

## **UKOT/CD Environment Ministerial Meeting, Alderney, April 2017**

### **Statement**

1. The Environment Ministers (or their equivalents or representatives) of 14 of the UK's Overseas Territories and Crown Dependencies (UKOTs/CDs), met at the Island Hall, Alderney, on Thursday 27<sup>th</sup> and Friday 28<sup>th</sup> April 2017. This was the second in a series of Environment Ministerial meetings, the first having been held in Gibraltar in 2015. We invited UK Government Ministers for the second day of the meeting and they sent their apologies, but planned that Dr John Kittmer (FCO Director for Overseas Territories) would attend. Unfortunately, Dr Kittmer withdrew at the start of the week of the meeting due to the increased work pressure caused by the calling of the UK general election. We thank Mr W Victor Brownlees, Chief Executive of the States of Alderney, and Hon. Dr John Cortes, Environment Minister of Gibraltar, for convening the meeting, UK Overseas Territories Conservation Forum (UKOTCF) for helping to organise the meeting, and the States of Alderney and the Alderney Wildlife Trust for their hospitality, including the particularly memorable special evening event at their fascinating historic site at the Nunnery, a major heritage feature.

### **Unique biodiversity and natural heritage**

2. In a global sense, the biodiversity of UKOTs is of even greater importance than that of metropolitan Britain. This is in terms of endemic species (those which occur nowhere else in the world), proportions of other species supported, sensitive ecosystems and threatened species. For example, about 90 endemic species occur in mainland Britain, compared with 3300 known so far in the UKOTs; about 75% of those formally reviewed are globally threatened.

3. The uniqueness of biodiversity and ecosystems, within the UKOTs and CDs, was reason enough for us to support positive environmental action through the Environment Ministerial meetings. Equally as important was the fact that the economies of many UKOTs and CDs depend on their special environments for: fishing, tourism, storm protection, energy supply etc. The relevance of this 2<sup>nd</sup> meeting in particular was to build on the success of the first meeting of the UKOT/CD Environment Ministers, so as to develop further the benefits and economies of joint and collaborative working, and develop common priorities and approaches in discussions with UK Government.

### **International commitments**

4. UK Government makes, and is ultimately accountable for, international commitments made on behalf of the UKOTs, including Multilateral Environmental Agreements such as the Convention on Biological Diversity. For example, the UK has a significant role within the United Nations climate change process, as it has responsibility to its Overseas Territories to negotiate on their behalf and consult them. However, the legislature and executive of each territory is responsible for local implementing legislation and its enforcement. The Crown Dependencies have enjoyed domestic autonomy for many centuries, and with the agreement of the UK Government have been developing their international personality. On entrustment from the UK, the Crown Dependencies may also negotiate internationally. However, the UK is still ultimately responsible for signing international treaty commitments.

5. It is for this reason that a series of Environment Charters were created for most of the UKOTs, and signed, in 2001, by both the governments of these territories, and UK Government. They aimed to reflect the responsibilities of each party towards the environment. However, this responsibility

applies equally to the relationships between UK and those territories which do not have Environment Charters. One of the core elements of the Charters is a set of Commitments by each territory government. These Commitments were not created under the Charters, but brought together existing commitments under other international measures. The other core was a set of corresponding Commitments by UK Government to provide support.

### **International environmental agreements, and review of progress in implementing the Environment Charters, as well as reaching the Aichi Targets and relevant Sustainable Development Goals**

6. We agreed that the progress on joining UK's ratification of international conventions is encouraging. For example, all eligible UKOTs/CDs are included in the Ramsar Convention on Wetlands, all but two in CITES, all but one in the Convention on Migratory Species, and all but 8 in the Convention on Biological Diversity. We ask UK Government and NGOs to continue to provide support for those remaining UKOTs/CDs to join UK's ratification of international conventions, should they request this.

7. Under environmental conventions, and on behalf of Crown Dependencies and Overseas Territories to which its ratification has been extended, UK Government includes coverage of these territories in its reports to Conferences of the Parties (CoPs). UKOTs therefore have no direct representation to Conferences of the Parties or Depository Bodies, such as the UN. We believe that UK Representation at such meetings would be strengthened by at least a single UKOT/CD representative being in attendance.

