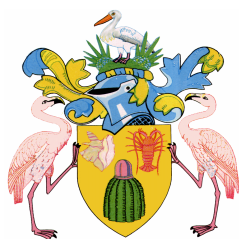


**Facilitating the development by an example UK Overseas Territory  
(Turks & Caicos Islands) of a strategy for action to implement  
the Environment Charter undertakings**



A joint project of the Turks & Caicos Government and the UK Overseas Territories Conservation Forum,  
with funding from the Foreign & Commonwealth Office

## **GUIDELINES FOR THE DEVELOPMENT OF A STRATEGY FOR ACTION TO IMPLEMENT AN ENVIRONMENT CHARTER**

### **INTRODUCTORY NOTE**

From late 2002 until late 2003, the UK Overseas Territories Conservation Forum worked with stakeholders in the Turks and Caicos Islands to facilitate the development of a Strategy for Action to implement the Environment Charter agreed between the UK and TCI Governments. The first commitment by UKOT Governments under these charters signed in late 2001 is to produce such strategies for action. The TCI exercise was intended also as a model to investigate ways of developing the strategy, so that this experience would be available to other UKOTs.

This document is a summary of the procedures used (and some considered but not used), with comments as to their potential applicability more widely. Although this is the first exercise to develop a Strategy for Action specifically to implement an Environment Charter, it is recognised that several UKOTs will have undertaken important projects under other headings but which can make major contributions to the developments of strategies for action in their own Territories. Obvious examples are Bermuda's Biodiversity Strategy and Action Plan process and the development of plans under the St George Declaration by those UKOTs which are also members of the Organisation of Eastern Caribbean States. Convenient summaries of some of these can be found in the Proceedings of the UKOT Environment Conference *A Sense of Direction* held in Bermuda in March 2003 (available online at [www.ukotcf.org](http://www.ukotcf.org)). Such UKOTs may need only a small exercise to build on such existing work to produce a Strategy for Action, but we hope nonetheless that some points in these guidelines may be of use.

Where appropriate, we have tried also to pull in information from such work to complement the experience of TCI. We have also advised and received input from the early stages of the second exercise to develop a strategy for action, using a slightly different approach. This is in the Falkland Islands, where the 2-year exercise started in 2003 as the 1-year pilot in TCI reached its later stages.

This set of guidelines is based on an edited version of the progress reports issued at each key stage of the project (4 in all). In some cases, wording of documents developed early in the process was amended in later versions. Where these changes consisted of corrections or improvements, we have

tried to use the corrected wording. Where the changes were more a part of the process, we have tended to leave the originals to illustrate the process.

During the pilot exercise in TCI, the Forum facilitators received several requests for advice from other UKOTs starting or considering comparable exercises. We responded to these individually, but the present document is intended to bring the guidance together. We must stress that this should not be followed as if it were a recipe book, not least because each UKOT differs. We believe that facilitation of some sort will be necessary to manage the process anywhere. However, we do believe that the Guidelines will be a valuable tool to help facilitators and participants. The frameworks developed, after trials of several options, should significantly reduce the work required by other UKOTs in producing the strategies which are their first commitments under their Charters – and which should greatly aid the effectiveness of future environmental efforts.

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## BACKGROUND

On 26 Sept 2001, the UKOTs and HMG signed Environment Charters which include statements of principles and undertakings by both parties in respect of integrating environmental conservation into all sectors of policy planning and implementation (see Annex A). The first undertaking of the UKOTs was to formulate a detailed strategy for action, and HMG’s first undertaking was to help build capacity to support and implement integrated environmental management. Informal feedback from the Territories both to the FCO and the Forum indicated that the first need was for facilitation in developing these strategies for action. Following discussions between the Forum and the FCO, this project provides for facilitation for a first example UKOT to serve as a model to others. The facilitation exercise was part-funded by the FCO.

