12. PARTNERSHIPS IN PRACTICE: Royal Botanic Gardens Kew have been partners in several successful projects, including the Millennium Seed Bank Project (ongoing).
13. INTRODUCTION: *Little Go a Long Way – Nothing Go Nowhere*. Grant funding is an essential component of the work we do.
14. DARWIN: In some cases work is unique to a territory. Darwin funding was core to the development of the National Biodiversity Action Plan for the Cayman Islands.
15. DARWIN: While we are often forced to cut corners due to a lack of resources, this was not the case with the Cayman Islands NBAP. In addition to plans for habitats and endemic species, it includes control plans for invasive species, and plans for manmade environments, towards maximising their ecological value.
16. DIFFERENCES: In some cases, the territories are as different from one another as any two countries might be – even within the Caribbean. In Cayman we have a thriving hotel industry. Montserrat is dominated by its volcano. Each carries an environmental price. In the case of Cayman, its high GDP excludes eligibility for many international grants. The Cayman Islands Environmental Protection Fund (effectively a \$2-3 departure tax on all air and cruise ship ticket holders) raises some \$4-5 million per year and currently stands at \$50 million. It is used as an emergency reserve by Government, and so it is not spent on the environment. In the absence of appropriate regulation and genuine returns to the environment, the economic boom in Cayman simply takes from the environment and gives nothing in return. Matters of the environment are devolved from the UK to local government. Until one government or the other decides to take the lead in addressing this issue, there would appear to be little reason to expect any change.
17. OTEP: In other cases the UKOTs display remarkable similarities. Such instances open up the potential for cost-effective cross-territory projects. IAS are by definition a trans-boundary issue, and so are well suited to multi-territory projects. In this case, the JNCC pioneered an assessment of IAS throughout the territories...
18. OTEP: A cross-territories project was proposed to OTEP to transfer their data to the Global Invasive Species Database, in order that all Conservation Managers around the world might have the potential to access this information, and also to introduce the GISD as a tool to UKOT managers.
19. OTEP: This project was accompanied by the production of an IAS poster for public outreach. One set of artwork was produced and individual UKOTs were invited to submit their own text and images to personalise the poster. This was printed and shipped to them at no additional cost – again, a cost-effective measure.
20. DoE: Cayman is fortunate to have a large and effective Department of Environment. The total staff compliment is about 30, including admin, operations and enforcement. Researchers make up about half the staff. With 15 trucks, and 12 boats to maintain, our operating budget this year has been slashed to GBP 165,375. That is the amount we have to cover all office consumables, equipment purchase, maintenance, fund all research projects and buy fuel. When we run out of money for fuel for trucks and boats - that will present a serious problem for enforcement. Against this background, the need for grant funding to supplement the research budget could hardly be more apparent.
21. ENVIRONMENT CHARTER: Finally a note on the usefulness of the Environment Charters. Building on an original document produced by JNCC, and in the absence of any appropriate local legislation or regulations, the DoE has developed a form which formalises research agreements with Visiting Scientists. The form takes the shape of a written contract between the researcher and Cayman Islands Government (via DoE) for best practice and equitable sharing of information etc. in line with the requirements of the CBD. The text of the Guiding Principles of the Environment Charter is included in the body of the form to display the

foundation principles from which it was developed. To these ends the Department does not regard the Charter as being an aspirational document; but rather a practical tool which we are using day-to-day to encourage best practice and protect the environment.

Terrestrial Ecology Unit
Little Go a Long Way – Nothing Go Nowhere




Dr. Mat Cottam
 Manager Terrestrial Unit

Terrestrial Ecology Unit



Dr. Mat Cottam
 Manager Terrestrial Unit





WORK OF THE TERRESTRIAL ECOLOGY UNIT

Legal: enforcement, diplomacy

Administration

MEAs: Ramsar, CBD, CMS, SPAW

CITES Scientific Authority for CIG

Local and regional projects:

Conception, funding, implementation, reporting

National Biodiversity Action Plan

Protected areas: planning, purchase, access, interpretation

Assessment: Development planning applications

Aggregate Advisory Committee, scientific research applications


Collections: herbarium, insectarium, Millennium Seed Bank project

Invasive species: Flora, and fauna inc. cats, dogs, lizards, parakeets, iguanas

Public relations: websites, posters, signage, competitions, books, magazine articles

Communications: live TV and radio, media releases, international presentations

Novel projects: Native Tree Nursery, Cayman Sage rediscovery, Old George naming Collaboration





WORK OF THE TERRESTRIAL ECOLOGY UNIT



VOLUNTEERS





LOCAL SUPPORT





INTERNATIONAL SUPPORT





































































































































































































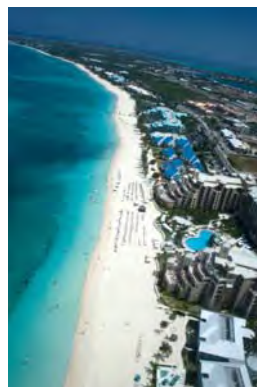
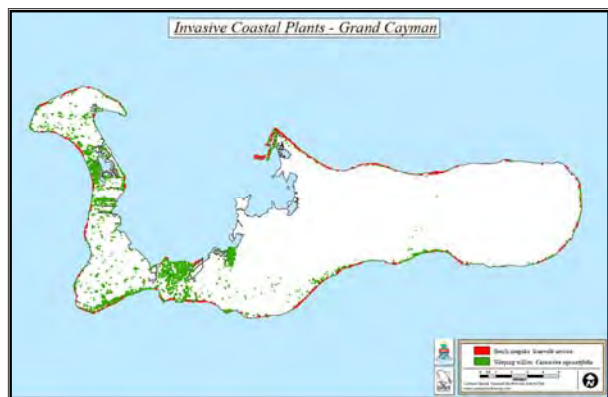
Little Go a Long Way – Nothing Go Nowhere



Dr. Mat Cottam
Manager Terrestrial Unit



Invasive Coastal Plants - Grand Cayman



Line	A	B	C	D	E	F	G	H
	Scientific name	Common name	Status	Origin	First seen	Current status	Notes	Photo
1	Vertebrate - Reptile	Anolis sagrei sagrei	Established	Cuba	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. sagrei minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
102	Vertebrate - Reptile	Crotalus ruber cayanensis	Not established	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. ruber minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
103	Vertebrate - Reptile	Dipsosaurus dorsalis dorsalis	Apparently has not persisted	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. dorsalis minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
104	Vertebrate - Reptile	Eupreophis fuscus	Invasive	North America	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. fuscus minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
105	Vertebrate - Reptile	Hemidactylus mabouia	Invasive	India	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. mabouia minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
106	Vertebrate - Reptile	Gerrhonotus carolinensis	Invasive	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. carolinensis minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
107	Vertebrate - Reptile	Ophiodon elongatus	Apparently has not persisted	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. elongatus minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
108	Vertebrate - Reptile	Rhombophryne dorsalis	Invasive	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. dorsalis minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	
109	Vertebrate - Reptile	Tachymenis lineata	Invasive	USA	1962 (25)	Common	Introduced to Grand Cayman in 1962 (25). Another subspecies, A. lineata minor (the Cayman Blue Anole) is restricted to Cayman Brac where it is native (25).	

GLOBAL INVASIVE SPECIES DATABASE

Standard Search: Species name, Country or location, Habitat, Organism type

WELCOME TO THE GLOBAL INVASIVE SPECIES DATABASE

LATEST ADDITIONS

- [Drosophila obscura](#)
- [Lemna paucicostis](#)
- [Juniperus bermudiana](#)
- [Orthocentrus ruber](#)
- [Phyllanthus niruri](#)
- [Panicum capillare](#)
- [Scolopendra morsitans](#)
- [Senecio jacobinae](#)
- [Austrospatula multidentata](#)

The Global Invasive Species Database (GISD) is a free online resource that provides information on invasive alien species and their impacts. It is a collaborative effort between the United Nations Environment Programme (UNEP), the United Nations World Conservation Union (IUCN), and the United Nations Development Programme (UNDP).

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Topic 3/4 b. Potential EU funding for UKOT conservation and how the UK Government can help – Nick Folkard, RSPB



The Overseas Territories are home to iconic and threatened species and habitats

- Over 87% of the globally threatened species for which the UK is responsible are found in the Territories.
- There are 33 bird species in the UK Overseas Territories threatened with extinction.
- There are more threatened bird species in the Territories than on the entire European mainland.
- Global extinctions are not theoretical: the St Helena Olive Tree went extinct as recently as 2004.

The RSPB's involvement in the UKOTs

- As with all of its international work, the RSPB takes a partnership approach in the UKOTs
- It provides financial and technical support to partners in the majority of the UKOTs, on a predictable, long-term basis
- These partners are civil society organisations, or, in smaller UKOTs, government bodies

White Paper Challenge:
How to apportion resources strategically to OTs?

The UKOTs fall 'between the gaps' of many UK and International conservation funding mechanisms

Heritage Lottery Fund

- Since 1994, HLF has supported over 33,000 projects, allocating £4.97 billion across the UK.
- The largest dedicated funder of the UK's heritage, with around £375 million pa to invest in new projects and a considerable body of knowledge.
- The Foreign Office Minister has made a number of speeches about opening up the Heritage Lottery Fund to the Overseas Territories, but there appears no movement from DCMS.

The UKOTs fall “between the gaps” of many UK and International conservation funding mechanisms



Overseas Territories Environment Programme

- A joint programme of FCO and DfID to support the implementation of the Environment Charters and environmental management more generally in the UK Overseas Territories.
- Since its inception, has disbursed £8 million through more than 140 projects across the Territories.
- Calls for proposals suspended in 2011 to permit a review of FCO/DfID funding for the UKOTs.
- Announcement awaited about a new cross-government approach to funding environment- and climate-related work in the Territories.

The UKOTs fall ‘between the gaps’ of many UK and International conservation funding mechanisms



The Darwin Initiative

- Since its launch, the Initiative has provided £88 million to 756 projects in over 150 countries.
- Up to 2010, the Darwin Initiative had committed over £3.8 million to conservation projects in the UKOTs through 19 main projects, 3 post-project grants, 4 scoping awards and 7 challenge funds.
- In 2009, the Overseas Challenge Fund was launched to enable the UK's Overseas Territories, either on their own or in partnership with other UK institutions or other UK Overseas Territories, to carry out longer-term and more ambitious scoping projects.

The Darwin Initiative

But...

- The Darwin Initiative is jointly funded by Defra and DFID
- Funding for Round 19 is provided through DFID's Climate and Environment Research budget
- DFID funds are classified as Official Development Assistance (ODA)
- Not all UKOTs are ODA eligible.
- Uncertainties regarding the implications for Darwin Initiative project applications in Territories that are ineligible for DFID funding (including the Challenge Fund, which requires a Main Project application following completion).

The UKOTs fall ‘between the gaps’ of many UK and International conservation funding mechanisms



European Union LIFE+

- LIFE is the EU's only financial instrument dedicated solely to the environment and nature conservation.
- Since 1992, LIFE has co-financed 3,708 projects, providing around €2.8 billion to environmental protection across the EU.
- Outermost Regions are eligible for LIFE funding (including Azores, French Guiana, Guadeloupe, and Réunion).
- Overseas Countries and Territories (OCTs), including UKOTs, are not eligible (although European Commission proposes extending LIFE to EU Neighbourhood Countries from 2014).
- Future scope of LIFE programme is being decided as we speak - UK Government and MEPs have called for LIFE to be made accessible to the OCTs.

Thank you Defra, FCO, and UKREP!

- The battle is not yet won – stakeholders, MEPs and Ministers must keep up the pressure.

The UKOTs fall “between the gaps” of many UK and International conservation funding mechanisms



Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories - BEST

- The objectives of the preparatory action are to provide further means to protect biodiversity and ecosystem services in the Union Outermost Regions and Overseas Countries and Territories.
- In the first year (2011) an open call for proposals was launched. This attracted 42 proposals, of which 8 were shortlisted.
- €2 million available for projects in the 2011 and 2012 call.

Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories - BEST

- Any future for BEST?
 - No high level support in DG Environment, despite a good Desk Officer.
 - The DGs with the money (Development and Regional Policy) have not been brought in.
- A challenge to you! Strong role for UK Government (Ministers and Officials) and UK Stakeholders to raise the political profile of BEST, or it is likely to die after the next funding round.



Summary

- The Overseas Territories fall between the gaps – ineligible for much international funding because they are deemed the responsibility of the UK, but not able to get UK funds (e.g. Lottery) because they are not part of the UK itself.
- Defra has increased biodiversity spending on the Overseas Territories from £0.5m pa to £2.9m pa – but this is still only 0.6% of the England biodiversity conservation budget (£495.4m).
- This spending equates to just c. £9,500 per globally threatened species.
- JNCC has calculated that the cost of meeting high-priority biodiversity conservation projects in the OTs would be just £9.6m pa for five years.
- The RSPB commissioned a similar review which put this cost at £16m pa for 5 years. Either way, extremely cost-effective.



3/4 c. Information from the UK Government on its ideas for future funding

DEFRA was invited to contribute to this workshop, particularly in respect of future approaches and funding. Initially, DEFRA indicated that they wished to rebuild links with UKOTCF and it seemed that they would participate. Indeed, the lead DEFRA official asked for the invitation to be re-sent after he lost it. However, although DEFRA indicates that it leads on environmental matters in the UKOTs, UKOTCF was advised, at a late stage, by FCO that DEFRA would not participate.

However, UK Government departments have, in recent meetings and other messages, supplied some indications of their intentions. We have tried to collate these as follows:

Total spend

In 2005, UKOTCF analysed the UK Government spend on conservation in UKOTs compared with that in metropolitan Britain, and published this in *Forum News* 27, as well as elsewhere.

At that time, UK Government figures indicated that the British Government spent at least £460 million per year on biodiversity conservation in Great Britain and Northern Ireland. It also made a significant contribution to international conservation, by an estimated £40 million. However, its estimated spend on conservation in the UK Overseas Territories was about £1 million per year, divided between all sixteen Territories (and none on the Crown Dependencies).

UKOTCF pointed out that this lack of spend is serious because the Territories generally have limited capacity themselves to undertake vital conservation work. Despite this, many Territories are making major and commendable efforts in these regards. However, whatever the per caput income in a UK Overseas Territory, there are severe constraints because the human population sizes vary between fewer than 50 persons to 59,000, typically about 2000 to 20000 – compared with about 59 million in UK mainland as a whole.

Further, most of the UK's globally important biodiversity is located in UK Overseas Territories and not in Great Britain and Northern Ireland. One very conservative estimate is that there are at least ten times as many endemic species in UK Overseas Territories as in Great Britain and Northern Ireland. Other measures than endemics give similar values. Using this as a factor to multiply the spending difference, it appears that the UK Government values its responsibilities to global biodiversity in Great Britain and Northern Ireland about 5000 times more than it values its responsibilities to global biodiversity in its Overseas Territories. In fact, because of incomplete information in UK Overseas Territories (caused in part by the same shortage of resources), the difference is very much more.

It is interesting that some more recent figures were given earlier this year by the DEFRA Minister, Richard Benyon MP, in answer to a parliamentary question by Andrew Rosindell MP. In 2010-11, DEFRA (including its agencies like JNCC) spent £474.1 million on biodiversity in England, compared with £1.42 million in the UKOTs (0.3% of the England total). The quoted spend does not include that in Scotland, Wales and Northern Ireland, so that the total would need to be increased substantially to include these. The DEFRA spend in UKOTs does not include the FCO and DFID spend. However, the latter was about £1m per year under OTEP, and is presumably now less. Therefore, it would seem that the 0.2% spend on UKOT conservation as compared with Great Britain and Northern Ireland reported in 2005 has not changed much if at all since that time

How much should be spent? UKOTCF never suggested that the UK Government should, in the short term, match in the UKOTs the spending per endemic species (or other measure) that it achieves in Great Britain and Northern Ireland. As we have heard, an analysis for RSPB in 2007 suggested that it should reach at least £16 million. The UK Government's "*United Kingdom Overseas Territories Biodiversity Strategy*" of December 2009 quoted this figure and added that "JNCC advised that the

total cost of meeting high priority biodiversity conservation projects was in excess of £48 million over a 5-year period.”

The same UK Government document made a commitment that:

QUOTE

The UK Government will:

i provide project funds for biodiversity conservation and wider environmental management, within the resource limits of each department, aiming to increase the amount of money available to at least £2 million pa. This will be achieved by:

- a) maintaining OTEP (which funds some biodiversity projects and some wider environmental projects) with a budget of at least £1 million pa;
- b) ear-marking up to £1.5 million for biodiversity projects in the Overseas Territories in the current Round of the Darwin Initiative, including the creation of a new Overseas Territories Challenge Fund within the Darwin Initiative to prepare for main projects.

ENDQUOTE

The document goes on to explore further expansion of funding.