8. We welcomed the work of UKOTCF in collating information from our government officials, the UKOTCF's 30+ member and associate organisations and others, to produce the recent *"Review of performance by 2016 of UK Overseas Territories and Crown Dependencies in implementing the 2001 Environment Charters or their equivalents and moving towards the Aichi Targets and Sustainable Development Targets."* This gathered information from the UKOTs and CDs on progress towards implementing the aforementioned Environment Charters (or equivalents for those territories without). At the same time, an assessment was made on progress towards the Aichi Targets, internationally agreed in 2010 by the Parties to the Convention on Biological Diversity (CBD) and other Conventions. Late in the process of data-collating, the UN Sustainability Goals (SDGs) were linked into the reporting process. We noted the use to which this review had already been put by our officers and others. The review provided an understanding of the current environmental situation, and what has been achieved so far, as well an assessment of what remains to be done. In turn, this helped us to take an overview of further actions that UK Government should be taking to meet Commitments under the Environment Charters. We endorsed this review.

9. We valued the contributions to, and analysis in, the review – both by people who understand the environment and social climate of the UKOTs and CDs, and congratulated UKOTCF on its 30 years of bringing together NGO and official environmental bodies in UKOTs and CDs, as well as in Britain and elsewhere. This has facilitated mutual assistance, and access to a wealth of expertise and knowledge to provide environmentally-related support and advice to the UKOTs and CDs. As part of this, UKOTCF organised, jointly with the Government of Gibraltar, the *Sustaining Partnerships* conference in 2015. It was following this conference that the initial Environmental Minister's meeting was held. Both in the original meeting and in the most recent, we welcomed the *Sustaining Partnerships* conference conclusions and recommendations. We look forward also to UK Government's response to these.

10. We identified a need for UK Government to develop a coordinated approach to engage with us on major environmental issues. At present, this is spread across several UK Government departments and many individuals who tend to change post frequently, with consequent lack of adequate corporate memory.

### **Climate Change**

11. We addressed climate, another of the core issues facing UKOTs and CDs. Many of the UKOTs will suffer drastic impacts of climate change including: sea-level rise, extreme weather events and the degradation of the ecosystem services on which many of their small economies depend on. We therefore welcome the fact that the UK Government has acknowledged that the UKOTs will be some of the places worst affected by the impacts of climate change, in its second White Paper on Overseas Territories: *Security, Success and Sustainability* (2012)<sup>1</sup>.

12. The Paris Agreement's ambitious goals can be reached only if appropriate financial flows, a new technology framework and an enhanced capacity building framework are put in place. Climate finance refers to local, national or transnational financing, which may be drawn from public, private and alternative sources of financing. Climate finance is critical to addressing climate change because large-scale investments are required to reduce emissions significantly – but, equally as important to the UKOTs, it is important for adaptation, for which significant financial resources will be required to allow us to adapt to the adverse effects and reduce the impacts of climate change. We ask for a clearer understanding of green financing alternatives and the role HMG will take in providing as well as facilitating access to green funds.

13. We heard, with concern, of the high cost of energy based on shipping fuel to Pitcairn, and we call upon DFID to support renewable energy there. This situation has resonance too for other UKOTs, such as Tristan da Cunha, suffering increased severe weather effects probably related to climate change. We note that some other territories, such as Gibraltar, are exploring commercial investment in renewable energy, but this may be less feasible in small, remote communities.

### **Funding from UK Government and making the deployment of current resources as cost-effective as possible**

14. The Environment Charters recognise that the territory government must be committed to best practice in its management, and that UK Government will ensure that each territory government has the help and resources it needs. Whilst we are undoubtedly in difficult financial times, the urgency of the threat of extinction of many species that occur only or mainly in UKOTs is immediate. We therefore highlight the fact that the UK has global commitments to avoid this, and that many remaining needs, as identified by UKOTCF's review, do require resources. The financial support to which UK Government committed itself is still greatly needed. Estimates of needs by both NGOs and UK Government's own agencies have indicated a minimum of about a 10-fold increase in the budget that UK Government generally allocates to this. In this context, we welcomed the current additional "Blue Belt" funding for extensive marine protected areas around oceanic territories. We urge similarly increased support for terrestrial conservation and environmental education.