The Forum has been working closely with the FCO from the inception of the idea of Environment Charters through to their adoption, and therefore has a strong background in this area and a great desire to see the Charter process succeed. The Forum’s network of member organisations throughout the UK and the UKOTs gives it unique resources and access both to UK expertise and within the governmental and non-governmental sectors of each of the UKOTs. Its long track record of capacity building and facilitating work within the UKOTs gives it unique knowledge of how governments and NGOs work in the UKOTs and how a complex planning exercise can be successfully carried out. This

broad expertise gives the Forum the capacity not only to carry out a successful exercise with the example UKOT but to apply the process and lessons learned to create guidance useful to all the UKOTs.

Consultations facilitated in 2002 by H.E. the Governor of Turks & Caicos Islands and the Hon. Minister for Natural Resources resulted in approval by the Executive Council of TCI that this UKOT should be the pilot, and confirmed the facilitators as Dr Mike Pienkowski and Mrs Dace Ground of UKOTCF (who have wide experience of working in both official and NGO situations), working with a local Working Group, chaired by Michelle Fulford-Gardiner, Deputy Director DECR.

The facilitation exercise comprised a series of activities covering 2-3 week periods in TCI, between which the facilitators analysed the results of consultations and discussions, clarified points as necessary with TCI colleagues, and prepared for the next round of consultations.

## **THE MAIN PROCESS**

### **Overview of the process, and preliminary steps**

Approval and support from top government level is crucial in this exercise. Ministerial (or equivalent) involvement in the operational part of the work is not a requirement (although, in some Territories, this might be appropriate), but involvement at initiation stage and to sign off the end product, probably also with some progress reporting in between (see below) is vital.

The main reason for external facilitation was because of the very full work programmes of those local staff who might otherwise have coordinated the development of the Strategy. The facilitators made clear at the start that their task was to provide information, ask questions, collate and analyse material and produce drafts – but that the ideas and decisions needed to be reached by the local stakeholders. This process revealed a further set of benefits of external facilitators, as identified by local participants. These included the ease of asking very basic questions which it would be more difficult for a local participant to raise; and the benefit of having someone external to whom progress could be reported.

In the present case, liaison with local players was aided by the fact that one of the UKOTCF facilitators was temporarily based in TCI for other reasons and the other had been visiting TCI regularly to help manage other projects. This meant that they could help the over-stretched local Chairperson of the Project Committee with some aspects of local liaison. However, in a similar project elsewhere, if outside facilitators are used, it would be important to have an allocation of time for a local liaison officer to assist facilitators during their visits and making arrangements for these as well as pursuing tasks between visits, in remote consultation with facilitators. This officer need not be in a senior position, provided that he or she had the support and backing of the senior local persons.

Our objective, that ensuring that the ideas and priorities etc were those of the local participants, drove the way we structured the process to some degree. Each stage of the exercise was focused on a workshop at which the stakeholders reviewed work done previously by the facilitators and then took the next step forward. The Government agreed a list of those who should be on a permanent Environment Charter Working Group, which was mainly senior civil servants with heads of two important local NGOs (see below). In some workshops, attendance was widened to include, for example, representatives from the Chamber of Commerce and the Hotel Association. One workshop (see later) had very wide involvement. Working with the senior civil servants was an excellent approach, both because we had the people who would be responsible for implementation involved in the process and for them, it was a

rare opportunity to discuss issues of great importance to all of them and to exchange their own thoughts.

Every Territory will be different, but in the TCI, the Working Group included senior officials from:

- Ministry of Natural Resources
- Governor's Office
- Department of Environmental & Coastal Resources
- Department of Physical Planning
- Department of Economic Planning & Statistics
- Permanent Secretary, Providenciales
- Department of Environmental Health
- Department of Education
- Tourism Board
- Executive Director Turks & Caicos National Trust
- National Museum
- The UKOTCF Facilitators

### **Step One: Deconstructing the Environment Charter**

Particular challenges in structuring the strategy for action required under Commitment 1 of the Environmental Charter (Annex A) are that:

- (i) the various documents which constitute the Charter and its annexes are arranged in several dimensions, rather than a common list or a nested hierarchy;
- (ii) the commitments consist of a varying mixture of objectives, in some cases with indications of methods to achieve these; and
- (iii) several commitments are complex and different commitments address policies and practices at various levels.