UK Government statements (e.g. DEFRA paper in January 2012 on “*The Environment in the United Kingdom’s Overseas Territories: UK Government and Civil Society Support*”) continue to refer to supporting the “*UKOT biodiversity strategy*”. Answers by the present Government to Parliamentary questions also refer to OTEP as a continuing programme supporting the implementation of the Environment Charters.

OTEP

Despite this December 2009 commitment to continue the OTEP small projects fund, in the “*UKOTs biodiversity strategy*” (which the new Coalition Government indicated it supported), FCO cancelled the OTEP small project scheme shortly before the 2011 call was due. This was done without consultation with UKOTCF and its network, which had advised FCO and DFID on OTEP throughout the life of OTEP and its predecessors. (The funding for UKOTs in the Darwin Initiative seems to remain at present, although there are concerns at signs that this may not continue. These have been discussed earlier in this workshop.)

It now appears that the OTEP small grants cancellation was done at the instigation of FCO, rather than of DFID. The annual review of OTEP conducted by DFID, undertaken in March 2012, does not dispute that the previous OTEP small grants programme was successful.

The introduction to that review clearly explains the rationale for the previous OTEP programme:

QUOTE

“OTEP was established in late 2003 as a joint initiative between DFID and the FCO as a funding mechanism to help all the OTs achieve the objectives of their Environment Charters, signed by HMG and the OTs in 2001. OTEP built on and extended (both in scope and financial resources) the FCO’s earlier Environment Fund for the Overseas Territories, which was focused primarily on biodiversity conservation. As the OTs are not eligible for project funding from the GEF, DFID and the FCO agreed that OTEP should provide a substitute source of funding, based on the principles and criteria of the GEF Small Grants Programme, and that it should therefore extend to supporting projects in the GEF focal areas, including climate change, where they were relevant to the Charters. Of the successful applications for OTEP funding in the 2010 bidding round, approximately 25% (by value) were for climate change related projects.”

“In the current financial year, the period covered by this Annual Review, funding for OTEP bids that had been selected in the autumn 2010 bidding round was arranged and put into place. We decided against a 2011 bidding round and rolled the funds over into the next financial year (13/14). This decision was taken for two reasons. Firstly, our key partner, the FCO decided to pilot an "environmental mainstreaming" approach, investing OTEP money directly into workshops and follow-up in the Falklands and British Virgin Islands. We have yet to see whether this approach proves successful. Territory representatives and NGOs have - as usually when change happened - complained that the new mainstreaming approach completely undermines the nature of OTEP and its pivotal role as a challenge fund.”

“Secondly, as the FCO was not going for a bidding process there would only be a small amount of money the ODA eligible territories would be able to bid for. In our view it was more efficient to run the bidding round a year later when more funds would be available. Besides in terms of human resources capacity in OTD we decided to invest the time saved by not running the bidding round into a cross-Whitehall process to design an "All Overseas Territories Climate Change Programme".

ENDQUOTE

We can comment, in respect of the aside about NGOs, that such complaints are less likely to happen when the benefits of a change are clear, partners are consulted in advance, and when the reasons for the change are explained. In this case, it has taken about a year of detective work to discover something (but not all) of what happened.

DFID’s March 2012 review notes the expected results [of OTEP] as:

QUOTE

- Overseas Territories are better able to meet their international commitments on environment as set out in Multilateral Environmental Agreements, to which the UK is party.
- Enhanced quality of life and livelihoods through the sustainable use (or protection, where necessary) of environmental resources.
- Island communities helped in dealing with environmental problems, assessing such problems, finding and promoting sustainable solutions to them through national strategic planning processes and action at the local level.
- By the end of FY 2013/14 both, HMG and most, if not all, of the OTs should be able to demonstrate that further measurable progress has been made towards meeting their environmental priorities as set out in their Environmental Charters or other document.

ENDQUOTE

This underlines the importance of measuring progress against the charters, which so far only UKOTCF has co-ordinated, with significant resistance from FCO and other Government Departments.

The DFID report also recalls the context in which UK support is (or was) provided via OTEP:

QUOTE

“Although the UK is a major contributor to a number of international environment and climate funds such as the MDB administered Climate Investment Funds (CIFs), the Adaptation Fund, the Least Developed Countries' Fund, the Global Environmental Facility GEF, the World Bank’s Forest Carbon Partnership Facility (FCPF), the OTs, because of the nature of their relationship with the UK, are not eligible to benefit from these resources.”

ENDQUOTE

This DFID review summarises progress and results of OTEP as follows:

QUOTE

“1.2 Overall Output Score and Description

The overall score is A. By and large outputs have met expectations as set out in the present indicators. However and as highlighted above, some indicators should be adjusted to enable us to track information that is more relevant and better related to the outcomes of OTEP in future.

1.3 Direct feedback from beneficiaries

In every single visit to an ongoing OTEP project we received very positive feedback from beneficiaries. This ranges from the importance of the contents of the work itself, endemic or endangered species (e.g. turtle research and conservation on Ascension), innovative recycling approaches combined with providing employment opportunities for disabled people (e.g. Shape) and projects having created community access to valuable nature as learning and leisure opportunities (e.g. heart shaped waterfall). Individual quarterly progress reports of each of the ongoing projects contain more comprehensive info on feedback from beneficiaries. However, only an independent evaluation would be able to tell us an unbiased story.

1.4 Summary of overall progress

Overall the progress of OTEP implementation can be summarized as very good.

1.5 Key challenges

One of the key challenges is the administration burden that OTEP puts on OTD human resources. This is due to the nature of OTEP being set up as a challenge fund. When deciding upon the continuation of OTEP we should consider having the programme run by an external partner, e.g. similar to the DEFRA DARWIN initiative.

Another key challenge is our key partner FCO breaking away from the challenge fund approach half way down the line of implementation of our joint programme.

Moving forward we will be discussing the future of OTEP with FCO and other government departments, in the context of the new Government White Paper on the Overseas Territories.

1.6 Annual Outcome Assessment

The annual outcome is very much in line with expectations set out in the project document and can be summarized as A - outputs met expectations.”

ENDQUOTE

Regarding Climate and environment risk, the review notes:

QUOTE

“Many of the OTEP projects help building climate resilience through e.g. biodiversity conservation measures that help strengthen ecosystem based adaptation efforts on the ground. In fact OTEP projects are helping the territories to make better use of environment and climate opportunities by creating awareness and supporting steps into the right direction.”

ENDQUOTE

Under the section on Value for Money, the review says:

QUOTE

“DFID investment of £ 1 092 665 attracted co-funding of £1 677 577, so for every £ 1 we invests someone else put additional £ 1.5 towards it.

Based on the findings of this Annual Review and the evidence in terms of value for money (every £1 of investment in OTEP has attracted another £1.5) we will have another conversation with FCO colleagues to determine a joined up way forward.”

ENDQUOTE

With this positive review of the OTEP small grants programme, it is hard to understand FCO's reasons for abandoning it.

Co-operative aspects?

There is some suggestion in various government documents that there is a move to bring together funding for environment in the UKOTs. However, recent meetings indicate that different departments are far from a common view on this.

Interestingly, FCO and DEFRA officials have been stressing to UKOTCF that they are now working in a joined-up manner – something that UKOTCF has tried to encourage over the years. However, the DFID report shows a clear and continuing difference of opinion between FCO and DFID. Differences between DFID and DEFRA are evident in the unresolved disagreements showing through in the guidance to applicants to the Darwin Initiative (as described earlier in this workshop). Differences between FCO and DEFRA were evident in a meeting that UKOTCF had with both in September 2012. Some of FCO's ideas for UKOT conservation funding were clearly news – and unwelcome news – to DEFRA officials.

This is perhaps not surprising in that the FCO Director of Overseas Territories indicated to UKOTCF's Chairman that FCO believe that the Inter-Departmental Group for Biodiversity, set up to develop the "*UKOT biodiversity strategy*" (and promoted as a one-stop shop which had never worked), was now redundant and there were no plans for this group to meet again. This is despite the supposed increasing involvement of other government departments which would suggest an expansion of the Group rather than removing it.

The Foreign Secretary, on 14th September 2011, said: "The FCO will retain leadership and oversight of the Government's policies towards and relationships with the territories and continue to provide advice, where needed, to other Government Departments on engagement with the territories. If ministerial co-ordination is required we will chair a ministerial committee to resolve any issues." It seems that such intervention might be needed.

As for the UK Government working with NGOs on these issues, this was far more joined up from the 1990s to about 2005, when FCO, and later JNCC, started unilateral disengagement from the UKOTCF network, taken further in more recent years, especially since 2008.

Topic 3/4 d. Conservation Partnerships: UK Overseas Territories Conservation Forum and the Turks and Caicos Islands – Bryan Naqqi Manco, TCI

United Kingdom Overseas Territories Conservation Forum and Turks & Caicos Islands

Conservation Partnerships

B Naqqi Manco
Caicos Pine Recovery Project Manager/
Turks & Caicos Islands Naturalist

My background with UKOTCF

- I first heard about UKOTCF in TCI through the Turks & Caicos National Trust in 1999
- I became employed by Turks & Caicos National Trust in April 2000, and worked on UKOTCF-partnered projects through 2010




My background with UKOTCF

- In February 2010, I became employed by TCI Government, and encouraged Govt collaboration with UKOTCF on additional projects to date



My background with UKOTCF

I participated in UKOTCF Conference in Gibraltar (2000) and presented in Jersey (2006), and Cayman (2009)



How has UKOTCF helped TCI?

- Grant and Funding Location and Access
- Project Management Guidance and Partnership
- International Networking for Biodiversity Expertise, Training, Capacity Building, Volunteerism, and Sharing

Grant & Funding Location & Access

The UKOTs are ineligible for many developing country grants because they are part of UK, yet ineligible for many UK grants because they are largely self-governed and lack grant-writing capacity. Thus, it is difficult for us to find conservation funding!

UK-Government-backed introduction of VAT replaces the 11% Hotel & Tourism Accommodation Tax, 1% of which was earmarked as the Conservation Fund. There is no replacement for this fund scheduled with VAT implementation and so no local government conservation funding.

- UKOTCF partnered with the Turks & Caicos National Trust (TCNT) on a successful 1999-2001 DEFRA Darwin Biodiversity Initiative grant bid for Biodiversity Management and Sustainable Development around Turks & Caicos Ramsar Site
- UKOTCF partnered with TCNT on Environment Fund for Overseas Territories-funded projects: Protect & enhance the natural, historic & cultural heritage of the Turks & Caicos Islands, centred on the Ramsar site of Middle, North & East Caicos, and enhance the livelihood of residents 2001-3; Environment Charter pilot facilitation 2003-4, Implementing field road trails as part of the Biodiversity and Sustainable Development Management Plan in TCI 2003-2006
- UKOTCF partnered with TCNT for OTEP-funded project Second stage of Implementation of the Plan for Biodiversity Management and Sustainable Development around the Turks and Caicos Ramsar Site: To increase local awareness and ecotourism usage 2006-2008

Grant & Funding Location & Access

UKOTCF funded some project work directly as well:

Seabird counts, offshore cays 2002 (Published in J. Carib. Ornithol. 18:31-43, 2005)

Turks & Caicos Important Bird Areas identification (now published) 2003-5

Rewrite/expansion of Our Land, Our Sea, Our People Curriculum, 2008-9 (Without funding)

Advice on Managing Turks and Caicos National Trust Sites October 2010 – January 2011



Grant & Funding Location & Access

UKOTCF also funded or continued, with assistance from other bodies, working with TCI NGOs and Government Agencies:

- DEFRA-funded Review of existing and potential Ramsar sites in UK Overseas Territories and Crown Dependencies 2004-5 (now being used to write a Darwin Initiative grant)
- Infrastructure Fund: Grand Turk Bird Trails 2005-2011, first with TCNT, now with TCNM
- OTEP-funded Wonderful Water Curriculum Project 2009-12 (continuing without funding)

UKOTCF is committed to getting the work done, regardless of interruptions in funding or other obstacles!



Grant & Funding Location & Access

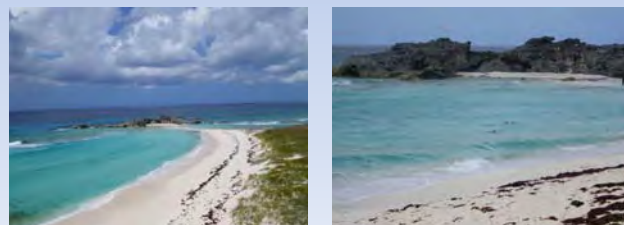
UKOTCF partnered with TCNT on OTEP-funded projects that resulted in:

- Continuing the cataloguing of biodiversity (fed into curricula and legislation)
- Wetlands habitat mapping and descriptions (fed into Terrestrial Habitat Mapping)
- Staff capacity-building and training (resulting in increased local capacity)
- Creation of ten eco/ethno-tourism hiking trails (field-roads) with interpretation
- Creation of the Middle Caicos Conservation Centre
- Creation of a National Herbarium Collection for TCI
- Rediscovery of two endemic species thought to be extinct, and range expansion data of other endemic species
- Capacity-building for TCI staff to be able to write successful conservation grants
- Enhancement and marketing of eco-tourism related small businesses
- Locally-driven stewardship and increased land management capacity
- Educational programmes and curricula that include TCI biodiversity data
- Training and work opportunities for young people interested in conservation



Project Management Guidance and Partnership

- UKOTCF assisted TCNT in NGO-management, education, and marketing capacity by recruiting experts
- UKOTCF provided invaluable guidance on financial management of projects when outside the capacity of TCNT
- UKOTCF provided expertise on maximising resources and minimising maintenance by drawing on experiences of partner organisations



International Networking

UKOTCF's has acted as a liaison between bodies to make connections, for example:

- Biodiversity Expertise
- Worldwide Institutional Links
- Training and Capacity Building
- Volunteerism
- Sharing and Learning



International Networking

- UKOTCF recruited worldwide biodiversity experts in the fields of plants, insects, bats, reptiles, and birds to catalogue TCI biodiversity
- UKOTCF introduced TCNT and TGI Government to numerous regional and international conservation and research institutions
- UKOTCF maintains relationships between NGOs and government bodies of similar aim amongst the UKOTs



International Networking

UKOTCF's main purpose is to form a network of international conservation links to bring to the UKOTs. UKOTCF initiated lasting partnerships between TCNT and TCI Government with:

- Royal botanic Gardens, Kew
- RBG Kew Millennium Seed Bank
- Joint Nature Conservation Committee
- Bat Conservation Trust
- Carnegie Museum of Natural History Mammalogy Dept.
- San Diego Zoo's Conservation and Research of Endangered Species programme
- Fairchild Tropical Botanic Gardens
- British Museum
- CABI Bioscience International
- Society for the Conservation and Study of Caribbean Birds
- Royal Society for the Protection of Birds
- Zoological Society of London
- Alderney Wildlife Trust
- Cayman Islands National Trust
- Other UKOT NGOs and Government bodies



International Networking

These partnerships, through additional networking, initiated ongoing relationships with these institutions:

- Montgomery Botanical Foundation
- Florida International University
- Institute for Regional Conservation
- UK Food and Environment Research Agency (FERA)
- Bahamas National Trust
- Bahamas Department of Agriculture
- Bahamas Forestry Division
- US Department of Agriculture and USDA Forestry
- Miami-Dade County Parks & Everglades National Park, USA
- National Museums Liverpool
- Imperial College London
- ...among others.



International Networking

UKOTCF's partnership has enabled TCI conservation workers to get formal and informal training from:

- Royal Botanic Gardens Kew (Botanic Gardens and Composting, Herbarium Techniques and Management, Seed collection, Propagation techniques, GIS data collection)
- Alderney Wildlife Trust (Visitors Centre Development)
- Cayman Islands National Trust (Native Plant Nursery Management)



International Networking

Volunteerism

- UKOTCF has recruited and secured funding for volunteer scientists to assist in conservation work
- UKOTCF has recruited and secured funding for practical engineering and environmental educational volunteers to carry out work in TCI



International Networking

Sharing and learning reciprocation: TCNT and TCI Government have also been able to share well-trained and locally-expert staff to UKOTCF partner institutions through UKOTCF links

- Iguana diet study plant identification for nutritive captive diet development, San Diego Zoo, 2004-2005
- Historic and new TCI plant specimen identification, RBG Kew 2006 and Fairchild Tropical Botanic Gardens, 2006 & 2008



International Networking

Sharing and learning: Conferences

- Triennial UKOTCF Conferences have been of the utmost value for sharing knowledge, techniques, and ideas
- UKOTCF conferences build binding, long-term professional and personal links between UKOTs and the UK mainland
- UKOTCF conferences bring attention to common themes and issues in the UKOTs in a way no other forum can or does



How has UKOTCF helped TCI?

- Grant and Funding Location and Access:

Making conservation projects and programmes in TCI possible!

- Project Management Guidance and Partnership:

Increasing capacity through example and assistance!

Current OTEP project does not have UKOTCF involvement due to a decision by a prior Department head, against the wishes of the Project Manager. The project has suffered a funding disbursement problem for its third year due to a Governor's Office clerical error; Project Manager was found out about this months later, by accident. UKOTCF's experience and connectivity would likely have solved this problem much sooner.