15. We agreed that changes need to be consulted upon and considered in respect of the size of project funds. EFOT and early OTEP were small-project funds. They made possible, usually by

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<sup>1</sup> Foreign and Commonwealth Office, [The Overseas Territories: Security, Success and Sustainability](#), CM 8374, June 2012

combining with voluntary work, a great deal of highly cost-effective progress on small issues or piloting work which could beneficially be applied on a larger scale to address major conservation issues. There is a need too, for funding for medium-sized and/or longer duration projects, for species-recovery programmes, ecosystem restoration, organisational capacity development, etc. We welcomed therefore the recognition of this need in HMG's 2009 *UKOTs Biodiversity Strategy*. However, whilst such larger (but not longer) projects are now possible, they are resourced from the same total funding previously limited to small projects. Inevitably, this will mean fewer small projects, despite their excellent track record.

16. UKOTCF has organised working conferences for conservation practitioners, in recognition of the fact that sharing experience and skills is a major way of maximising cost-effectiveness. These conferences are highly valued by the UKOTs/CDs. We, as the UKOT/CD Environment Ministers or equivalents, were involved in the most recent of these, held in Gibraltar in 2015. We saw first-hand the value of such conferences and welcome others in the future. While the first 4 were part-funded by UK Government, this funding was then ended, against the wishes of UKOTs/CDs. The resulting long gap was ended by HM Government of Gibraltar, which funded much of the 2015 conference (complemented by a much smaller grant from Defra). We therefore encourage UK Government to provide funding for future UKOTCF conferences as well as the UKOT element of UKOT/CD ministerial meetings, as is the wish of ourselves and the UKOTs/CDs as a whole. It will become increasingly important to share resources and expertise, as some of this may become unavailable to us as a result of leaving the EU, which we address more generally below.

#### **Additional funding sources**

17. Whilst we need to make use of current resources in the most efficient way possible, we agreed that there are other funding sources that warrant considering. Some territories have had success with visitor taxes ear-marked for environmental work. If these are handled well and are allocated towards a popular cause, they can be one of the few forms of taxes that are popular with those paying, especially if these benefits are clearly communicated to those paying. We congratulate the Government of Cayman on the enactment of the National Conservation Law. Regulations being brought into force will overcome problems in using the Cayman Environmental Protection Fund, set up in 1997, to be used for the originally intended conservation purpose of acquiring land for conservation purposes and for other projects on the natural environment.

18. We welcome the manifesto commitment by the incoming Turks & Caicos Islands Government to restore the Conservation Fund, and the decision by BVI to introduce an environmental levy. We welcome also the interest expressed in late 2016 by the Government of Montserrat in introducing a conservation fund financed on the lines of that in the Cayman Islands, and note that some others may consider similar arrangements.

19. The possibility of UK National Lottery funds being available to UKOTs has been investigated. These are a major funder of nature and heritage conservation in Britain. We therefore welcomed the suggestion, in the UK Government's 2012 White Paper on UK Overseas Territories, that National Lottery funding is available for work in the UKOTs. For this to happen, it would be necessary to make several changes. The Ministers in UK Department of Culture, Media & Sport would need to give a direction to the Lottery distributing bodies. These bodies would subsequently need to change policy accordingly, and set up a system for applications which include an office and supporting committee

that understand UKOTs, and overcome the current administrative difficulties. We call upon UK Government to lead actively in this area.

20. We agreed to continue investigating the potential for UKOTs jointly to seek support from international funding sources / commercially-based bodies. We also agreed to investigate the possibility of obtaining support from some of the aid funds currently supporting Caribbean projects, e.g. CARICOM, to contribute to a UKOT environmental small grants programme.

21: We considered that we were not accessing available environmental funding, including climate funding, effectively. We felt that it was important that the territories should have the main voice in determining where and how cross-territory funds available should be spent, and that the territories should not have to compete for the allocation of such funds through an assessment process external to them. We agreed to explore the possibility of setting up an OT or OT/CD Environment Fund, to be administered and allocated by representatives of all the relevant territories and of the UK. The possible sources of these funds would be discussed further, but could include the potential UK Government post-Brexit replacement of EU funding called for by Parliament's Environmental Audit Committee (see para 28), funds currently available from UK for OTs, funding obtained collaboratively from private sources, international funding organisations, etc., and possibly contributions from territories who could and wished to do so.

### **Consequences of leaving the European Union**

22. In addition to recognising the fact that UK Government resources to UKOTs/CDs need to be increased in the present situation, we agreed that UK's departure from the EU would remove major funding opportunities only recently achieved after many years of lobbying.