Regarding (i), it rapidly became clear that simplicity of documentation structure was crucial to active participation by stakeholders. Therefore, analyses which used the different dimensions of the various annexes to the Environmental Charter were not helpful to wide involvement (although the ideas in them were useful as an aide-memoire to facilitators). It was also found important to tie the analysis as closely as possible to the main Charter document and, in particular, the second page of this which lists the Commitments by both UK and UKOT Governments.

In order to address (ii), the facilitators attempted to extract the overall desired (in some cases, ideal or long-term) outcomes corresponding to each commitment – using words from the commitment itself. For example, desired outcome for Charter Commitment 2 was “Key habitats, key species and landscape features are protected, and where necessary, restored.” This list was discussed and verified at the first Workshop, and its final version is at Annex B.

Whilst facilitators and stakeholders in other UKOTs may wish to repeat this exercise, with similar or different outcomes, it is possible that the model at Annex B may be useable directly, thereby saving time for deployment on more substantive issues. Use of a common list may also have future benefits in easing exchange of experience between Territories.

In relation to (iii), to make analysis more practicable, where necessary, each commitment or undertaking was divided into its elements. For example, Commitment 2 became:

- 2.a. Have in place effective legislation for protection of key habitats, species and landscape features
- 2.b. Develop Protected Areas Policy
- 2.c. Have in place effective management structures for protection of key habitats, species and landscape features
- 2.d. Prevent new invasive species
- 2.e. Eradicate problem invasive species

The breakdown is shown at Annex C. As with the desired outcomes, it may ease work for other UK Overseas Territories to adopt the same division of Charter Commitments into their elements for easier handling. We also listed possible response mechanisms to each element, but never found them to be of much use in guiding discussions. They are shown in the first matrix, Annex E (see below).

### **Step Two: One-on-one interviews**

We needed to develop a list of ongoing activities and also issues and perceived gaps to form the basis for discussion at the first workshop. We did this by holding one-on-one interviews with all the people who were to be on the Working Group, and some other private and public sector stakeholders as well. We also used it as the opportunity to assess general awareness of the Charter, which was pretty low. See “Interview Approach” at Annex D.

### **Step Three: Workshop number 1**

For the workshop we prepared a matrix showing the commitments, the breakdown of each into elements, the desired outcomes, the response mechanisms, existing programmes and a blank column for “gaps/issues for investigation” (Annex E). This was projected on to the wall, and as people talked about the issues, their comments were all noted in that blank column. This formed an instant check to ensure that we had recorded the comments correctly, and formed the basis for our next step. Corrections and additions to the existing programmes were also noted as discussion proceeded.

At the workshop, we started by reviewing the desired outcomes and the way we had broken the commitments into elements to ensure that people were in agreement, and then we had four sessions, grouping commitments by subject matter. (See agenda at Annex F.) For each session, the people most closely involved with the issues made a brief presentation on work ongoing and their key issues, which started the discussion. We let the discussion range fairly freely, as it was the first time the Working Group had met and we wanted to be sure that their issues of concern came out in the discussion. This meant that many comments recorded in the blank column were in the wrong place, but that was easily sorted out afterwards.

### **Step Four: The first matrix**

We worked up the material into a matrix containing all the information gathered so far, with the notes from the workshop sorted into the correct slots and worded as gaps, issues, tasks for the facilitators, etc. (See Annex G.) This we distributed to all participants as well as Working Group members who had not been able to attend. For some of the more complex issues, we sat down with the key relevant people to make sure we had the issues, gaps, etc correctly represented. This gave them another chance to consider the issues, and resulted in some very useful clarification and issue development.

## **Step Five: reviewing legislation and MEAs**

The Charter refers in many places to local legislation and to Multilateral Environmental Agreements, and this meant that analysis was needed on both.

The first concerned the question as to what extent the existing TCI legislation is able to address the needs being identified by this project, and what changes might need to be considered. We gathered and reviewed every relevant local law. We then produced an assessment of the local laws in five categories: Habitat/Species Protection; Planning/EIAs; Sustainable Use; Pollution/Polluter Pays; and Historic Preservation (see Annex H). This draft was reviewed by the AG's Chambers and then discussed at the next workshop. A separate seminar was held by the Provo Pollution Task Force on the pollution elements, to agree changes they wanted to propose to the pollution laws.