- International Networking for Biodiversity Expertise, Training, Capacity

Building, Volunteerism, and Sharing:

Building a strong network of dedicated conservationists throughout the UK, including its Overseas Territories, who recognise the global importance of UKOTs biodiversity and strive to protect it, by helping one another, for future generations of the UKOTs, the UK mainland, and the world!

UKOTCF makes the UKOT conservation NGOs and government bodies **stronger, better connected, more credible, and more capable** by bringing together world expertise from within and outside the UKOTs, so that each can benefit from the others' increased conservation capacity.



3/4 e. Partnering with the Forum – Patricia Saxton, Director, Turks and Caicos National Museum Foundation

PARTNERING WITH THE UKOTCF



How the Turks and Caicos National Museum Foundation (TCNMF) was able to implement new sustainable eco tours with the help and guidance of the UKOTCF

In the beginning.....

I first met Dr. Mike and Ann Pienkowski from the UKOTCF in 2006 while I was volunteering for the Turks and Caicos National Trust. Their spirit and drive for conservation efforts in TCI was one of the reasons I continued to help the Trust with marketing and fund raising efforts.

Fast Forward....

Partnering with the National Museum
The year, late 2010...

The UKOTCF introduces volunteers, Duncan, Sally & Fraser Hutt to Pat Saxton, Director of the Museum. They were volunteering on Middle Caicos and came to Grand Turk during the long Christmas break.



The TCNMF gave them accommodation and a vehicle so they could record grave sites at the old Anglican Church yard. This was a monumental accomplishment for the Museum and future generations requesting information on their relatives.

Early in 2011....

The UKOTCF uncovers funding opportunities from the Carnival Corporation/TCI Government Infrastructure Fund.

The UKOTCF approaches the TCNMF to partner with them to propose a Bird Walk and Bird Drive Trail on Grand Turk which had been on the books for many years.

The proposal, along with funding for a Botanical and Cultural Garden was approved and **\$65,000 was granted to fund the Bird Tours and Botanical and Cultural Garden.**

Later 2011



Bird Walk and Bird Drive trails are complete and are on time and on budget. The trails are maintained through funding received when tourists purchase the tour guides, making them self sustaining.

The markers for the tours are reclaimed telephone poles from Hurricane Ike, enforcing the reclaim, recycle, reuse philosophy.

Dr. Mike and Ann Pienkowski and the Museum lead a very successful tour/fundraiser to launch the Bird Drive Tour, along with a grand opening of the Bird Walk Tour.



School groups and the Junior Warden Programme (Department of Environmental and Coastal Resources, DECR; now Department of Environment and Maritime Affairs, DEMA) are educated about the wonderful bird population on Grand Turk. A

percentage of the trail guides are donated to school and environmental groups. Every year we educate more and more children about the importance of the protected areas, such as our Salinas.



2011

The Botanical and Cultural Garden Phase I is complete, and phase II is slated for 2012.

This again was with the help of the UKOTCF, the DECR, Kew Gardens and many volunteers.



The garden is now a tourist attraction and is self sustaining through entry fees. School groups and adult groups learn about indigenous plants during our garden open house. Mahogany seedlings, donated by DEMA are sold to the public in an effort to teach folks to plant non-invasive species in their gardens. It is a huge success.

September, 2012

The TCNMF has opened Phase II of the Botanical and Cultural Garden, this again was made possible with the partnership of the UKOTCF. Garden has an outdoor classroom to educate children and adults about our environment.



Educating the Public

This cannot come soon enough. The Museum with the help of the UKOTCF has continued to try and educate the public on the environment. Through the Bird Tours and the Botanical and Cultural Garden we have shown the general public the correct way to treat our fragile eco-system.



The Museum hosts the Junior Warden Programme

Why the UKOTCF is Important to TCI and other overseas territories

The Turks and Caicos National Museum Foundation has had the honour of working with the UKOTCF on a project that has set the bar for other overseas territories.

In Grand Turk specifically, our Salinas were in constant danger of being converted into parking lots, large building plots and housing units. The UKOTCF working both with the TCNMF and the Turks and Caicos Government helped to save the Salinas by making them protected areas.

Because of this, the bird population (which has always been spectacular) has now continued to flourish. With that, the TCNMF in cooperation with the UKOTCF installed some of the first Bird Walking and Bird Driving Tours in the Caribbean. These tours are now great examples for other territories to follow. UKOTCF was certainly the catalyst for the information that went into these tours, along with helping to secure financing for both tours.

But...it isn't always paradise

There are still problems with people building on "reclaimed" ponds, and not putting in the proper sewage disposal system. Without the backing of the UKOTCF the TCNMF has little power to stop government officials from permitting these atrocities.

Memories....

Remember the lovely photo of Mike Pienkowski leading a bird tour in 2011....



Well this is the same area one year later.....



NO enforcement

Even though the Ponds were designated as protected area, people still continue to fill in the ponds to build....



A fuel station is being built on reclaimed land which is on the Red Salina. DEMA discouraged this action, however building is continuing.

More examples-filling in Salinas



When Ona Glinton School burned down the contractor bull-dozed all of the rubble into the pond. Now it continues to be a dumping ground.



Another view of rubble into North Salina

NO enforcement

This building, newly occupied, and right on the pond has put in a regular septic system...even though planning states that a mechanical sewage system (Clargester) must be in place....



Photo of the septic right on Town Salina for the above multi-use building. The Museum alerted Planning, DEMA, Environmental Health...however we have yet to see any enforcement.

NO enforcement



When a local hotel wanted an anchor for its new casino....one was acquired from a protected area. This was documented with photos and officials were contacted...but no one ever enforced the law.

The anchor according to Dr. Donald Keith, is from the mid 1800's. However, without documentation of where it was found, it is unclear where the anchor originated and what vessel it was originally from. Now the anchor is cemented in its final resting place with no history to tell.

NO enforcement

AKA Modern Pirates of the Caribbean

- Three years in a row, Dr. Donald Keith (President of the TCNMF and the underwater archeologist who recorded and saved the Molasses Reef Wreck from being destroyed by treasure hunters...) has been asked to speak with Government Officials regarding UNESCO and "treasure hunting" in the waters of TCI.
- After the first two presentations it was decided no licenses would be approved. Then weeks later the decision was reversed and parties were given permission. Fortunately the Museum and DEMA realized this and once again presented evidence of why this should not be allowed.
- Dr. Keith met with the new Director of DEMA and other government officials just a month ago, and hopefully now UNESCO will be enforced, and applications for treasure hunting will be denied in the waters around TCI, forever.
- The TCNMF wants to do a survey of all of the territorial waters of the TCI to document and record all of its "Underwater Cultural Heritage" (UCH).
- The TCNMF already has a great start on this with the Molasses Reef Wreck, the Slave ship *Trouvadore*. And now the *HMS Endymion*, which sank in 1790 and is one of the sites that the TCNMF wants to preserve.

The End....

- If Turks and Caicos simply relies on TCI Government Officials to enforce the laws that protect this very fragile eco-system...it will be the beginning of the end. Even under the watchful eye of the UK Government run Interim Government many infractions against the environment have been allowed to continue. Once a new local government is in place in one month...what chance does our eco system have?
- Without the UKOTCF the Turks and Caicos National Museum Foundation has little chance of enforcing any environmental laws. The Overseas Territories need a strong voice in the UK to highlight sensitive environmental issues, in the context of the Environmental Charters. This is one of the roles where the UKOTCF is so very important.

Thank you to UKOTCF

The Turks and Caicos National Museum is often requested to partner with many different organisations, however not all partnerships work as well as the one we have with the UKOTCF. The work ethic, the expertise and the commitment they show in all of their conservation projects is to be admired and should be replicated throughout the industry.

DISCUSSION SESSION ON TOPICS 3 & 4: HOW CAN WE ADDRESS THE FUNDING AVAILABLE TO MOST NGOS, RESTORE OPEN-NESS OF PROCESS; AND RESTORE THE PREVIOUS VERY CONSTRUCTIVE JOINT WORKING BETWEEN THE UK GOVERNMENT AND THE UKOTCF NETWORK?

Dace Ground felt that the presentations had shown how far money goes when you give money to NGOs in the UKOTs. They have the knowledge and experience to carry out projects, which make a difference.

Limitations of the White Paper, starting with comments from St Helena

Philip Ashmole had received several emails from the community on St Helena to find out what their reaction was to the White Paper. He read them out. The key points included:

- The White Paper is poor on detail. Despite its being superficial and lacking supporting evidence HMG has moved forward with it regardless.
- The WP needs a much stronger commitment and meaningful path to progress meaningful engagement / relationships with civil society. Nothing can be sustainable without understanding, embracing and appreciating our culture and how our society works, which requires engaging civil society.
- There are worries about the dilution of biodiversity within the sustainable development agenda. While mainstreaming may help make the links between the environment and quality of life more obvious, there is a risk that the intrinsic value of biological diversity, in all its shapes and forms, will be lost.
- One appreciates the need to work together to achieve shared goals but NGOs and governments are, by their definition, quite different in their respective roles and responsibilities. If NGOs cannot apply separately for funds then one would see this as a mechanism of control, management and manipulation. How can HMG consider it supports and cherishes societies and culture when it does not wish for that cultural diversity to have any voice or strength?

A colleague in St Helena felt that many of the values of mainstreaming according to FCO are human values and do not mention the intrinsic values such as cultural, biodiversity, support of ecological process that have no recognised value – pollination, catchment protection, etc. It was felt also that cross-departmental work could mean that agreement will be required from all, including those with little understanding of the environment. This could mean that deserving projects were discounted due to those with a limited understanding of UKOTs. (Mike Pienkowski added that St Helena National Trust had wanted to participate via Skype but this had been difficult due to constraints placed on them by its monopoly ISP, Cable and Wireless.)

Tony Gent added that similar comments had been received on the Scottish biodiversity strategy.

Philip Ashmole agreed that the Scotland Rural Development Programme about five years ago had been notorious in ruling out smaller organisations to cope with complicated procedures. It had been thought that it would be much easier when someone could deal with one office.

Bryan Naqqi Manco echoed the comments that there is a need for more consultation within territories on any environment programme. The Turks and Caicos Islands, which was currently under direct rule from the UK Government, had made decisions via various consultations based on experience in UK and not on the local cultural difference. Many members of society are afraid to say anything and voice their opinions as this might lead to hardships down the line based on their previous opinions.

Funding issues

Chris Tydeman expressed some concern that it appeared that Directorate-General for Development, despite the efforts of DG Environment, had not bought in to the development of a long-term BEST scheme, for which it had provided funding for in the first two rounds. During discussions at the Commission the official from that DG had resisted coming to meetings or send any representation. This difficulty of interdepartmental working could also be the uncomfortable situation in the UK. Any pressure RSPB could put on DG Dev with others would be encouraged. It was disappointing that other funds such as Horizon 2020 did not include a budget line for biodiversity, even though DG Environment had told DEFRA that member states should be pressing for it.

Nick Folkard agreed that this was a missed opportunity by the biodiversity community. More lobbying was needed, especially in regards to Horizon 2020. A follow-up meeting with DG Development might be an opportunity for this.

Chris Tydeman had discussed this with DEFRA. They had agreed that more work was needed on this but they felt it was too late to influence this now, as revisions would come in 2013.

Chris Tydeman felt that the Environmental Audit Committee inquiry would be an opportunity to express disappointment that the work that was needed from DEFRA in Brussels, to influence decisions and open up funding opportunities, had not been done. Furthermore, the complicated procedures involved in the application process would certainly hinder many UKOTs from making successful proposals. Large conservation bodies such as RSPB and Conservation International would have the organisational capacity to complete the applications which amount to the size of a telephone directory (over 300 pages of documents), but some UKOTs, for example Montserrat, would find this very difficult. UK Government could provide some sort of fund and/or assistance for the smaller conservation bodies in the UKOTs, should funding be available from the EU. The Commission would perhaps need to reconsider its position on 'in-kind' contributions especially as they may be the only contribution small organisations in UKOTs could provide.

Nick Folkard added that, even for a large organisation, such as RSPB, the procedures have been a drain on their resources and some past experience had made them wary of dealing with them.

Mat Cottam agreed his experience in Cayman proved that the bureaucracy involved in EU projects had made them hard to manage.

Generally, the group believed there would be a benefit in having a two-stage process. Although, this may bring in many first stage applications, it would prevent the smaller NGOs from wasting their already stretched resources.

Bruce Dinwiddy asked if there were any other insights on fundraising RSPB could give, especially given that they had a lot of members and partnerships.

Nick Folkard noted that RSPB works with many trusts and foundations particularly for species focused work, e.g. Rufford Foundation.

Ann Pienkowski remarked that the tourist tax earmarked for environment work on TCI was milked dry by the previous administration. Mat Cottam felt that although this would be a viable option in some UKOTs; some, for example Montserrat, may not have the resources to implement projects. DoE in Cayman had conducted a survey of views of a tax on environment and this received unanimous support. A substantial amount of money had been raised from this but had been used by the Cayman Government as emergency funds to cover the running costs of the government for six months and had not been used for what it was intended.

Mike Pienkowski felt that there were not many taxes that were popular but a tourism tax, which went directly towards conservation, seemed to work – provided that feedback on the uses made of the tax is provided regularly.

Generally, all agreed that the Darwin Initiative which was now being funded by DEFRA and DFID could make the UKOTs vulnerable to exclusion given that the two departments appeared to have different objectives. This would have to be monitored. Although, it appeared that there were few members of the advisory panel with UKOT experience, there were plenty of conservationists.

Philip Ashmole felt that the effective barring of NGOs from applying for funding under an open process was disturbing. The beneficial multiplying effect of NGOs and what they can do that a government could not had been ignored. It was worrying that HMG was beginning to take a top-down approach. Scottish National Heritage was giving to NGOs around Scotland; this was crucial in order to keep them going as organisations with a very strong multiplier effect. There had been no mention of IUCN, which was a recognised network with the same effect.

Mike Pienkowski noted that the Forum had a Memorandum of Agreement with the IUCN-UK National Committee and that he served as a member of the Executive Committee, the National Committee had been supportive of the UKOTs and UKOTCF. The Forum had also worked with IUCN- French Committee as part of the Bioverseas initiative.

Jonathan Hall emphasised the benefit of smaller projects, as well as the larger, more long-term projects. The Coalition Government had increased the funding through RSPB, if not others, and there was an opportunity to formalise overspends, which do not have budget lines. It was important that we do not go backwards. Hopefully this would be attached to the biodiversity strategy.

Tony Gent felt that there should be a coherent message coming from NGOs, and lists of projects that could put HMG for overspend.

Mike Pienkowski felt that governments do not understand small projects. Forum personnel, with various backgrounds, have a lot of experience in running and supervising small projects and so understand them.

Dace Ground highlighted the Turks and Caicos Pine (an endangered species) project, which was part-funded by OTEP, as one such successful project, which had not only gone a long way to securing the species but also enabled the UK Government to contribute towards reversing/halting global extinctions.

Tony Gent proposed that the government might consider giving the funding to a consortium of NGOs, which could manage the programme with for example, £5m per year. Philip Ashmole added that the Millennium Woodland Trust was a good example of this, where they had been given an amount to manage and delivered £80 million of projects. Nick Folkard added that the administration of the Darwin Initiative had been outsourced.

Iain Orr had been struck with contributions from TCI about added value of these small projects but somehow this does not get counted in. In TCI you have good projects with bad environmental impacts, which result from poor governance.

Nick Folkard added that DEFRA can be proud of achievements under Darwin. The Treasury would be the next step up but they do not hold purse strings.

Iain Orr urged all to think about levels of contributions to the Environmental Audit Committee inquiry.

Dace Ground felt that the recommendations of previous committees were strong but that not much has changed as a result.

Chris Tydeman felt that Ministers, especially the Environment Minister, Richard Benyon, are sympathetic.

Mike Pienkowski suggested that the problem could be expertise. HMG had reduced specialists and had restricted its agencies from getting involved in policy matters – which they previously could. They are unsure of ability to deal with special topics, which may lead to a tendency to block people out, rather than being ready to share the problems as they had in the past.

Iain Orr felt that one important and troubling point from White Paper was the new division between inhabited and uninhabited UKOTs.

Jonathan Hall stressed that it was not RSPB's experience that a disjoint exists between officials and Ministers. He claimed that HMG had maintained Darwin and increased funds to UKOTs; RSPB had positive engagement with officials and had been given space to do more.

Mat Cottam felt that UKOTCF fulfilled lots of important roles. However, perhaps now it would be good for it to encourage NGOs in the UKOTs to come forward and express their views so that HMG could not use the argument that it was a lone voice. Mat Cottam suggested encouraging UKOT bodies to complete some sort of one-page 'what do you think the White Paper means to you?' and 'are you happy with it?' This feedback would be directly from UKOTs.