23. Gibraltar, like Great Britain & Northern Ireland, is within the EU and, as this ends, Gibraltar will be affected in the same way as Britain itself but will also face other challenges. These are related particularly to the way in which the environmentally and other damaging acts by a neighbouring country have hitherto been moderated most effectively through common membership of the EU. Ending this will necessitate increased diplomatic support from UK, with associated costs. The other UKOTs and CDs are not within the EU but will suffer various problems, the UKOTs by losing their status as Overseas Countries and Territories (OCTs) of the EU. As OCTs, the UKOTs are eligible to apply for various forms of funding from the EU, including major environmental funding. Furthermore, the access to EU trade and information is of major economic benefit to UKOTs. A substantial amount of direct funding also goes to UKOTs, this having major indirect effects on the environment.

24. The relationship between the Crown Dependencies and the EU is enshrined in Protocol 3 of the UK's 1972 Accession Treaty: the Islands are essentially within the Single Market for the purposes of trade in goods, but are "third countries" (i.e. outside the EU) in all other respects. The Channel Islands are outside the EU VAT area. The Channel Islands and the Isle of Man have a close relationship with the EU in many different fields – not simply those covered by the formal relationship under Protocol 3, including certain maritime matters. They choose also to implement selected EU legislation with an international dimension or to apply the standards on which it is based, for example sanctions, asset freezing, anti-money laundering and countering the financing of terrorism. The Crown Dependencies are not in the EU and are not OCTs. However, there have been cases in which their natural environments have benefited both financially and through facilitated cooperation. This is because EU policies recognise that conservation measures need to take account of neighbouring countries, for example for effective ecosystem-conservation or to address the needs

of migratory animals. With UK's departure from the EU, the potential for such collaboration and financial support will be much reduced.

25. We discussed the implications of the EU situation on the safeguarding of environmental protection. For example, much EU conservation legislation is based on the Council of Europe's Bern Convention on the Conservation of European Wildlife and Natural Habitats (1979). The Council of Europe is not an EU institution and Brexit therefore has no direct effect. UK is party to this and its ratification includes the Cyprus Sovereign Base Areas, the Isle of Man and Jersey. However, Gibraltar, Guernsey, Alderney and Sark are not included in this ratification. We therefore trust that UK Government will support the UKOTs/CDs in respect of the potential impacts of Brexit, e.g. by expediting the extension of the Bern Convention to Gibraltar, Guernsey, Alderney and Sark, should their respective governments request this. For similar reasons, we call on UK Government to support Gibraltar's request to join the Barcelona Convention and the Paris Agreement.

26. We welcomed a 2016 announcement by the UK Chancellor of the Exchequer, Rt Hon. Philip Hammond MP. This stated that EU structural and investment fund projects signed before the Autumn Statement in 2016, and Horizon research funding granted before leaving the EU, would be guaranteed by the Treasury after the UK leaves. We welcomed also Baroness Anelay, Minister of State at the Foreign and Commonwealth Office, telling the press that, if territories have already signed EU agreements that would continue past Brexit, the Treasury would underwrite these.

27. Apart from ongoing projects, UK Government has not yet indicated that it will provide funding to replace the EU potential funding, so that UK's international conservation commitments in its Overseas Territories are not disadvantaged, although discussions in the House of Commons Environmental Audit Committee have underlined the fundamental need for this. Furthermore, expenditure in Caribbean UKOTs and Bermuda is linked to the US\$. Travel costs to anywhere tend also to reflect the US\$ because that is the currency for fuel. Therefore, the value of UK environmental grant-funding is now reduced by up to the effective devaluation rate of the GB£ against the US\$.

28. We therefore agreed that UK Government needs to make available to UKOTs funding to replace the funding external to the UKOTs lost due to leaving the EU. This is additional to the funds (currently as Darwin Plus and shorter-term initiatives) which are to meet part of the UK Government Commitments under the Environment Charters. We agreed also that UK Government should take steps to replace the actual and potential financial and facilitation support to environmental conservation in CDs lost due to UK's departure from the EU. This is in line with the recommendation of the House of Commons Environmental Audit Committee in April 2017: "We recommend that the Government commits to replacing BEST funding after we leave the European Union."

29. These considerations apply also to climate-change, as well as conservation of biodiversity and ecosystem services. Under the EU-BEST (Biodiversity and Ecosystem Services in Territories of European overseas) scheme, some climate change focused projects have been funded, e.g. to provided the basis for better conservation of native plants, the habitats they form and the services they provide in the face of a changing climate.