It should be noted that whilst the format of Annex H might be of use in other UK Overseas Territories, each Territory will need to review its own legislation in respect of Charter Commitments. In the TCI exercise, one of the facilitators was a lawyer, so we were able to do this ourselves, but in other circumstances, the help of the Attorney General's Chambers might be enlisted to carry out this essential task.

The second addressed the Multilateral Environmental Agreements, both those which already apply to TCI and those which TCI has expressed some interest in joining. For these, it is necessary to identify to what extent TCI has the mechanisms to fulfil the commitments in the conventions and what changes would be needed. MEAs are generally very dense documents, and there was no realistic prospect of workshops considering these fully in their original form. Therefore, the facilitators summarised the main relevant points and omitted those of little direct relevance to TCI.

The analyses for the "Ramsar" Convention on Wetlands (Annex I), the "Bonn" Convention on Migratory Species (Annex J) and the Convention on Biological Diversity (Annex K) were presented at the second workshop. The first two already apply to TCI. For the third, the limited range of issues which need addressing seems to indicate that TCI could approach UK Government to request that TCI be added to UK's ratification of that convention. The analyses have been extended to cover the World Heritage Convention (Annex L), the Convention on Trade in Endangered Species ("CITES") (Annex M), the "Cartagena" Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (Annex N), the "London" Convention on the Prevention of Marine Pollution (Annex O), and the Marpol Convention (Annex P).

It is likely that these summarised versions of requirements (the left parts of the tables) will be relevant to most other UK Overseas Territories, but facilitators of exercises in these are advised to scan the summarised lists of requirements against the original MEA texts to ensure that other elements relevant to the Territory concerned have not been omitted. Similarly, some other MEAs will need addressing for some other UK Overseas Territories, especially those outside the Caribbean.

## **Step Six: Workshop number 2**

The central purpose of the second workshop was to develop the head-points of the Strategy for Action, based on the matrix (Annex G) developed from the previous stakeholder workshop. We had three different categories to be discussed:

1. For those gaps/issues identified in the last workshop which were relatively straightforward, we drafted up head points to serve as the basis of discussion. For example, the gap "Need process for identifying species important to the TCI and methods for protecting

them” was translated as” Carry out systematic evaluation of species requiring conservation and develop action plans to address these.”

2. For the high-level issues under Commitment 3 involving complex policy development, we did not feel confident drafting head points as the discussion was still at too amorphous a stage. So the starting point to generate discussion and hence headline action points was the gaps/issues from the last matrix, and in the discussion materials we just re-printed them.
3. For the issues related to legislation, we worked from the analysis of TCI legislation, and developed a separate matrix that laid out the questions and issues.

Along with the agenda (Annex Q), we sent out in advance a package including “Action Items for review at Workshop number 2” (Annex R), the review of legislation (Annex H). At the meeting itself we used three forms, projected on to the wall, for recording information:

As in the previous workshop, as many as possible of the conclusions of discussions were recorded on a laptop computer linked to a projector, so that participants could check them as they were noted. We learned two important lessons at this workshop. First, do not assume that people will read the documents you send them in advance, no matter how clearly you tell them that they need to. We had assumed that people would have read the legislative analysis and we started discussion on that basis. In fact, we should have started by reviewing the legislative overview on each section. It could have been done fairly quickly, and we would have had a far more useful discussion if we had. Secondly, if at all possible, detailed discussions should be structured within one document, even if it is very long, rather than having people attempt to cross-refer to separate documents. We did get the information we needed out of the workshop but it would have been much smoother if we had not needed to learn these lessons.

We did two other pieces of business at the workshop. The final Strategy for Action would need to provide more information than just the head-points, both for current work and for those new pieces of work identified. We provided a draft simple form (Annex S) for such information, and participants agreed to supply any comments on that form within two weeks. Subsequently the form would be used by stakeholders (assisted by facilitators where necessary) to record this key information for each project or other task.