Chris Tydeman noted that his experience with WWF and the European Commission was government bashing. However, there were times when one has to stand back and sometimes not. If we stand back here and do not do anything, then who will? There had been a lot of anger in Gibraltar particularly in non-government circles. Nothing hits headlines in Britain about Gibraltar unless it is conflict with Spain. Having been told by FCO that no one but the Forum had complained about anything, he considered that one has to be blunt in this process and follow it through.

Philip Ashmole felt that the workshop must show FCO that the Forum must continue to exist. It is necessary to continue to promote the biodiversity that exists in UKOTs; insist on importance of the Charters; enforce conviction that volunteers and NGOs are key to conservation in UKOTs.

Generally, all agreed that it was important to send these positive messages.

Jonathan Hall added that further discussions with HMG should focus on implementation of the biodiversity strategy. Even with a large PR department, RSPB struggles to get messages to them and others.

Closing Remarks

Dr Tydeman's summary of conclusions assembled at this point are given on pages 17-18 in the Summary of Proceedings.

Annex 1:

Key measures needed if the UK Government is to fulfil its main international responsibilities for biodiversity conservation in the UK's Overseas Territories **Main recommendations of the UK Overseas Territories Conservation Forum**

The long-awaited UK Government White Paper on the UK Overseas Territories (UKOTs) was published in late June 2012, following a public consultation in late 2011. The White Paper recognises the importance of the environmental assets of the UKOTs: “The Territories are internationally recognised for their exceptionally rich and varied natural environments. They contain an estimated 90% of the biodiversity found within the UK and the Territories combined” (p 8, Executive Summary of the White Paper). It recognises also the UK's constitutional responsibility for the UKOTs: “The UK, the Overseas Territories and the Crown Dependencies form one undivided Realm, which is distinct from the other States [notably several Commonwealth ones] of which Her Majesty The Queen is monarch. Each Territory has its own Constitution and its own Government and has its own local laws. As a matter of constitutional law the UK Parliament has unlimited power to legislate for the Territories” (p 14).

For this reason, policy and practice of the UK Government in respect of the UKOTs are very important. Despite the very welcome recognition of the environmental importance of the UKOTs in this White Paper, the United Kingdom Overseas Territories Conservation Forum (UKOTCF) is concerned that many aspects of the White Paper represent set-backs from the 1999 White Paper on the UKOTs and its follow-up. One aspect of this is that the description of the *status quo* with respect to environmental conservation in the UKOTs is seriously flawed; if one is inaccurate with this, how can one plan sensibly future actions? The 2012 White Paper contains many fine aspirations for environmental management of the UKOTs, but virtually no mechanisms for achieving them. Indeed, it seems to be abandoning mechanisms previously established. UKOTCF has set out in detail the basis of its conclusions in “*Moving Backwards in UK Overseas Territories Conservation - Comments by the UK Overseas Territories Conservation Forum on the UK Government's June 2012 White Paper* The Overseas Territories: Security, Success and Sustainability (Cm 8374)” (available at www.ukotcf.org/pdf/Consultations/WP2012comments.pdf; a shorter version is in *Forum News* 40: 1-8.) Below, we make our main recommendations and explain the reasons for them.

It is important to note that, whilst the White Paper is a product of the present UK Coalition Government, the period of official activity reviewed embraces about a decade under the previous Administration and about two years under the present Government.

1. Environment Charters

Following the 1999 White Paper, the UK negotiated a set of mutual commitments with respect to management of the environment with each of its Overseas Territories: the Environment Charters. These form the heart of the strategy to conserve and manage sustainably the environmental assets of the UKOTs but they have been omitted completely from the 2012 White Paper. The Coalition Government's strategy set out in this White Paper is to “re-invigorate the United Kingdom's relationship with its 14 Overseas Territories” (p 11). Ministers stress that it “endorses and builds on” (p 11) the previous Labour Government's 1999 White Paper but, rather than building on the 1999 White Paper, it appears to abandon the key conservation mechanisms it established.

The failure to mention the Charters in the 2012 White Paper follows several years of the UKG backing away from its commitments under the Charters. In 2008, despite promising a House of Commons Select Committee that it would “carry out a review of the Environment Charters which have now been in place for five years” and referred to awaiting UKOTCF’s analysis, the FCO told UKOTCF which was conducting (at FCO request) a review of progress in meeting Charter commitments that it did not have the resources to review its own performance, and, indeed, it has never carried out the review it promised in 2008.

As explained clearly in both the 1999 and 2012 White Papers, the UK Government has devolved environmental issues to the UKOT governments. The UK, however, is bound by Article 4 of the 1992 Convention on Biological Diversity (CBD) to account for the UKOTs in respect of treaty obligations. The 1999 White Paper acknowledged that there are environmental obligations that neither the UK nor the UKOTs had lived up to, and therefore the 1999 White Paper stipulated that the Environment Charters were to be negotiated to set out who is responsible for complying with which obligations. Accordingly, the Charters are the formal mechanism by which the UK complies with its international treaty obligations, and it continues to be bound by them, as do the UKOTs whose leaders signed them. This is laid out in detail in two Special Reports of the Bermuda Ombudsman, as part of her assessment of Bermuda's obligations to implement its Charter commitments specifically in relation to environmental impact assessments (see *Special Report June 18, 2012* and *Today's Choices – Tomorrow's Costs, February 10, 2012* www.ombudsman.bm). UKOTCF strongly endorses her position.

The 2012 White Paper lists compliance with relevant multilateral environmental agreements as one of its four goals for environmental management of the UKOTs (p 46). If the Charters do not constitute the mechanism by which the UK implements Article 4 of CBD, what is the mechanism for UK Government to meet its international obligations?

In this context, it is worrying that the phrase “of the uninhabited territories” qualifies one of the four environmental bullet points in the White Paper’s executive summary (p8): “The UK aims to be a world leader in the environmental management of its uninhabited territories”. Whilst UKOTCF welcomes the UK Government’s increased interest in the uninhabited UKOTs, why not be similarly ambitious for the inhabited territories? The UK’s international commitments, and the Environment Charters as the main route of implementing these, apply to both categories.

UKOTCF and many of its partners in UKOTs and Britain believe that the Environment Charters remain a central element of the relationship between HMG and the UKOTs, and that it would be a seriously backward step for HMG now simply to try to wish them away. They are legally binding documents and should be accepted as such.

i) UKOTCF calls on the UK Government to re-affirm its commitment to the Environment Charters which form the basis of UK and UKOTs fulfilling their international conservation obligations – for both the inhabited and uninhabited UK Overseas Territories.

2. Securing resources for environmental work in the UKOTs

a) UK Government Financial Support

The issue of funding for conservation work in the UKOTs is critically important because of the basic problem that NGOs and other bodies in the UKOTs are not eligible for most international funds because they are considered to be British. ***Sadly, the underlying assumption that Britain***

significantly funds conservation work in its own territories is simply not true. Britain's support for such work is negligible.

In June 2008, The House of Commons Foreign Affairs Committee's report on Overseas Territories concluded: "295. ... **We conclude that given the vulnerability of Overseas Territories' species and ecosystems, this lack of action by the Government is highly negligent. The environmental funding currently being provided by the UK to the Overseas Territories appears grossly inadequate and we recommend that it should be increased.**"

In October 2008, the House of Commons Environmental Audit Committee concluded, in its report on *Halting Biodiversity Loss*: "47. **With leadership, and a relatively small sum of money, the incredible biodiversity found in our overseas territories can be safeguarded into the future. One of the most important contributions that the Government could make to slowing the catastrophic global biodiversity loss currently occurring would be to accept its responsibilities and to provide more support for the UK Overseas Territories in this area.**"

The UK Government's Commitment 8 under the 2001 Environment Charters is: "Use the existing Environment Fund for the Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to the Territories' environment." Only a year after drafting and signing this Commitment, the FCO absent-mindedly terminated EFOT. After much effort by UKOTCF and UKOTs, an interim grant fund was put in place a year later, and subsequently this was combined with matching funding from DFID, to create the Overseas Territories Environment Programme (OTEP). However, OTEP was closed as a grant-fund allowing open process and application from users in 2011, despite a commitment in the UK Government's Overseas Territories Biodiversity Strategy to retain and enhance it, and despite the 2012 White Paper presenting it as one of the key mechanisms for conservation work in the UKOTs. *It is perhaps indicative of UK Government's delivery of its commitments that it has killed off the means of fulfilling this long-term commitment twice in a decade.*

The 2012 White Paper offers only two funding mechanisms for conservation work in the UKOTs: OTEP and the Darwin Initiative. As noted above, OTEP, the only funding stream dedicated to environmental conservation in the UKOTs, is no longer open to project bids from environmental NGOs, or indeed anyone under an open process. At most, it has been reduced to a programme whereby UK Government bodies tell UKOTs what they need. It certainly will not allow NGO bodies or UKOT government departments, both of which tend to have more local knowledge, to play an active role in helping determine how any available funds are spent.

The widening of the Darwin Initiative to include UKOT focus in 2009 is already threatened by 2012.

DFID is now funding part of the Darwin Initiative, but has its own target to contribute 0.7% of GDP to poverty alleviation – thereby causing it to try to steer the Darwin Initiative funding away from UKOTs and towards foreign countries, because grants for UKOTs do not fall within this target. All of which means that the White Paper describes as 'supported activities' only two funding sources, both of which are rapidly becoming unavailable to the UKOTs and their supporting NGOs in any significant way.

Lack of even the modest financial support of OTEP is already depriving the UKOTs of contributions which civil society can make to good environmental management, especially of projects involving local communities in the inhabited territories.

ii) UKOTCF recommends that the UK Government increases the funding for UKOT biodiversity conservation, as already recommended by two Select Committees of the House of Commons, instead of its present practice of decreasing the availability of funding to conservation bodies working for the UKOTs, and ensures that UKOT NGOs and their umbrella body, UKOTCF, and other NGOs are again eligible for such funding.

UKOTCF notes that the White Paper's "The Seven Principles of Public Life" (see the box on p 51), includes "Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their actions and restrict information only when the wider public interest clearly demands." Sadly, movement in HMG has been in the opposite direction. In administering the EFOT, the FCO worked jointly with UKOTCF to help UKOT bodies develop proposals to meet the joint UK/UKOT responsibilities for conservation. With the FCO's absent-minded cancellation of EFOT within a few years, OTEP (established after a gap) was influenced by DFID's more formulaic approach to a bid-based system. This did include a review panel, initially with strong non-governmental representation (although its recommendations were sometimes over-ruled without explanation by FCO & DFID). Progressively, the representation of UKOTCF and other NGOs was reduced (and their time no longer paid), and the recommendations of the NGOs for better procedures ignored. In 2011, without any consultations with NGOs, FCO and DFID cancelled the grants programme. FCO indicated that some funding is still available, but the process for applying for, and awarding of, funding – and even the subject of the funding – remain secret despite enquiries.

iii) UKOTCF recommend that FCO & DFID restore an open process and return to a system that involves fully the expertise of NGOs (and umbrella bodies like UKOTCF) working alongside officials to decide on grant funding.

2b Funding from the European Union

Working with its equivalent bodies for French and Dutch overseas territories, UKOTCF some years ago planted the idea of European Union support for conservation in the OTs (almost all of which are not eligible for most EU funds). The idea was taken up by a senior European Commission official, and then by European Parliamentarians from French territories. A pilot programme *Preparatory Action (Voluntary scheme for Biodiversity and Ecosystem Services in Territories of the EU Outermost Regions and Overseas Countries and Territories)* 'BEST', was established by an initiative of the European Parliament, in collaboration with Directorate-General Environment, utilising funds from Directorate-General Development Cooperation. There have been two tranches of €2 million, with grants from the latest one still to be decided.

It had been assumed that the plan was a permanent fund arising out of this preparatory action, with the current BEST results proving the need for it. Unfortunately, a senior official from Directorate-General Environment has now indicated that establishing such a budget-line would be impossible and, even if it were, DG ENV is not a funding agency. The policy now is to access existing EU budget-lines to fund environmental projects. This, however, causes major problems for the UKOTs since, aside from the possibility of access to the EU fund LIFE + for the UKOTs, there are virtually no European Union funds that are accessible to them. At present, it seems that even inclusion in LIFE+ may not be extended to OTs, but may be extended to non-EU countries in Asia! There is a need for considerable lobbying on the part of the UK Government to change this situation. On past experience, this seems unlikely, it being clear that lack of attendance at meetings by UK ministers and officials is one of the main reasons that UK (and UKOT) bodies fare poorly in EU funding for the environment. UKOTCF has previously indicated also the need for the UK Government to work with other states to press the European Commission to reduce the needless and disproportionate bureaucratic load on applications and other processes.

The only nod towards this complex problem in the 2012 White Paper is: “In the EU, the UK Government **will try to ensure** that UKOTs’ environmental policy and funding needs are taken into account.” (p 43) [emphasis added]. This gives the impression that the drafters either do not understand the problems or that they have little real interest in addressing them.

iv) UKOTCF recommends that UK Government engages more with the European Union institutions in order to ensure that UKOTs are not effectively excluded from EU funding for biodiversity conservation – and that, when funding is made available, procedures are simplified.

2 c) National Lottery Funding

The benefits of the National Lottery are not available to the UK Overseas Territories, unlike for example its Dutch equivalent for Dutch territories.

The Department for Culture, Media and Sport (*The Department for Culture, Media and Sport and the United Kingdom's Overseas Territories* <http://www.culture.gov.uk/images/publications/dcms-uk-overseas-territories.pdf>) states that “**Lottery funding can be made to organisations based in the UK for activities overseas, such as in the Overseas Territories**, provided the funding meets the purposes (legislation or charter) of the relevant distributor. There is no bar on Heritage Lottery Fund (HLF) making such grants **but HLF’s current policy is to treat any such applications as a low priority**. When making decisions on funding, HLF take into account their policy directions, which place an emphasis on funding the heritage of the UK for access by the people of the UK [emphasis added].” **HLF seems unaware that the UKOTs are sovereign UK territory and their people UK citizens.**

Heritage Lottery funding was addressed on p 75 of the White Paper: “The UK National Lottery is the most cost efficient in Europe and has so far raised £27 billion for Good Causes. Some 28% of Lottery revenue is distributed to Good Causes through a number of distributing bodies which support sport, the arts, heritage and communities. The Lottery cannot currently be played in the Territories. However, distributing bodies, which make their funding decisions independently of Government, can make grants to support good causes in the Territories to organisations based in the UK and working in the Territories, where applications meet the relevant criteria and the distributors have the legal vires to do so.” The problem with this statement is the HLF's express policy is to treat such applications as low priority, so once again a funding source described in the White Paper is not actually available to the UKOTs.

UKOTCF agrees with The Hon Mr Henry Bellingham MP, Minister for Overseas Territories, who said during a visit Bermuda in late 2011 “It seems to me grossly unfair that the citizens of these Territories who have British passports, that they are keen to retain the link with Britain and it seems to me quite wrong and anomalous that they can’t enjoy the benefits of the Lottery.” It is not clear why Ministers have not given the Lottery bodies a Direction in line with the intentions expressed in the White Paper.

v) UKOTCF recommends that Ministers act on the importance they attach in the White Paper to the UKOTs and direct the National Lottery bodies to give at least equal priority in making grants for UKOTs as for metropolitan UK.

3. The role of Non Governmental Organisations (NGOs)

Another major step forward arising out of the 1999 White Paper was the strengthened collaborative working by the UK Government with the environmental NGOs (and some official bodies in the Territories) brought together in UKOTCF. The UK Government has long recognised the great importance of NGOs in environmental conservation, and the 2012 White Paper lists strengthening cooperation with NGOs as one of its four goals for the UKOTs.

However, over the last few years, this mutually productive partnership between the UK Government and UKOTCF member bodies has been gradually phased out by officials, without consultation. We are concerned that this is part of a general movement away from support of local NGOs (which have generally proved highly cost-effective) and moving towards conservation policy which is driven by UK officials, rather than being demand-led from the UKOTs.

For many years, the UK Government worked closely with local NGOs through the officers of UKOTCF, a body made up of 33 member organisations in the UKOTs and in Britain (as well as the Crown Dependencies). Over many years, UK officials and UKOTCF member organisations, together with UK representatives of UKOT governments, met regularly so that the UK officials could be made aware of issues of concern in the UKOTs, and the Forum (and thereby its member organisations) could be kept up to date on policies, programmes and proposals from the UK Government. These meetings have been dropped unilaterally by HMG, and officials belatedly indicated that support for the next UKOTCF-organised three-yearly conference bringing together NGOs and OT Governments to share information and resources will not be forthcoming (so that it has been cancelled). 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.” So the decision to drop funding for these is another way that UK’s obligations of the Environment Charters are being abrogated.

In 2005, the FCO dropped virtually all its environmental posts, claiming that other government departments would pick up this role for the UKOTs, but in practice little of this happened effectively. One might imagine that, with reduced UK Governmental capacity, the government would seek to fill the gap by encouraging work by NGOs and their umbrella body, UKOTCF, which had worked in partnership with government for two decades. However, the reverse was true from the middle of the first decade of the millennium. References to the ‘Big Society’ gave hope that the new Coalition Government would reverse this negative trend. In practice, however, the decline in UK Government’s interest in working with UKOTCF and its member bodies has continued and possibly accelerated. It may be that there is a mis-match between Ministers’ intentions and the actual actions of their Departments.