30. We ask that the UK, through its International Climate Change Fund, provide significant additional support to its UKOTs, to replace that lost from the EU. UK Government could, through this fund, earmark some proportion for meeting UK Commitments under UNFCCC. We ask also that HMG make

provisions for those UKOTs not currently signed up to the UNFCCC, but which have been progressing towards it, e.g. the British Virgin Islands.

31. We remind that, whilst the departure from the EU may have an impact on potential sources of technical expertise and financial resources, it could present an opportunity for the UK to be a greater champion of its UKOTs, particularly on the international stage through the support it gives them to mitigate and adapt to climate change. For example, if energy-relevant EU policy is to be grandfathered into UK law, updated and enforced, then the UKOTs (especially Gibraltar) and Crown Dependencies should be consulted fully. The UK should continue also to fund climate science and the conservation of biodiversity and ecosystem services, including through the National Environmental Research Council (NERC) and through its Overseas Territories Environment and Climate Fund (Darwin Plus).

### **Safeguarding Environmental Protection**

32. We reiterated the fact that the economies of many UKOTs depend on their special environments, for fishing, tourism, storm protection, power generation etc. If the UK supports sustainable development and conservation, this assists the UKOTs in making their economies stronger, for example through the establishment/enhancement of sustainable fisheries, increased sustainable ecotourism, more resilience to severe weather damage, and more sustainable energy.

33. We welcomed the work of UKOTCF and several partner organisations in the UKOTs and CDs, which have been piloting work related to the empowerment of local people and communities, in taking the lead in sustainable use of the environment. This goes some way towards meeting several of the Targets under the Sustainable Development Goals (SDGs). Some of those persons and businesses using the natural environment as a basis for their livelihoods have been encouraged successfully to become champions of its safeguarding. This has included, or has potential, among many other actions such as: the development of environmentally sensitive strategies for tourism, agriculture, fisheries, water management, and hill management, and the development of charcoal-making from alien invasive trees.

34. Unfortunately, the level of UK Government support to NGOs for this novel sort of approach has not so far reflected the importance placed on it in the SDGs. We recommend that UK Government grasp more opportunities, in its programme for environmental grant support in the UKOTs, for supporting novel collaborations between UK and UKOT NGOs, which draw upon this approach of empowering local users / environmental champions. We encourage also UK Government to resource UKOTs so that they might meet other goals under the SDG Targets, e.g. those relating to protected areas (as reflected in UKOTCF's review of progress on the Environment Charter/Aichi Target/SDG).

35. We discussed the idea of developing a project looking at the sharing of good practice in development and conservation in UKOTs and CDs through the creation of a facilitated and managed database. We agreed to support this, welcomed the contributions to costs already committed by some territories, and agreed that other territories would explore matching contributions. We recognised the role of Mr Victor Brownlees, Chief Executive of the States of Alderney, and UKOTCF in organising this project.

## **Appendix: List of Ministers and other lead representatives attending**

Dr Richard Axton, Chairman of Council, La Société Sercquaise, on behalf of Sark Agriculture and Environment Committee of the Chief Pleas of Sark

Hon. Geoffrey Boot MHK, Minister of Environment, Food & Agriculture, Isle of Man

Deputy Barry Brehaut, President of the Committee for the Environment & Infrastructure, States of Guernsey

Mr Victor Brownlees, Chief Executive, States of Alderney

Mr Chris Carnegie, UK Representative Tristan da Cunha, observer on behalf of the Island Council

Mrs Michele Christian, Divisional Manager, Environmental, Conservation & Natural Resources, Government of Pitcairn

Hon. Dr John Cortés, Minister for Education, Heritage, Environment, Energy & Climate Change, Gibraltar

Hon. Claude Hogan, Minister of Agriculture & Environment, Montserrat

Deputy Steven Luce, Minister for the Environment, Jersey

Hon. Kedrick D Pickering MD, Deputy Premier & Minister for Natural Resources & Labour, British Virgin Islands

MLA Michael Poole, Portfolio Holder for the Environment, Falkland Islands (remotely)

Hon. Sylvan Richards MP, Minister of Environment, Government of Bermuda

Councillor Mrs Pamela Ward Pearce, Chairman of Environment & Natural Resources Committee, St Helena (remotely)

(A technical fault prevented the remote participation of Mrs Michelle Fulford Gardiner, Deputy Permanent Secretary, Ministry for Tourism, Environment, Heritage and Culture, Turks & Caicos Islands)