We had also, by then, completed the review of most of the MEAs, and had drafted summaries of the requirements, things already being done in the TCI to fulfil them, and things which still remain to be done. We distributed these to the Working Group for their review and comment (Annexes I to P).

One of the tasks for facilitators identified at the Workshop was to make available an updated list of the proposals from the National Trust and others for additions and modifications to the Protected Areas system. This was done and is at Annex T.

One other note: the positive involvement and support of the Governor and his staff throughout the project was invaluable. The opening of this workshop, around the middle stages of the work, by the new Governor was particularly important in underlining the importance to all participants and encouraging continued wide involvement. The Governor stressed that undertaking the exercise as one of TCI’s commitments would be helpful in pursuing UK Government’s commitments to support work arising from the strategy.



### **Step Seven: “Action Items”**

Immediately following the workshop, we edited the strategy for action head-points document and circulated it to stakeholders for further checking as “Action items based on workshop #2” (Annex U). Again we met one-on-one with the key participants to review the language of the action items and made quite extensive changes as a result of these meetings. The result was a fairly detailed listing of all the things identified as being needed to implement the Environment Charter in the TCI. This was, in many ways, the key point in the process: from here on we were refining these action points and later setting priorities amongst them, but this is where the Strategy really began to take form.

At this point we also incorporated the things identified as still to be done in implementing the MEAs. They were included in this draft as a separate section under Commitment 6 so that people could see what they required, but we subsequently incorporated the requirements for MEAs which have been extended to the TCI into the main text, by subject area, and the next draft was titled “Action items with MEAs integrated into main text”.

### **Step Eight: Workshop number 3**

This workshop was open to wider participation. Its agenda is at Annex V. The main purpose was to review the initial strategy for action produced as a result of the previous workshops, and begin to assign priorities within this. All invitees received a copy of the Environmental Charter and the “Action items with MEAs integrated into main text” document. This document is quite dense and fairly difficult to wade through, and despite having distributed it with the invitations, we knew few would have read any of it.

Within Workshop 3, the main parts of the draft action list were taken in six sessions. Within each session, one or two participants with particular interests in the topics of that session read through a shortened version of the document, which had the same numbering as the main document. The participants had the main document in front of them and the shorter version projected on-screen (Annex W). Participants followed carefully and read the longer document as they had elements called to their attention, or went back to sections as discussion went forward; we found this to be a very effective way of getting them “into” the document, and achieving real discussion and shared ownership.

After this introduction, participants were then invited to review and discuss that section and comment on priorities within it. The main conclusions were again noted on screen, so that participants could check that their points had been recorded correctly. At the end of each session, participants were invited each to supply a “vote” on a simple form of their views of the top priorities (up to five each) within that session. At the end of the workshop, participants were similarly invited each to indicate their top five priorities overall based on the preceding discussions.

Subsequent analysis showed good agreement between the views expressed in discussion and those recorded on the “voting” forms. These analyses and the comments made throughout the workshop were integrated with the base document to produce the proposed Strategy for Action to implement TCI Government’s commitments under the Environment Charter (Annex X) and the “Strategy for Action: Initial Priority Projects” from that (Annex Y). Please note that Annexes X and Y are actually the final versions, tidied by the processes about to be described. The documents were not fundamentally changed by these processes, and these guidelines are greatly shortened by including only one version of each.

### **Step Nine: Refinement and tidying of documentation**

We include this step as an illustration of dealing with the unpredictable and trying to take best advantage of these, rather than simply suffering delays.

It had been scheduled that the project would report back to TCI Executive Council in August 2003. However, this became inappropriate in view of a prolonged process of a general election with an initially inconclusive result, and consequential following period of four months while Executive Council could not address new business. However, the opportunity was taken in August 2003 to undertake other work. This included the facilitators incorporating some further suggestions made by TCI stakeholders. The facilitators also undertook a thorough cross-checking of the final principal output documents. Given these had been subject to intense workshop and consultation processes, inevitably minor inconsistencies had arisen between related documents. Numbering and wording inconsistencies were resolved, and typographic corrections made.