Locally-based NGOs serve vital functions in conservation. They educate local people and represent their concerns. They are aware of local issues and work at the grass-roots level to address them. They carry out vital environmental programmes, at very low cost to all concerned. And when it happens that a local government makes a decision which would have severe environmental consequences, they are the only force that can stand up for the environment. The change in approach by the UK Government overlooks also the high efficiencies and value-for-money of NGO contributions.

vi) UKOTCF recommends that UK Government Ministers instruct their officials and agencies to respond positively to the repeated invitations from UKOTCF, its member organisations and other NGOs to restore the productive communication and collaborative

working that characterised conservation work for the UKOTs, until unilaterally reduced by officials over the past half-decade.

How UKOTCF plans to help

Over 25 years, UKOTCF and its members in both GB and the territories have invested a huge amount of voluntary resources into conservation in the UKOTs and Crown Dependencies, building up the largest body of expertise in this. UKOTCF wishes to build on this, and to overcome the reluctance, developed over the past half decade, by UK Government officials to collaborate – in contrast to earlier valuable collaborations.

UKOTCF will continue to raise public and parliamentary interest in these matters. In the short term, UKOTCF will, in early October, host in London, courtesy of a UKOT Government, a technical seminar to start examining how some of the many gaps in the White Paper can be addressed. This will build on the seminars on biodiversity strategies in the UKOTs and Crown Dependencies organised by UKOTCF in 2010 and 2011 (*Forum News* 37: 9-11; 38:4; www.ukotcf.org/pdf/fNews/BodivWorkshop1106.pdf). Later in the year, UKOTCF plans to take up the invitation of Parliamentarians to organise an event to explore issues with decision-makers and others. This will be important in the context of the forthcoming comprehensive spending review, the negotiations on EU funding, the taking forward of FCO, DEFRA and DFID strategies, and the triennial review of JNCC, amongst others.

NOTE: UK Overseas Territories Conservation Forum

The UK Overseas Territories Conservation Forum (UKOTCF or “the Forum”) was created in 1987 and formally constituted as a charitable company in 1996. UKOTCF brings together, as its Members and Associates, 26 conservation and science bodies in the UK Overseas Territories (UKOTs) & Crown Dependencies (CDs), seven supporting ones in Great Britain & Northern Ireland (GB), 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.



Annex 2: Moving Backwards in UK Overseas Territories Conservation

Comments by the UK Overseas Territories Conservation Forum on the UK Government's June 2012 White Paper *The Overseas Territories: Security, Success and Sustainability* (Cm 8374)

Summary

The Coalition Government's strategy set out in the 2012 White Paper is to "re-invigorate the United Kingdom's relationship with its 14 Overseas Territories" (p 11). It "endorses and builds on" (p 11) the previous Labour Government's 1999 White Paper. It does so primarily through broad principles, rather than new policy commitments. There is an increased emphasis on the UK's Overseas Territories (UKOTs) mattering for all parts of government, with different departments leading on issues that are primarily their responsibility. This "commitment from across the UK Government" (p 5, Prime Minister's Foreword) will have consequences for departmental policies and budgets, including contingent liabilities. ***Neither of these is addressed in the White Paper.*** The central institutional development is the intention to set up a UK and UKOTs "Joint Ministerial Council" (JMC) which will report on the "priorities for action set out at the end of each chapter" (p 9) and invite "public and parliamentary scrutiny" (p 9). ***How the JMC develops – and how it relates to the work of the UK Government's National Security Council – will be a key to how, and if, this White Paper builds on the 1999 one.***

The environmental importance of the UKOTs is given welcome prominence: "The Territories are internationally recognised for their exceptionally rich and varied natural environments. They contain an estimated 90% of the biodiversity found within the UK and the Territories combined" (p 8, Executive Summary). Welcome also is the attention to management of the marine environment, notably in "the uninhabited territories". ***However, it is worrying that this phrase qualifies one of the four environmental bullet points in the Executive Summary:*** "The UK aims to be a world leader in the environmental management of its uninhabited territories" (p8). ***Why not be similarly ambitious for the inhabited territories?***

A key, if not the key, component of the strategy to conserve and manage sustainably the environmental assets of the UKOTs has been omitted completely. The Coalition Government's strategy set out in the White Paper is to "re-invigorate the United Kingdom's relationship with its 14 Overseas Territories" (p 11). Ministers stress that it "endorses and builds on" (p 11) the previous Labour Government's 1999 White Paper. One main environmental achievement of that White Paper was the setting up of the Environment Charter process. These Charters, drafted by UK Government, were signed with fanfare and commitment in the wake

UKOTCF's current Member and Associate organisations not linked to a single Territory:

Amphibian & Reptile Conservation
Royal Botanic Gardens, Kew
Royal Zoological Society of Scotland
Zoological Society of London
Army Ornithological Society
Royal Air Force Ornithological Society
Royal Naval Birdwatching Society

UKOTCF's current Member and Associate organisations linked to a particular UK Overseas Territory or Crown Dependency:

Alderney Wildlife Trust
Anguilla Archaeological & Historical Society
Anguilla National Trust
Ascension Conservation Centre
Ascension Heritage Society
Bermuda Audubon Society
Bermuda National Trust

UK Antarctic Heritage Trust
Chagos Conservation Trust
National Parks Trust of the Virgin Islands, BVI
Jost van Dykes Preservation Society, BVI
National Trust for the Cayman Islands
Akrotiri Environmental Education & Information Centre
Gibraltar Ornithological & Natural History Society
La Société Guernesaise
National Trust for Jersey
Société Jersiaise

Isle of Man Department of Environment, Food & Agriculture

Montserrat National Trust
Pitcairn Natural Resources Division
St Helena National Trust
La Société Sercquaise
South Georgia Association
National Trust of the Turks & Caicos Islands
Turks & Caicos National Museum
Turks & Caicos Reef Fund

Most UKOTCF member and associate organisations are NGOs and/or UKOT or Crown Dependency bodies. However, one (Royal Botanic Gardens, Kew) is a Non-Departmental Public Body of UK Government. It would, of course, be inappropriate for such a body to comment in this medium on UK Government policy. RBGK is therefore not party to this document.

of the 1999 White Paper and have formed the foundation of environmental policy since then. However, they are not mentioned even once in this White Paper. Furthermore, the UK Government has failed to supply information on its own performance to the implementation monitoring process that it requested UKOTCF to set up. This was also despite the FCO's responses, in early 2007, to the Inquiry on *Trade, Development and Environment: the role of the FCO* by the House of Commons Select Committee on Environmental Audit (EAC, Report 23 May 2007).

A major concern, especially for NGOs, is *that the White Paper's fine words about working closely with civil society do not reflect the reality* of the decline in this, despite the best efforts of the NGOs – and have been severely undermined by the FCO and DFID's recent decision that the Overseas Territories Environment Programme (OTEP) will no longer be open to project bids from environmental NGOs in the UKOTs and the UK. *Lack of such support is already depriving the UKOTs of contributions which civil society can make to good environmental management, especially of projects involving local communities in the inhabited territories.*

The White Paper's other chapters – on security, the economy, good government, local communities and links with the wider world – all have environmental implications. This is most obvious in “The Seven Principles of Public Life” (see the box on p 51), especially “Openness: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their actions and restrict information only when the wider public interest clearly demands.”

All in all, the White Paper is a major disappointment, with considerable apparent promise but lacking substance. The Prime Minister in his Foreword says “We see an important opportunity to set world standards in our stewardship of the extraordinary natural environments we have inherited.” Sadly, the document fails to provide means to achieve that, except possibly in the uninhabited territories.

UK Overseas Territories Conservation Forum

The UK Overseas Territories Conservation Forum (hereinafter UKOTCF or “the Forum”) was created in 1987 and formally constituted as a charitable company in 1996. UKOTCF brings together, as its Members and Associates, 26 conservation and science bodies in the UK Overseas Territories (UKOTs) & Crown Dependencies (CDs), seven supporting ones in Great Britain & Northern Ireland (GB), 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.

Introduction

The long-awaited UK Government White Paper on the UK Overseas Territories was published in late June 2012, following a public consultation in late 2011.

In this document, UKOTCF reviews some aspects of the White Paper with implications for environmental conservation. This clearly relates particularly to Chapter 3 (“Cherishing the Environment”), but many aspects in other parts of the White Paper impact the environment and its conservation. Rather than a point-by-point critique of individual paragraphs of the White Paper, we focus initially on several main components.

Ministers stress that this White Paper builds on the 1999 White Paper. The main environmental achievements of that White Paper included the setting up of the Environment Charter process. In support of this, the FCO strengthened and formalised its existing small grant programme into the Environment Fund for Overseas Territories, and DFID promised to match this (although that was delayed for five years) – so, first (from page 3) we consider the new White Paper in the context of these.

The other main environmental step forward of the 1999 White Paper was the strengthened collaborative working by the UK Government (sometimes abbreviated to UKG or HMG) with NGOs, and particularly in

the environmental NGOs (and some official bodies in the Territories) brought together in UKOTCF. Our second section addresses these areas, starting on page 5.

Ministers stress the importance of scrutiny from the public in respect of reporting on progress. Therefore, third, we make an overview of the performance of FCO and other UK Government Departments since the 1999 White Paper against the Commitments it set itself in the Environment Charters, starting on page 7 and laid out in greater detail in Appendix 1 on page 12. It is important to note that this period embraces both about a decade under the previous Administration and about two years under the present Government.

In our Conclusions, on page 9, we consider how well the reality of the Government's actions meets the Ministers' expressed intentions.

Ministers underline also the importance of the preceding public consultation in determining the priorities set in this White Paper. Therefore in Appendix 2 on page 14, we review which of the 31 reasoned recommendations made by UKOTCF, on the basis of interactions with its constituent partners, especially in the UKOTs, have been addressed in the White Paper and how the White Paper reflects reality.

In Appendix 3 on page 18 we address some issues relating to maps, constitutional arrangements, openness and World Heritage Sites. Finally, in Appendix 4 on page 21 we review the history and achievements of the UKOTCF, in the context of its continuing offer to assist progress despite the decline in willingness of UK Government departments to collaborate with civil society.

The Environment Charters and UK Government support for environmental work in the UKOTs

Despite the very welcome recognition of the environmental importance of the UKOTs in this White Paper, UKOTCF has a number of concerns, many of which relate to the fact that the Environment Charters, signed with such fanfare and commitment in the wake of the 1999 White Paper and forming the foundation of environmental policy since then, are not mentioned even once in this White Paper. UKOTCF and many of its partners in the UKOTs and Britain believe that the Environment Charters remain a central element of the relationship between HMG and the UKOTs, and that it would be a seriously backward step now for HMG simply to wish them away.

As explained clearly in both the 1999 and 2012 White Papers, the UK Government has devolved environmental issues to the UKOT governments. The UK, however, is bound by Article 4 of the 1992 Convention on Biological Diversity (CBD) to account for the UKOTs in respect of treaty obligations. The 1999 White Paper acknowledged that there were environmental obligations that neither the UK nor the UKOTs had lived up to, and therefore the 1999 White Paper stipulated that the Environment Charters were to be negotiated to set out who is responsible for complying with which obligations. Accordingly, the Charters are the formal mechanism by which the UK complies with its international treaty obligations, and it continues to be bound by them, as do the UKOTs whose leaders signed them. This is laid out in detail in two Special Reports of the Bermuda Ombudsman, as part of her assessment of Bermuda's obligations to implement its Charter commitments specifically in relation to environmental impact assessments (see *Special Report June 18, 2012* and *Today's Choices – Tomorrow's Costs, February 10, 2012* www.ombudsman.bm). UKOTCF strongly endorses her position.

The 2012 White Paper lists compliance with relevant multilateral environmental agreements as one of its four goals for environmental management (p 46). If the Charters do not constitute the mechanism by which the UK implements Article 4 of the CBD, what is the mechanism for the UK Government to meet its international obligations?

In his introduction to the 2012 White Paper, the Foreign Secretary notes that it builds on the 1999 White Paper, and once again concedes that there are environmental obligations that are not being lived up to: "It [the 2012 White Paper] is also a strategy of re-evaluation. *We have not in the past devoted enough attention to the vast and pristine environments in the lands and seas of our Territories.* We are stewards of these assets

for future generations.” (p 5, italics added). Given that this is the second time that a UK White Paper has admitted that the UK's environmental programmes for the UKOTs are not achieving the desired results, one would expect in this White Paper a detailed and concrete programme for how this problem will be addressed.

So let us review the goals and the mechanisms for achieving them as laid out in the 2012 White Paper:

Goals: The paper introduces a new distinction in environmental management between the uninhabited UKOTs and the inhabited ones. The priorities for action (p 46) are:

- manage terrestrial and marine natural resources sustainably and address challenges of climate change, including by putting environmental considerations at the heart of all decision-making.
- oversee exemplary environmental management of the uninhabited Territories.
- ensure compliance with the requirements of relevant multilateral environmental agreements.
- strengthen co-operation with the Non-Governmental and scientific communities.

Most space in the environment chapter is devoted to the uninhabited UKOTs. The goal for them of ‘exemplary environmental management’ is sadly not offered for the inhabited UKOTs – although this appears to be an aspiration (see Foreword by the Prime Minister).

Mechanisms for environmental management to be provided by the UK Government to support delivery comprise (pp 40, 43):

1. The FCO and DFID administer the Overseas Territories Environment Programme (OTEP) [*Now no more*].
2. DEFRA, with DFID, FCO and JNCC, are responsible for the Overseas Territories Biodiversity Strategy [*A document lacking clear targets and objectives (except, ironically, for maintaining OTEP)*].
3. DEFRA leads the Darwin Initiative and will also lead on biodiversity and climate change adaptation and, through its Agencies, will continue to provide technical and policy advice. [*DEFRA may lead – but what does this mean? And Darwin funding for UKOT work is now compromised by DFID rules. There appears to be no commitment to continuation of Darwin funding for the UKOTs, only two Rounds after Darwin finally focussed on UKOTs.*]
4. DFID will ‘**continue to engage**’ with the OTs on wider climate, environment and natural resource issues.’ [*Continue to engage?*]
5. The Department for Energy and Climate Change **will look to** increase their support to UKOTs in areas of climate change collaboration and provide support on energy-related issues.
6. In the EU, the UK Government **will try to ensure** that UKOTs’ environmental policy and funding needs are taken into account.
7. The UK Government **will seek to secure funding from other sources** to assist UKOTs and continue to represent OT interests in the context of MEAs. [*No commitment on funding from the UK*]

The mechanisms listed are largely aspirational and seem to step backwards from the more robust specific commitments set out in the 2001 Environment Charters, and the 1999 White Paper which generated these.

With regard to the first mechanism, initially the Environment Fund for Overseas Territories and later the Overseas Territories Environment Programme (OTEP), FCO and DFID have recently decided that OTEP will no longer be open to project bids from environmental NGOs, or indeed anyone under an open process.

The White Paper gives the impression that OTEP is alive and well, and one of the key contributions from the UK towards environmental management in the UKOTs, but in fact we understand that it is being at best restructured and more likely eliminated – or, at most, reduced to a programme whereby UK Government bodies tell UKOTs what they need. It certainly will not allow NGO bodies or UKOT government departments, both of which tend to have more local knowledge, to play an active role in helping determine how any available funds are spent.

With regard to the second mechanism, we now understand that the interdepartmental group which developed the “Biodiversity Strategy” (actually a UK Government interdepartmental agreement, rather than a strategy in its usual sense – see *Forum News* 37: 9-11 & 38: 4; www.ukotcf.org/forumNews/index.htm) is not only unlikely to meet in future but will not be used to harness the expertise and roles of the other government departments so feted throughout the White Paper, so that mechanism, too, appears to be being abandoned.

This leaves the third mechanism, the Darwin Initiative programme, as the only actual funding mechanism on the list, and that, too, is under pressure to minimise support for the Overseas Territories. Only two annual rounds after DEFRA belatedly gave welcome emphasis in this programme, DFID has joined in the funding but is putting great pressure on DEFRA to reduce funding to UKOT projects (see below).

The issue of funding for conservation work in the UKOTs is critically important because of the basic problem that NGOs and other bodies in the UKOTs are not eligible for most international funds because they are considered to be British. ***However, the underlying assumption that Britain funds conservation work in its own territories is unfortunately not true: the UK Government is not stepping in to fill that gap.*** OTEP, small though it was, was the only funding stream dedicated to the UKOTs. Despite what the White Paper says, OTEP is no longer available to bids from the UKOTs or from UK conservation NGOs working with UKOT bodies. There are problems for UKOTs accessing the Darwin Initiative as well: DFID is now funding part of the Darwin Initiative, but has its own target to contribute 0.7% of GDP to poverty alleviation – thereby causing it to try to steer the Darwin Initiative funding away from UKOTs, because grants there do not fall within this target, as defined under international agreement.