Summary documents were drafted to introduce the main documents to Executive Council in order to report the project, and seek approval for its carry-forward into normal processes. These were held for revision as the final step was approached in the modified schedule, as noted below.

As noted earlier, the final strategy for action would need to provide more information than just the head-points, both for current work and for those new pieces of work identified. The facilitators had earlier provided a draft simple form (Annex S) for such information and participants in the workshop process had agreed to use these (assisted by facilitators where necessary) to record this key information for each project or other task. It was later realised that it would be easier for lead participants to comment and correct drafts than to complete blank forms. Therefore, the facilitators completed draft forms for all actions and supplied to lead participants. It was later agreed that the finalising of these would be an appropriate early activity of the implementation process, which would follow the completion and adoption of the strategy.

This period was also used to produce the first draft of these guidance notes for use in other UK Overseas Territories, as most of the pattern was now clear. The notes were finalised after Step 10 (below).

TCI has a political party system in its elected Legislative Council, with the majority party forming the Government. The prolonged electoral process in 2003 eventually resulted in the former Opposition party (the Progressive National Party) taking over as Government from the People's Democratic Party. Officials from the Environment Charter Working Group briefed their new Ministers at an early date on the Environment Charter, and the new Government confirmed its support for that in the debate on the Speech from the Throne, setting out government policy when introducing the new session of the Legislative Assembly.

In order to ensure that the intentions of the new Government were fully reflected, the facilitators examined the Election Manifesto of the PNP, the Speech from the Throne in which the incoming Government set out its priorities, and the budget addresses by Ministers setting out their spending plans. In most cases, the environmental aspects in these priorities were well covered in the draft Charter Strategy. This was pleasing, but not surprising, because the process developing the strategy had been open and widely based. By the nature of things, the participants would have included persons who, in their personal capacities, acted as advisors to both parties. In some cases, the wording or the grouping of issues was amended slightly to use phrasing drawn from the new Government's indications of

priorities. Also, in a few cases, items which had been considered by the earlier process important but not the most urgent were promoted to priorities to reflect the new Government's expressed views.

The facilitators' draft incorporation of these items were discussed and approved by the core members of the Environment Charter Working Group. The Group also resolved a few items for which the facilitators felt needed discussing by the Group before drafting amendments.

### **Step Ten: Approval and Next steps**

The actual method for signing off the development of the strategy for action to implement the Environment Charter and incorporating this as a recurrent country activity will vary between UKOTs. The process outlined below was that adopted in TCI and indeed was modified slightly from that originally planned as a result of amendments in general procedures brought in with the change of Government.

A meeting of the core of the Environment Charter Working Group agreed the approach on all outstanding points. The facilitators then finalised the documentation, consulting individual Working Group members as necessary on detailed points. They also prepared a presentation to the Chief Minister (who now had the remit for Natural Resources), which was given by the facilitators, the Chairperson of the Environment Charter Working Group, and the Permanent Secretary of the Chief Minister's Office and Ministry of Natural Resources. The presentation made clear that adoption of the strategy would not mean that all the actions in the strategy were automatically approved in detail. However, the adoption of the strategy would provide an approved structure to guide the priorities for work by departments and others, including the preparation of proposals where individual actions require Executive Council approval. At this presentation, the Chief Minister asked his Permanent Secretary to prepare a formal paper to Executive Council to adopt the strategy. In addition to this formal paper, the package for Executive Council included an introductory note on the Background and Description of Process, and an Executive Summary of the Initial Priorities for Action document (both at Annex Z), followed by the Initial Priorities for Action document itself (Annex Y) and the full Strategy for Action (Annex X).

TCI's Executive Council adopted the Strategy for Action in December 2003.

This final version will be available for several purposes, including:

- (a) wider dissemination for information and discussion, by the TCI public, schools, etc;
- (b) as a starting point for the ongoing process of managing this strategy within normal TCI governmental processes, incorporating also civil society, especially key NGOS;
- (c) a possible launch to raise the profile of this activity;
- (d) as a model which may be of use to other UK Overseas Territories, complementing the guidance based on the pilot process by which it was developed.

Most of these activities fall within the implementation process, rather than the facilitation project, which developed the strategy.