The rest of the support listed in the White Paper is hypothetical – the language ‘continue to engage’, ‘look to increase’, ‘try to secure’ and ‘seek to secure’ conveys a frightening lack of certainty to the UKOTs.

In a recent interview with VSB News in Bermuda, UK Minister for UKOTs Henry Bellingham stated that the UK expects the UKOTs “to look after the environment in the same way that we do in the UK.” In fact, the Environment Charters were signed as the mechanisms to effect the respective actions by the UK and UKOTs to achieve this. They are highly valued in the UKOTs and by NGOs and others supporting conservation. We urge the UK Government to pay more regard to these important instruments which its officials drafted and to which it committed.

The White Paper is establishing a new distinction in the UK’s approach as between the inhabited and uninhabited UKOTs. We perceive a strengthened commitment to management of the uninhabited UKOTs, and given their huge environmental value, we certainly applaud this (having previously criticised the legal fiction that these had separate governments from that of UK). However, at the same time, we cannot help perceiving that this is accompanied by a desire to step back from responsibility for the inhabited UKOTs. The 1999 White Paper and the subsequent Environment Charters took a realistic look at what would be needed to enable local UKOT governments to care for their environmental resources, and developed a complex programme of mutual commitments that would enable that to happen. Given that the UK’s obligations under the CBD require this, and that nothing has been proposed since then that would come close to meeting those obligations, again we urge HMG to reaffirm its commitment to the Environment Charters.

The role of Non Governmental Organisations (NGOs)

The UK Government has long recognised the great importance of NGOs in environmental conservation, and the 2012 White Paper lists strengthening cooperation with NGOs as one of its four goals for the UKOTs. Also (on p 16), it adds “We want to see greater engagement between the UK and the Territories. We want to foster links between individuals, companies and Non-Governmental Organisations with their counterparts in

the Territories.” We understand that the UK government is now looking to the private sector to provide the missing funds that are being “looked for” elsewhere. While all such funds are welcome for environmental work in the UKOTs, this adds another layer of competition for the hard-pressed NGOs whose availability of government-sourced funds has been much reduced.

Locally-based NGOs serve vital functions in conservation. They educate local people and represent their concerns. They are aware of local issues and work at the grass roots level to address them. They carry out vital environmental programmes, at very low cost to all concerned. And when it happens that a local government makes a decision which would have severe environmental consequences, such as approving tourism development which would damage critical environments, they are the only force that can stand up for the environment.

This last point is really critical. The current UK Government strategy for conservation in the inhabited UKOTs relies almost entirely on the governments of the UKOTs. This assumes that the UKOT Governments are using best practice in their planning and decision-making procedures. The 1999 White Paper and the Charters recognise the importance of this by committing the UKOT Governments to (1) making their decisions in an open and consultative manner, (2) requiring Environmental Impact Assessments (EIAs) before making decisions on high-impact development, and (3) requiring that a public consultation be a part of the EIA. But if a local government decides not to follow this best practice, and makes a high-impact decision without environmental assessment or public consultation, the UK Government no longer becomes involved; the only bodies who try to ensure that environmental concerns are taken into account are local NGOs.

A recent high-profile case in Bermuda illustrates this point clearly. In the case of Tucker’s Point, the Bermuda Government decided that it was going to grant a Special Development Order (SDO) which would allow tourism development on some of the most sensitive and environmentally valuable areas of Bermuda. Local NGOs heard rumours that this was in the pipeline and requested information from officials about it. Far from carrying out public consultation, these requests for information were either ignored or the potential SDO was outright denied until the granting of the SDO was announced as a *fait accompli*. Huge mobilisation by the Bermuda public, organised by local NGOs, resulted eventually in some of the most egregious elements of the SDO being modified. But even then there was no public consultation on the changes that were to be made.

The change in approach by the UK Government overlooks also the high efficiencies and value-for-money of NGO contributions. For many years, the UK Government worked closely with local NGOs through the officers of UKOTCF, a body made up of member organisations in the UKOTs and in Britain (as well as the Crown Dependencies). UK officials and UKOTCF member organisations, together with UK representatives of UKOT governments, met regularly so that the UK officials could be made aware of issues of concern in the UKOTs, and the Forum (and thereby its member organisations) could be kept up to date on policies, programmes and proposals from the UK Government. One of UKOTCF’s key roles is to keep its member organisations in contact with each other and the UK Government. It does this in three ways: 1) regional working groups (Wider Caribbean Working Group, Southern Oceans Working Group, Europe Territories Working Group) meet quarterly to discuss the issues of concern to members and to share information and resources; 2) every three years the Forum, with support from the UK Government, has held conferences at which local NGOs and governmental conservation bodies could share resources and information; and 3) through its regular newsletters and e-updates, the concerns as well as the successes of conservation in the UKOTs are disseminated.

However, over the last few years, this mutually productive partnership between the UK Government and UKOTCF member bodies has been gradually eroded to the point of having been phased out by officials, without consultation. We are concerned that this is part of a general movement away from support of local NGOs and moving towards conservation policy which is driven by UK officials rather than being demanded from the UKOTs. The meetings between UK officials and UKOTCF have been dropped and officials indicated very belatedly that support for the next three-yearly conference, due in 2012, would not be forthcoming. 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.” So the decision to drop funding for these is another way that the obligations of the Environment Charters are being abrogated.

In 2005, the FCO dropped virtually all its environmental posts, claiming that other government departments would pick up this role for the UKOTs, but in practice little of this happened and certainly not effectively. One might imagine that, with reduced UK Governmental capacity, the government would seek to fill the gap by encouraging work by NGOs and their chosen umbrella body, UKOTCF, which had worked in partnership with government for two decades. However, the reverse was true from the middle of the first decade of the millennium. References to the ‘Big Society’ gave hope that the new Coalition Government would reverse this negative trend. In practice, however, the decline in UK Government’s interest in working with UKOTCF and its member bodies continued and possibly accelerated. It may be that there is a mis-match between Ministers’ intentions and the role of their officials and therefore actual actions of their Departments.

As we have felt in recent years that the UK Government was distancing itself from locally based NGOs and the commitments of the Environment Charters to support them, we had a moment of revelation when DEFRA released its “United Kingdom Overseas Territories Biodiversity Strategy” in 2009. Although this document makes little reference to the Charters, Annex 3 laid out the UK commitments under the Charters. These were word-for-word identical to the language of the Charters except that one commitment was simply omitted: after the original language “Use UK, regional and local expertise to give advice and improved knowledge of technical and scientific issues,” the “Strategy” simply dropped the second part of that commitment which reads “This includes regular consultation with interested non-governmental organisations and networks.” It is just possible that this omission was inadvertent, but it certainly supports our sense that regular consultation with NGOs is no longer an objective or a desirable course for UK officials.

Indeed, in mid-2012, an internal UK Government document became available, under a Freedom of Information request on another topic. This revealed that the Overseas Territories Directorate of FCO had been trying to undermine UKOTCF since at least 2009, while simultaneously denying to UKOTCF any dissatisfaction with it – and despite the fact that UKOTCF is the body that a range of UKOT and other NGOs selected to interact for them with the UK Government and others.

Progress since the 1999 White Paper

A direct output of the 1999 White Paper process was the set of Environment Charters negotiated and signed between the UK Government and the Governments of UKOTs. (These excluded the British Antarctic Territory, where territorial sovereignty is held in abeyance by the Antarctic Treaty 1959, the Cyprus Sovereign Base Areas, and Gibraltar. Gibraltar later issued its own Environment Charter with similar provisions.) At the request of the UK Government and the UKOTs, UKOTCF collated information from all parties in 2006-7 and 2009 to monitor progress on the commitments (www.ukotcf.org/pdf/charters/INDICATORS0707e.pdf and www.ukotcf.org/pdf/charters/indicatorsrev0912.pdf). Bodies in the UKOTs provided a good deal of progress on their work on the commitments, and were generally commendably open as to the nature of this. However, despite initiating the work and keeping good records on its fulfilling the commitments until at least 2003, the UK Government felt unable to supply information on its own work in this regard at the time of these reviews.

This was also despite the FCO’s responses, in early 2007, to the Inquiry on *Trade, Development and Environment: the role of the FCO* by the House of Commons Select Committee on Environmental Audit (EAC, Report 23 May 2007). When preparing supplementary evidence to address questions put to their Minister by the Committee, FCO officials asked UKOTCF about progress on its review on implementation of the Charters. Subsequently, the FCO Minister’s supplementary memorandum to the House of Commons EAC stated (with a slightly optimistic interpretation of UKOTCF’s estimate of the timescale): “Your Committee also asked about an assessment of the Overseas Territories Environment Charters. The UKOTCF is currently gathering information on the progress in implementing the Environment Charter Commitments for each Territory (or the equivalent for those Territories without Charters). The Forum intends to publish a progress report towards the middle of this year. The FCO will use that information, in consultation with Whitehall colleagues and the governments of the Overseas Territories, to carry out a review of the Environment Charters which have now been in place for five years.”

In this context, UKOTCF put a great deal of further effort into helping and encouraging UKOTs to provide information and is very pleased to note that, of the 21 entities that constitute the UKOTs and Crown Dependencies, responses were received from or on behalf of 19. In line with the Environment Charters themselves, responses were welcomed from both governmental and non-governmental bodies and, in several cases, the responses were integrated. UKOTCF did not receive information from HMG in respect of the UK Commitments in the Environment Charters, nor from those UKOTs which are directly administered by UK Government: British Indian Ocean Territory (which has an Environment Charter), British Antarctic Territory, and the Cyprus Sovereign Base Areas (although information was received from non-governmental sources for some). A few months later, the FCO reported that, although it had no problem in principle with the indicators, HMG did not have the resources to report on the implementation of its own Commitments. UKOTCF was surprised by this, because HMG had drafted the Environment Charters, had been one of those originally asking UKOTCF to develop a report on their implementation, had reported nothing wrong with the draft indicators published in early 2006, and had (around the same time as indicating that it could not find the time to respond) reported to Parliament that it was awaiting UKOTCF's report and would conduct its own review thereafter. UKOTCF (despite its much smaller resources) continued to collate any available information on implementation of the Charters, and updated its review in 2009.

In June 2008, The House of Commons Foreign Affairs Committee's report on Overseas Territories concluded:

"295. We agree with the Environmental Audit Committee that the Government does not appear to have carried out any kind of strategic assessment of Overseas Territories' funding requirements for conservation and ecosystem management. We conclude that given the vulnerability of Overseas Territories' species and ecosystems, this lack of action by the Government is highly negligent. ***The environmental funding currently being provided by the UK to the Overseas Territories appears grossly inadequate and we recommend that it should be increased.*** While DEFRA is the lead Whitehall department responsible for environmental issues, the FCO cannot abdicate responsibility for setting levels of funding given its knowledge of Overseas Territories' capacity and resources. The FCO must work with other government departments to press for a proper assessment of current needs and the level of the current funding gap and then ensure increased funding by the Government through DEFRA, DFID or other government departments is targeted appropriately [emphasis added]."

In October 2008, the House of Commons Environmental Audit Committee concluded, in its report on *Halting Biodiversity Loss*:

"46. The Government has a clear moral and legal duty to help protect the biodiversity of the UK Overseas Territories and Crown Dependencies, where it is the eleventh hour for many species. We are extremely concerned that recommendations that we have made in the past that would have helped to protect the environment of the Overseas Territories have been ignored. The Government must:

- adopt a truly joined-up approach to environmental protection the UKOTs and Crown Dependencies, by bringing together all relevant departments including the FCO, MoJ, DfID, Defra, DCMS and MoD, and the governments of the UKOTs and Crown Dependencies;
- make better use of the Inter-Departmental Group on biodiversity to provide more oversight and support for the development and implementation of effective environmental protection policy in the UKOTs, and expand the Group to include other relevant departments;
- have Defra assume joint responsibility for the UKOTs, and reflect this in future spending settlements; and
- ***address the dire lack of funds and information for environmental protection in the UKOTs.*** An ecosystem assessment should be conducted in partnership with each UKOT in order to provide the baseline environmental data required and to outline the effective response options needed to halt biodiversity loss.

47. With leadership, and a relatively small sum of money, the incredible biodiversity found in our overseas territories can be safeguarded into the future. ***One of the most important contributions that the Government could make to slowing the catastrophic global biodiversity loss currently occurring would be to accept its responsibilities and to provide more support for the UK Overseas Territories in this area*** [emphasis added]."

Therefore, we have tried to give at Appendix 1 an overview of some main points of progress or otherwise in relation to UK Government's Commitments under its Environment Charters.

UK Government treatment of UKOTCF recommendations in the prior consultation

The UK Government held a consultation in late 2011, prior to preparing the White Paper. UKOTCF, on the basis of its interactions with its member organisations and other partner bodies, especially in the UKOTs, supplied a reasoned set of recommendations in December 2011. A full copy was made available on line (www.ukotcf.org/pdf/Consultations/submission.pdf), and is still available. The 31 main recommendations were brought together in a summary. This is reproduced in Appendix 2, with an indication of whether or not the White Paper has taken up the recommendations.

In summary, only one of UKOTCF's 31 recommendations has been taken up in reality, and this was generally accepted already. Of the others, 24 have clearly not been acted upon or even moved in a negative direction. For the remaining six, the wording in the White Paper is so vague and lacking in specific commitments and measurable targets as to make clear conclusions difficult, and so can hardly be considered supportive.

Some other points

There are some issues with some maps, constitutional arrangements, openness, World Heritage Sites, and interaction of other chapters of the White Paper on the environment and sustainable use in the UKOTs in the White Paper. A number of these are summarised in Appendix 3.

Conclusion: Sentiments Excellent, Reality Dire

There are some very good words in this White Paper. However, the words do not seem to be a close match to reality. On p 86, the Conclusion states:

“We have set out in this Paper the Coalition Government’s overall approach to the UK’s Overseas Territories. The Government is determined to live up to its responsibilities towards all the Territories. We have demonstrated our commitment through our actions over the past two years...”

“We have made good progress, but much remains to be done.”

“The Government is both ambitious and optimistic for the future of our Territories. We believe the UK is important to the future of the Territories and that the Territories are an important part of the future of the UK.”

UKOTCF's analysis above (and in the Appendices) certainly raises questions about the degree of progress, if any, and identifies some serious backward steps. The claim that: “We have demonstrated our commitment through our actions over the past two years” may be true, but perhaps not always in the way that the drafter probably intended to indicate.

It is worth quoting the words of the Secretary of State for Foreign and Commonwealth Affairs in his Foreword (p 6; emphasis added):

“The Coalition Government has a vision for the Territories: of flourishing communities, proudly retaining aspects of their British identity and creating new opportunities for young and future generations; of natural environments protected and managed to the highest international standards.

“We and Territory Governments share significant challenges: building more diverse and resilient economies; cutting public sector deficits; regulating finance businesses effectively; and protecting

biodiversity and natural resources. In many respects the Territories are more vulnerable than the UK. *We have a broad responsibility to support them* and to ensure their security and good governance.

“The strategy set out in *this White Paper* is designed to meet these challenges and deliver the vision. It is a strategy of re-engagement. It *builds on the 1999 White Paper* (Partnership for Progress and Prosperity).

“It is also a strategy of re-evaluation. *We have not in the past devoted enough attention to the vast and pristine environments in the lands and seas of our Territories. We are stewards of these assets for future generations.*

“And it doesn’t stop with Government. *The strategy aims to support coalitions and partnerships across and between the private sector, professional bodies and civil society in the UK and in the Territories. I particularly welcome the growing partnerships between the Territories and local authorities and with the NGO community on environmental and other issues.*

“*The White Paper* is broad ranging, but does not pretend to be comprehensive. It *focuses on* the security of the Territories, their economic development and *their natural environment. It looks at how we can foster high standards of governance* and build strong communities. It promotes the development of wider partnerships for the Territories.

“*The Government has taken care to consult widely in preparing this White Paper.* Our dialogue with Territory Governments and the international *public consultation* we ran from September 2011 to January 2012 have *helped us to identify priorities.*

“*We have set these priorities out clearly in the Paper.* This is an ambitious and broad agenda. *The test of the commitment of all concerned will be delivery against this agenda.* We plan to upgrade engagement between UK Ministers and Territory Governments into a Joint Ministerial Council tasked with monitoring and driving forward work to realise our vision.

“*We will report regularly on progress and welcome scrutiny from the public and parliaments.*”

In the Introduction to the environment chapter (p 39), Richard Benyon, Minister for the Natural Environment and Fisheries, Department for Environment, Food and Rural Affairs, says:

“The United Kingdom’s Overseas Territories play host to some of our most precious environmental assets, many of which would be irreplaceable if lost. We recognise that environmental challenges are increasingly threatening the future security and safety of our Territories and in particular the people and the biodiversity that they support. *We are committed to working in partnership - across government, with the Territories themselves, and with non-government organisations – using funding mechanisms such as the Darwin Initiative, to ensure that these highly valuable natural resources are protected for the future.*”

In meetings with Ministers, we find their attitudes positive, supporting and apparently sincere. Their words are similarly warm and positive here also – but they seem to be based on a picture which bears little relation to the reality of the actual situation and of the real actions of their officials. We can only suppose that serious distortions and inaccuracies occur in the information that they receive.

For example, and as indicated in the analysis above:

Whilst it is claimed that the “White Paper ... builds on the 1999 White Paper”, what was one of the most important environmental initiatives emerging from that process, the Environment Charters, receives not a single mention in the 2012 White Paper. When asked on 5th July 2012 by VSB Television in Bermuda to comment on the important adjudication by the Bermuda Ombudsman that the Environment Charters make legally binding commitments, the FCO Minister of State said “I don’t really want to talk about the previous White Paper.” To be fair to the Minister, he was probably not briefed. In a meeting on 26th June, UKOTCF learned that the FCO Director of Overseas Territories and his environmental officer were apparently unaware

of the Bermuda Ombudsman's report, even though this had been the most prominent environmental issue in Bermuda for several months, and one of the highest profile governance issues there also.

Both Mr Hague and Mr Benyon stress their commitment to support partnerships with the NGO community on environmental and other issues, and Mr Hague refers to it growing. As our analysis above demonstrates, this has declined over several years, due to the unilateral decisions of officials and despite the best efforts of NGOs.

Mr Benyon stresses also the commitment to support NGOs in environmental conservation work for the UKOTs, using funding mechanisms such as the Darwin Initiative. However, the ability to apply for small grants under FCO/DFID's Overseas Territories Environment Programme (OTEP) was ended in 2011, and the Darwin Initiative is under pressure from its new co-funders, DFID, to reduce funding for UKOT work, only two years after such funding was boosted.

Mr Hague indicates that the Government has used the results of the public consultation to help identify priorities. Whilst no organisation would expect all its recommendations to be incorporated, meaningful adoption of only one out of 31 recommendations from a body bringing together the conservation NGOs (and some governmental bodies) in the UKOTs seems rather low—especially as we now know that other environmental bodies made largely similar recommendations.

Mr Hague reports also that the priorities are set out clearly in the White Paper, and the test of commitment will be delivery against this agenda. UKOTCF agrees about the importance of testing, but notes that the priorities do not lend themselves to measurement. Indeed, if such general targets were included in a grant application to one of UK Government's own funds (when they existed), the application would probably be rejected for that reason.

UKOTCF welcomes the comment that "We will report regularly on progress and welcome scrutiny from the public and parliaments." But there is nothing to indicate about how, where and with what frequency. Recalling that, after a good start for a couple of years after the Environment Charters were initiated, UK Government officials declined to report in the following years, UKOTCF trusts that officials will stay with this commitment this time.

The Prime Minister, in his Foreword (p 5) said: "We see an important opportunity to set world standards in our stewardship of the extraordinary natural environments we have inherited."

The present White Paper, by itself, fails to seize that opportunity. However, UKOTCF still stands ready to work with Government and others to correct this.







How UKOTCF plans to help









Over 25 years, UKOTCF and its members in both GB and the territories have invested a huge amount of voluntary resources into conservation in the UKOTs and Crown Dependencies, establishing the largest body of expertise in this area (examples in Appendix 4). UKOTCF wishes to build on this, and to overcome the reluctance, developed over the past half decade, by UK Government officials to collaborate – in contrast to earlier valuable collaborations.

UKOTCF will continue to raise public and parliamentary interest in these matters. In the short term, UKOTCF will, in early October, host in London, courtesy of a UKOT Government, a technical seminar to start examining how some of the many gaps in the White Paper can be addressed. This will build on the seminars on biodiversity strategies in the UKOT and Crown Dependencies organised by UKOTCF in 2010 and 2011 (*Forum News* 37: 9-11; 38:4; www.ukotcf.org/pdf/fNews/BodivWorkshop1106.pdf).

Appendix 1: An overview of some main points of progress or otherwise in relation to UK Government's Commitments under its Environment Charters

Clearly, given the non-participation by UK Government officials (see main text), this overview cannot be comprehensive. UK Government bodies like "milestones". Therefore, we have illustrated generally positive progress by UK Government with a milestone and negative or no movement by a tombstone.

The government of the UK will:	Progress	Milestones/ tombstones on UK Govt performance
1. Help build capacity to support and implement integrated environmental management which is consistent with the Territories' own plans for sustainable development.	FCO supported UKOTCF facilitating UKOT Governments, with NGOs, in an open process developing strategies to implement the Environment Charters (as required by the Charters). However, FCO lost interest and stopped this support after the first few. After several years, it seems that FCO has restarted in a few UKOTs a similar process, but not openly and without reference to the Environment Charters, thereby re-inventing the wheel.	
2. Assist the Territories in reviewing and updating environmental legislation.	Some work has been done in certain territories with UKG support.	
3. Facilitate the extension of the UK's ratification of Multilateral Environmental Agreements of benefit to the Territories and which each Territory has the capacity to implement (and a desire to adopt).	A great deal of work was done by UKOTCF (with encouragement from FCO) in the 1990s in securing a full sign-up to the Ramsar Convention on Wetlands. However, in recent years, UK Government departments have become extra hurdles to overcome, rather than helpful agencies, for UKOTs and Crown Dependencies seeking to join UK's ratification of e.g. the Convention on Biological Diversity, in one recent case delaying the process for 1½ years from the initial, fully supported and justified request.	
4. Keep the Territories informed regarding new developments in relevant Multilateral Environmental Agreements and invite the Territories to participate where appropriate in the UK's delegation to international environmental negotiations and conferences.	UKOTCF initiated this with UKG in the 1990s, initially with both NGO & Government involvement from the UKOTs. After a gap, UKG has restarted this, but with only UKOT Government involvement, not NGOs.	
5. Help each Territory to ensure it has the legislation, institutional capacity and mechanisms it needs to meet international obligations.	A good positive example was the Defra-supported review by UKOTCF of actual and potential Wetlands of International Importance under the Ramsar Convention, in 2005. However, since then, helping Territories take this forward has been left largely to UKOTCF, without UKG support. See also Commitment 3 re CBD.	
6. Promote better cooperation and the sharing of experience and expertise between and among the Overseas Territories and with other small island states and communities which face similar environmental problems.	The most effective means of doing this has been via the working conferences organised by UKOTCF, with UKG support, since 2000. In 2011, after two years of prevarication since the last conference in 2009, UKG indicated that it would no longer support the conferences. (This may be related to the Government's recent admission of its undermining	

		of UKOTCF and Government deception practiced since at least 2009.)	
7.	Use UK, regional and local expertise to give advice and improve knowledge of technical and scientific issues. <i>This includes regular consultation with interested non-governmental organisations and networks.</i> (<i>This second sentence is the commitment which was dropped from Appendix 3 of UKG's 2009 "Biodiversity Strategy".</i>)	FCO ended, without consultation, almost all its environmental posts (which dealt mainly with UKOTs) in 2005. FCO unilaterally, and without consultation, terminated the twice-yearly joint meetings between UKG departments and NGOs, jointly chaired by UKOTCF and FCO. This occurred over 2007-9, but was hidden at first because FCO claimed that it wished to continue the meetings but that practical considerations kept intervening. In 2009, in relation to its "Strategy" of that year, UKG set up an Inter-Departmental Group for Biodiversity (and promoted it as a one-stop shop which never actually worked); FCO indicated in 2012 that this was now redundant and there were no plans for this group to meet again.	  
8.	Use the existing Environment Fund for the Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to the Territories' environment.	Only a year after drafting and signing this Commitment, FCO absent-mindedly terminated EFOT. After much effort by UKOTCF and UKOTs, an interim grant fund was put in place a year later, and subsequently this was combined with matching funding (five years later than promised) from DFID, to create OTEP. OTEP was closed as a grant-fund allowing open process and application from users in 2011. <i>It is perhaps indicative of UK Government's delivery of its commitments that it has killed off the means of fulfilling this long-term commitment twice in a decade.</i> The widening of the Darwin Initiative to include UKOT focus in 2009 is already threatened by 2012.	 
9.	Help each of the Territories identify further funding partners for environmental projects, such as donors, the private sector or non-governmental organisations.	UKOTCF had undertaken this role for many years and welcomed inclusion of this Commitment in the Environment Charters. For some years after the Charters, UKOTCF pressed UKG to deliver this Commitment. Eventually, in 2008, UKG commissioned its agency JNCC to fulfil this role (although it later transpired that this was in only a very limited range of potential funders). JNCC opted to do this without consulting NGO partners, and UKOTCF ended its online assistance in this area, to avoid duplication. Within three years, JNCC ended this service, so that, after much loss of momentum, UKOTCF is trying to restart its assistance to UKOTs (NGOs and governments) in this regard, but sadly without UKG assistance.	
10.	Recognise the diversity of the challenges facing Overseas Territories in very different socio-economic and geographical situations.	The White Paper's clear indications, confirmed by discussions with FCO officials, of its declining interest in inhabited UKOTs is a very negative step.	
11.	Abide by the principles set out in the Rio Declaration on Environment and Development and work towards meeting International Development Targets on the environment.	A globally unique species (and, indeed, genus), the St Helena Olive, went extinct on British territory in 2003.	

Appendix 2: UK Government treatment of UKOTCF recommendations in the prior consultation

UK Government held a consultation in late 2011, prior to preparing the White Paper. UKOTCF, on the basis of its interactions with its member organisations and other partner bodies, especially in the UKOTs, supplied a reasoned set of recommendations in December 2011. A full copy was made available on line (www.ukotcf.org/pdf/Consultations/submission.pdf), and is still available. The 31 main recommendations were brought together in a summary. This is reproduced below, with an indication of whether or not the White Paper and UKG actions have taken up the recommendation.

UKOTCF recommendation	Recommendation followed?
<i>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:</i>	
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.	Yes
b) Clarification of the relationships between the HMG bodies with apparently overlapping responsibilities would be welcome.	White Paper calls for coordination, with no specifics; the one body recently created to offer any coordination now abandoned.
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.	Despite the assertions in the White Paper, OTEP is no longer available to UKOTs or NGOs.
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.	Despite fine words in the White Paper, engagement with NGOs is continually decreasing.
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.	Again, fine words but increasing abandonment of conservation in the inhabited UKOTs by HMG
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.	Some reference to other government departments, but no details or mechanisms; little mention of 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.	Again, fine words, but contrary action
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.	HMG's "strategy" for conservation in the UKOTs is not a strategy in the normal use of the term, but a MoU between UK Government Departments. UKOTCF has organised two workshops to try to complement this by filling the gaps, but UK Government Departments have participated

	reluctantly and not collaborated further.
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 <i>Active Diplomacy for a Changing World: The UK's International Priorities</i> .	HMG appears to be abandoning Environment Charters.
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.	The White Paper calls for better coordination, with no specifics for how that to be achieved.
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.	Failure to address the need for EIAs is an excellent illustration of how the White Paper totally ignores actual actions needed to ensure that the UKOT Governments, to whom it has devolved responsibility for conservation, do so to a high standard.
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.	Despite the White Paper listing invasive species as one of the key challenges, HMG continues to offer only occasional grants determined by a secret process to deal with this critically important issue.
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.	Only two passing references to environmental education in the White Paper. Recently OTEP excluded environmental education from the allowed proposals in its last grant application round, in 2010, (before ending the grants in 2011).
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.	Some words included indicating that some aspects of this may be intended.
o) UKOTCF would wish to see specific recommendations relating to the establishment of crisis management plans by HMG and related cross-departmental teams.	Not mentioned in the White Paper
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.	White Paper does indicate that DEFRA will 'continue to offer technical and policy advice', but no suggestion that this to extend to links with other institutions.
q) We recommend that HMG involves representatives of UKOTs in international discussions on MEAs and other aspects. We recommend also that the Department of	Some partial involvement re MEAs. DECC not apparently

Energy and Climate Change engage with the UKOTs.	engaged directly.
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 <i>ad hoc</i> 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.	White Paper calls for coordination among departments, but no funding or mechanisms offered. The one cross-department body that had been convened has now been abandoned.
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.	The White Paper recognises UKOT Governments as responsible for conservation in their Territories, but creates no mechanisms for ensuring that they do so to a high standard. By ignoring the Environment Charters, there is an implicit abrogation of the requirements for best practice by the UKOT Governments.
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.	After two years of prevaricating, the FCO has informed UKOTCF that no funding for the next conference will be made available.
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.	No further progress than that achieved by NGO lobbying of the Lottery bodies
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.	Not clear on the first part despite some positive general words. No on the second part.
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.	Despite devolving responsibility for conservation to the UKOT governments, HMG takes absolutely no part in ensuring that this is done to an acceptable standard.
x) Other HMG departments need to build up close working relationships with the equivalent departments in UKOTs.	Some vague words in this direction but no details or mechanisms
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.	Support for the Bermuda Ombudsman's effort to enforce Environment Charter requirement for EIAs would be

	a good sign.
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.	The White Paper's only comment in this area is: "In the EU, we will continue to engage with the Commission and the Territories on the renewal of the Overseas Association Decision, to try to ensure that Overseas Territory environment policy and funding needs are taken into account."
aa) UKOTCF recommends that HMG give more support to NGOs and others attempting to access EU funding for UKOT conservation work.	"Continue to engage... to try to ensure" does not sound like much of a promise.
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.	DFID seems to regard the UKOTs as a distraction from its 'real' responsibilities.
ac) We recommend that HMG reviews its commitment to UKOTs in respect of EU matters and particularly its frequency and level of representation.	See comment on z above.
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.	This is a critical issue for UKOTs – they are regarded as British by international funders but Britain's funding for conservation in the UKOTs is negligible.
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.	Not referenced in the White Paper

Appendix 3: Some other points relating to the White Paper

Maps and geography

There are some problems with some maps in the White Paper. For example, it appears to include copies of the maps from the first (rather than the corrected) edition of the 1999 White Paper. As a consequence, the map for Anguilla on page 90 again includes French and Netherlands territory in St Martin and St Barthélemy as British (as extensions to Anguilla). In 1999, the FCO apologised to the French and Netherlands Governments for doing this and corrected the maps in the reprinted edition.

There are oddities too on the map of all UK Overseas Territories on p 10. This refers to the World Heritage Site (WHS) in Tristan da Cunha as only Gough Island, rather than Gough and Inaccessible Islands. It refers also to the WHS at Henderson Island, Pitcairn Islands, but not to the WHS in St George's, Bermuda.

It seems that some attention needs to be paid in the FCO both to corporate memory and mapping skills.

Constitutional Relationships

The White Paper brings together some useful words on constitutional relationships, *e.g.* “The UK, the Overseas Territories and the Crown Dependencies form one undivided Realm, which is distinct from the other States of which Her Majesty The Queen is monarch. Each Territory has its own Constitution and its own Government and has its own local laws. As a matter of constitutional law the UK Parliament has unlimited power to legislate for the Territories.” The document also notes the status of the Crown Dependencies. It is a pity that the opportunity was not taken to draw them more into this document which, although led by FCO (which does not lead for the Crown Dependencies), makes a point that all government departments are partners in it. For UKOTCF’s part, its work includes Crown Dependencies at their request, given the many parallels with UKOTs.

It is encouraging also that the White Paper recognises the reality that Tristan da Cunha, Ascension and St Helena are separate entities with separate governance systems and different situations, warranting separate chapters, despite FCO’s treating them (against the advice of some of its constitutional advisers) as one territory – thereby creating unnecessary problems in sourcing some external grants for environmental (and other) work.

It is also unfortunate, including for environmental conservation reasons, that the White Paper maintains the legal fiction that Ascension has no permanent population – and even that other legal fiction that the evicted inhabitants of BIOT were “contract workers”, rather than residents.

The White Paper recalls also (p 13) that “The reasonable assistance needs of the Territories are a first call on the UK’s international development budget.” This is not normally acknowledged, let alone shouted loudly, by DFID.

Shipwreck at Tristan da Cunha, and future disaster-handling arrangements by UK Government here and for other UKOTs

The White Paper notes (at p 71): “On 16 March 2011 the bulk carrier *MS Oliva* ran aground on Nightingale Island, Tristan da Cunha. Although no lives were lost, the vessel quickly broke up, releasing heavy fuel oil and its soya bean cargo. Nightingale is the home of internationally protected bird species, nearby Inaccessible Island is a World Heritage Site and both form part of the lobster fishing grounds on which the Territory depends. Faced with potential economic and ecological disaster the islanders showed exceptional resilience and cohesion as they worked together with professional teams in dealing with the aftermath. Tristan islanders were involved in rescuing and sheltering the ship’s crew and threw themselves into salvage efforts, the environmental clean-up operation and attempts to rehabilitate nearly 4000 oiled penguins rescued from the scene.”

UKOTCF fully shares in commending the islanders for their work. However, it must note the difficulty that it and other bodies have had in extracting any information from UK Government on the action that it is

taking against the ship-owners and the captain (who it will not even identify), what actions it is taking to monitor the impacts on wildlife or fisheries (the mainstay of Tristan's economy), or the lessons that it has learnt and actions to be taken to ensure more rapid and effective assistance to Tristan (and other UKOTs) for any future disasters.

World Heritage Sites

On p 75, the White Paper notes that "The Department for Culture, Media and Sport is responsible for the UK's compliance with the UNESCO World Heritage Convention, which the UK ratified in 1984. The UK currently has 25 World Heritage Sites: an additional three are in Overseas Territories: the Town of St George and related fortifications in Bermuda; Gough and Inaccessible Islands (Tristan da Cunha); and Henderson Island (Pitcairn).

"Every six years, the signatories to the Convention are invited to submit a report to UNESCO covering the state of conservation of the World Heritage properties located on its territories. The Department submits these on behalf of world heritage sites in the Overseas Territories and represents them at meetings of the World Heritage Committee.

"The Department is also responsible for nominating sites for world heritage status. Governments put forward new sites from a Tentative List of Future Nominations. Each Tentative List is expected to last for approximately ten years. Following a public consultation and review process, the Department announced the new UK Tentative List in March 2011. There were eleven sites on the list, three of them in Overseas Territories:

- Gorham's Cave Complex, Gibraltar – This complex is of international importance because of the long sequence of occupation and the evidence for the end of Neanderthal humans, and the arrival of modern humans.
- The Island of St Helena – This site has a high number of endemic species and genera and a range of habitats, from cloud forest to desert, representing a biome of great age which exists nowhere else on earth.
- Turks and Caicos Islands – The islands have a high number of endemic species and others of international importance, partially dependent on the conditions created by the oldest established salt-pan development in the Caribbean.

"The Expert Panel that reviewed the List also suggested that the Fountain Cavern in Anguilla could be considered for the UK Tentative List in the future as part of a possible transnational nomination."

The White Paper does not, however, report that UK Government officials put huge and improper pressure on bodies in the UKOTs to withdraw their nominations for sites in the UKOTs. This took place before, during and even after the recommendations of the Expert Panel had been made.

The case of Gibraltar and environmental implications of other chapters of the White Paper

Whilst we have concentrated particularly on the Environment section of the White Paper, there are (as we noted in the Summary) implications for the environment among the other chapters. A good example of this relates to Gibraltar, which receives several specific mentions throughout the text. But let us look at some of the commitments that are clearly relevant to Gibraltar and are now already supposedly in place – but that are not perhaps reflected in reality:

P 14: "Defence and Security: the UK is committed to defend the Territories."

"International Support: the UK is responsible for the external relations of the Territories and uses its diplomatic resources and influence to promote their interests."

P 22: "We will continue to maintain an independent ability to defend the Territories – including their territorial waters and airspace – from any external security threats they may face."

"We will also ensure that the Territories are able to trade, to exploit their natural resources... free from undue external interference."

"The Royal Navy is tasked with... upholding the sovereignty of British Gibraltar Territorial Waters."

- P 48: “economic activity, including tourism and fisheries is managed in a way that is consistent with the long term sustainable use of the natural environment, including over-exploitation.”
- P 88: “Conclusion ... We are defending robustly Territories which face external threats.”

It is strange therefore that, despite regular incursions by Spanish fishing boats into British Gibraltar Territorial Waters (BGTW) in clear breach of Gibraltar legislation dating from 1991, no boats have been intercepted and arrested by either the Gibraltar marine police or the Royal Navy in recent times. Further, while the Royal Navy may rely on a defence that they do not undertake fisheries protection duties (unlike elsewhere in the world) and their only concern is maintaining the integrity of sovereign waters i.e. BGTW, then that still does explain why armed Spanish Guardia Civil boats accompanying the Spanish boats are not tackled when they are clearly not using the waters for navigation purposes. During July 2012, Guardia Civil boats fired rubber bullets at a Gibraltar registered boat within BGTW. One is entitled to ask why these infractions are allowed to go ahead with little if any interference. While the regulation of fisheries and environmental issues are the responsibility of the Gibraltar Government, the police operate entirely independently, reporting to an independent police authority except for decisions on operational matters; the Royal Navy reports to the British Government through the Governor and Ministry of Defence; and the external relationship with Spain is the responsibility of the British government operated through the authority of the Governor. The Government of Gibraltar is seeking to manage its natural resources sustainably, as is the desired outcome expressed in the White Paper, but is being thwarted by the illegal fishing activities of Spanish boats. It would normally be assumed that the role of Governor, and of the UK Foreign and Commonwealth Office, would be to ensure the best interests of Gibraltar and its citizens – which in this case would be to put in place measures to stop this illegal activity. Strangely, the exact opposite appears to be the case, with the UK government putting enormous pressure on the Gibraltar Government to allow this illegal fishing. The role of the Governor seems to have switched from looking after Gibraltar’s interests to that of not upsetting the Government of Spain. This certainly seems at odds with the content of the White Paper.

Appendix 4: UKOTCF work and achievements

The UK Overseas Territories Conservation Forum (UKOTCF)

- was created in 1987 and formally constituted as a charitable company in 1996
- brings together, as its Members and Associates, 26 conservation and science bodies in the UK Overseas Territories (UKOTs) & Crown Dependencies (CDs) and seven supporting ones in the UK, as well as a wider network of specialist volunteers
- advises and works with governments and non-governmental organisations (NGOs) in the UK, the UKOTs and CDs
- provides expert advice on environmental and related issues, and acts as a coordinating link for voluntary organisations, some governmental bodies and individuals with special interests in the UKOTs/CDs
- helps to build capacity in local conservation bodies, having worked with local people to establish conservation NGOs where these were needed but lacking
- works with NGOs and governmental bodies to assess needs, identify strategies and find funding for conservation activities
- manages or co-manages conservation projects in the UKOTs/CDs
- maintains an on-line database on the natural history of, and conservation activities in, the UKOTs/CDs
- produces the newsletter *Forum News*, and other publications
- organises specialist volunteer support for UKOTs
- as a non-profit organisation drawing largely on the efforts of highly skilled volunteers, operates in a very cost-effective way.

Activities and Achievements

The Forum's activities have greatly expanded over the years, in response to requests from the UKOTs and CDs for assistance. Some examples of UKOTCF's work include:

Getting things started

- In 1987, published *Fragments of Paradise* which pulled together, for the first time, the scattered information on the natural history of the Territories and to find out where the responsibility lay for conservation within the UK and local Governments.
- In 1994-5, conducted a *Conservation Review*, through a process of extensive consultation with its UKOT partners. This document outlined the priority needs for implementation of practical conservation measures in each Overseas Territory, for Forum partner organisations and for UKOTCF itself. This has been incorporated into the Forum's on-line database, allowing UKOT partners to update it, and to incorporate the functionally similar aspects of Environment Charter strategies.

Developing capacity and sharing skills and experience

- **Brings together** conservationists, UK representatives of UKOT governments, non-profits, local groups, former governors, scientists and others with an interest in regional working groups (for the Wider Caribbean, Southern Oceans and Europe Territories) to discuss current issues. These working groups monitor progress and problems, and ensure that help is found and directed where needed. Some of the current issues include: development in one of the few remaining important habitats on Bermuda; correcting absence of UKOTs from important regional activities such as the Caribbean Challenge Initiative for the protection of marine and coastal resources and ecosystems in the Caribbean.
- Worked with local people to help **establish conservation NGOs** in those Territories previously lacking them.

- Supports **capacity building** in local NGOs (and some government bodies), through facilitation of strategic planning, deployment of specialist volunteers and other activities.
- Provides for **exchange of experience, information and skills** between UK Overseas Territories, Britain and others, including by means of:
 - The regional working groups and their online newsletters;
 - Newsletter *Forum News*, circulated worldwide in print twice yearly, and to a wider audience on-line; Annual Reports; newsletters on projects and other publications;
 - workshops and conferences to provide training, explore partnerships and collaborations between conservationists working in Britain and in its overseas territories, including:
 - ~ *A Breath of Fresh Air* (London 1999), organised jointly with the FCO
 - ~ *Linking the Fragments of Paradise* (Gibraltar 2000), with the Gibraltar Government and NGOs
 - ~ *A Sense of Direction* (Bermuda 2003), with the Bermuda Government and NGOs
 - ~ *Biodiversity that Matters* (Jersey 2006), with the Jersey Government and NGOs
 - ~ *Making the Right Connections* (Grand Cayman 2009) with the Cayman Islands Government and NGOs

The Gibraltar, Bermuda, Jersey and Cayman conference proceedings are available on our website (www.ukotcf.org).
- As reported by both NGO and government personnel from UKOTs, UKOTCF has been very effective in **promoting previously rare links (including transfer of skills and joint working) between UKOTs/CDs**. One example is expertise developed with the National Trust for the Cayman Islands in habitat mapping being put to use in the Turks & Caicos Islands.
- **Helps coordinate the resources** of its member organisations in Britain and others to work with UKOT partners, in a similar role to UKOTCF's own personnel. The UK member organisations devote varying proportions of their resources to support the UKOTs, often involving specialist staff volunteers, and these are much valued. The examples listed here do not include the many initiatives led by UKOTCF member organisations, but facilitated by UKOTCF.
- Operates a developing **volunteer programme**, which matches skilled volunteers with the needs of our partners in the UKOTs. For example, in summer 2012, a student from the University of Essex will be assisting the Akrotiri Environmental Education and Information Centre in the UK Sovereign Base Areas of Cyprus, with surveys, removal of invasive species and management of the protected area. This follows earlier examples in other UKOTs involving volunteers skilled in ecology, conservation, education, construction, information technology, amongst others.

Fulfilling international commitments and identifying conservation needs

- Analysed, consulted on, and published in 2005 a **comprehensive review of existing and potential Wetlands of International Importance** (under the Ramsar Convention) in the UKOTs/CDs, at the request of the UK and local UKOT Governments.
- Reviewed the implementation of the **Convention on Biological Diversity** in UKOTs/CDs, to note achievements and draw attention to areas needing further work.
- Developed with others the concept of what became the **Environment Charters**, setting out the basic principles required for good environmental management and to fulfil international commitments. The Charters, signed in September 2001 between the Governments of the UK and individual UKOTs, record commitments by both parties and provide a framework for developing locally-tailored strategies for action.
- Facilitated local stake-holders in the Turks & Caicos Islands (2002/3), and then St Helena (2004/5), to develop a **strategy for action to implement their Environment Charters**, these serving as pilots for

the other UK Overseas Territories), and continues to work with several UKOT governments and NGOs to help implement their Charters.

- At the request of UK Government and many UKOT bodies, developed an on-going system for **monitoring progress** in Environment Charter implementation, with a first report published in 2007 and a second in 2009.

Environmental education

- Designed and coordinated since 2009 the ‘Wonderful Water’ project’, a programme for developing a **curriculum and courses**, in partnership with the Turks & Caicos Islands (TCI) Department of Education. This project has been successful in focusing teachers and other stakeholder efforts to bring global issues, particularly wise water-use and sustainable management of natural resources, into the classroom. UKOTCF has received requests to expand this project in TCI and other UKOTs.
- **Developed web “virtual tours” of the UK’s overseas territories** including unique species and habitats and threats to their continued existence. This project increases the awareness in Britain and in other UKOTs of each UK Overseas Territory and Crown Dependency.
- **Established a set of environmental education modules on the Forum’s website** to meet the request of member organisations and students at the Jersey conference, including the virtual tours and a database of teaching courses, which might be modifiable for other territories, thereby reducing costs and duplication.
- **Supported associate organisation in territory to produce, and later update an environmental education curriculum programme:** *Our Land, Our Sea, Our People*, acknowledged by the TCI Departments of Education and for Environment & Coastal Resources to be a valuable contribution to the primary school curriculum.
- **Helped produce an educational video/DVD** and support pack aimed at teenage school students in UKOTs, an output of the *Breath of Fresh Air* meeting, which has been widely distributed and used.

Some of the other conservation projects

- In 2012, **facilitating technical discussions between Gibraltar and Spanish fishermen**, and advising the Government of Gibraltar over management of its marine resources.
- Led in the proposal and co-ordination of the EU-supported **project, Sustainable Management: Management of Protected Areas to Support Sustainable Economies (MPASSE)**. The other partners in the project are National Trust for the Cayman Islands, Turks & Caicos National Trust and the National Parks Trust for the [British] Virgin Islands. UKOTCF continues in an advisory and monitoring role.
- Project partner for UK territories in the EU-supported project, ***Networking tropical and subtropical Biodiversity research in OuterMost regions and territories of Europe in support of sustainable development (Net-BIOME)***, securing funding for biodiversity research. The other partners in the project were the governments of the Overseas Territories and Outermost Regions of other EU member states.
- **Developed, and initiated, a biodiversity management plan around a major protected wetland site** in the Turks & Caicos Islands, working with local partners. This included conducting baseline biodiversity assessment of target habitats (tropical dry forest, wetland, cave systems – designated Ramsar sites), local training, the drafting of a management plan – and then designing and opening nature trails and an interpretative centre, including production of trail guide-booklets, training local people as guides, and helping local small businesses using this natural resource sustainably.
- **Conducted breeding seabird counts on the isolated outer cays** of the Caicos and Turks Banks. These established the area as Important Bird Areas (surveys conducted 2002 & 2011).

Influencing policy development

- **Reminds the UK Government of its responsibilities** to the UKOTs/CDs under Multilateral Environmental Agreements (MEAs, including International Conventions) through formal consultations, informal discussions and other means.
- **Provides evidence to Parliamentary Select Committee inquiries**, including the House of Commons Environmental Audit Committee inquiry, in April 2008, into Halting Biodiversity Loss. Its report, published in November 2008, drew heavily on UKOTCF's submission, and identified areas where the UK Government needed to adapt its approach.
- Several years of lobbying and, more recently, evidence from UKOTCF to UK Parliamentary Select Committees resulted in the UK Department of Environment, Food & Rural Affairs (DEFRA) taking greater responsibility for conserving the globally important biodiversity of the UKOTs in 2009. DEFRA earmarked part of its Darwin Initiative funding specifically for UKOTs and, in the short term, has provided extra resources to its agency, JNCC, to spend on UKOT environmental matters (although the former funding is threatened in 2012 – see main report – and the latter was used without consulting or involving NGOs).
- UKOTCF is neutral in respect of political parties, and so briefs all. It appears that briefing (while the parties were in opposition) has had some benefits in bringing wider recognition in the present UK Coalition Government as to the nature of UKOTs.
- Both Netherlands and French OT personnel have explored with UKOTCF the applicability of similar models to UKOTCF in their countries. **UKOTCF and its partners for French and Netherlands territories are now collaborating via Bioverseas** and other initiatives. This partnership originally suggested to the European Commission's Environment Directorate-General the idea that has become *BEST*. This is the experimental programme that, if Overseas Countries & Territories voluntarily adopt protected area approaches inspired by the European Union's *Natura 2000* scheme, the EU offers some grant support.
- Is exploring the opening up of UK National Lottery funding to the UKOTs.

Raising awareness of the UKOTs/CDs and their biodiversity

- Developed **one of the principal and most widely used sources of information** on UKOTs/CDs - the Forum's website (www.ukotcf.org). An interrogatable database was incorporated in response to requests from the Territories, designed so that information can be added and updated by partner organisations. The database modules help to track critical sites (and common issues across sites), conservation priorities, projects within the UKOTs/CDs, environmental education resources and other information on a wide variety of subjects.
- Uses **a series of display boards** *Promoting Biodiversity Conservation in the UK's Overseas Territories* supported by FCO and NGOs. These have been exhibited at various locations in the UK and UKOTs, as well as at international meetings and events, resulting in viewing by several thousand people. A booklet version is circulated widely and can also be downloaded from the Forum's website (www.ukotcf.org).
- Promoted the UKOTs through an exhibit and lectures at the annual British Bird Fair, bringing together 30,000 bird enthusiasts over one weekend in August.

Some previous roles

- **Facilitated participation** of UKOT representatives as part of the national delegations (or as observers) at Conferences of Parties to MEAs such as the Ramsar Convention, and promoted the interests of partners in the UKOTs/CDs at other international meetings.

- For 20 years, arranged and jointly chaired twice-yearly meetings to **resolve issues and develop collaboration** between UK Government departments with responsibilities in the UKOTs/CDs, representatives of those Territories, and conservation NGOs – until unilaterally ended by FCO in 2007.
- Worked with the UK Government to develop **new funding sources** or improve access of the UKOTs to existing funding mechanisms. In doing so, UKOTCF has:
 - Worked with the Foreign and Commonwealth Office (FCO) to create the Environmental Fund for Overseas Territories (EFOT), and subsequently with FCO and the Department for International Development (DFID) to create the **Overseas Territories Environment Programme (OTEP)**. The Forum advised on the development of the programme, which funded projects throughout the UKOTs, until UK Government terminated the programme without consultation.
 - Helped UKOTs apply successfully for funds under the **Darwin Initiative**, resulting in projects being funded in most Territories.

In all its actions, UKOTCF is guided by its UKOT Member and Associate bodies and other partners.

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