In addition, the facilitators completed these guidelines to help other UK Overseas Territories to develop strategies for actions to implement their Environment Charters, based on the TCI pilot project and other relevant material.

This marked the end of the pilot project, but only the start of the process for TCI. Already there are plans to incorporate the management of the implementation of the strategy into regular procedures and planning budgeting rounds across government, with full NGO participation. The TCI Environment

Working Group (a government appointed body with NGO representation) had already acted in a way envisaged by the Charter and the new Overseas Territories Environment Programme to be the group agreeing which priority projects are submitted from TCI for OTEP funding.

Looking back on this intensive year of work, it is pleasing to record that TCI participants (including some rather doubtful at first) have commented how useful they found the process, and how working together with a range of persons with different interests and backgrounds brought them to a shared ownership of the strategy they developed as a team. Some even remarked that it had wider benefits than environmental, because personnel from such a wide range of ministries, as well as outside bodies, rarely have the chance to meet and discuss such basic issues.

## **ADDITIONAL ASPECTS**

### **Timescale**

As noted earlier, the facilitation exercise comprised a series of activities covering 2-3 week periods in TCI, between which the facilitators analysed the results of consultations and discussions, clarified points as necessary with TCI colleagues, and prepared for the next round of consultations. Although the work could be undertaken in different ways, it may be helpful to relate the generalised stages noted above to the actual time-scale used in TCI. This is done below:

Preliminary steps: August 2002.

Steps 1 to 4: In October/November 2002 (see first Progress Report), the emphasis of work was on (a) analysis of the Environment Charter documents to produce a structure for planning; (b) undertaking interviews with stakeholders in order to identify current activities which contribute to Environment Charter commitments and any perceived gaps; (c) a workshop of key stakeholders to verify the approach, check and further collate the information on current relevant activities, and start formally to identify gaps, both substantive and of information.

Steps 5 (started between visits) to 7: During the January/February visit (see second Progress Report), the emphasis was on (a) filling the major information gaps identified in the first round, particularly undertaking major work on legislative aspects and multilateral environmental agreements, (b) using a workshop-centred approach to develop headline action points from the matrix developed in the previous round (Annex G), and (c) presenting the approach to Executive Council and agreeing the proposed timetable of the stages involving ExCo.

Step 8: The main activity during the April/May 2003 visit was to prepare, conduct and analyse the results of a workshop open to wider participation. This was held on 29<sup>th</sup> April at the National Environment Centre in Providenciales. The main purpose was to take the initial strategy for action produced as a result of the previous workshops, and begin to assign priorities within this (see third Progress Report). Subsequent analysis showed good agreement on priorities gathered by two different methods within the workshop. These analyses and the comments made throughout the workshop were integrated with the base document to produce the proposed Strategy for Action to implement TCI Government's commitments under the Environment Charter and the "Strategy for Action: Initial Priority Projects" from that. These outputs were checked with key members of TCI's Environment Charter Working Group and participants in the Workshop before incorporation in the third Progress Report.

Step 9: It had been scheduled that the project would report back to TCI Executive Council in August. However, this became inappropriate in view of a prolonged process of a general election with an initially inconclusive result, and consequential following period of 4 months while Executive Council could not address new business. However, the opportunity was taken in August 2003 to undertake other work including incorporation of some further suggestions made by TCI stakeholders and a thorough cross-checking of the final principal output documents.

Step 10: This took place largely in November and December 2004, with follow-up immediately after.

It should be noted that the flexibility in timing was achieved by the facilitators being prepared to undertake significant additional work without extra funding, and because the extra travel and subsistence cost could be shared with other projects that the Forum happened to be running at the same time in the same Territory.

### **Public awareness- raising**

The way in which public awareness of the Environment Charter and the issues it addresses is likely to vary considerably according to the situation in different Territories. Two of the important factors which were considered in the present case were these:

1. To what extent should the development of the Strategy for Action be, initially at least, a plan put together by primary stakeholders, which itself addresses the needs for planning further public involvement?
2. Are there other current initiatives which are complementary, so that planning public awareness exercises can combine, and avoid overlap and confusion?

These two points are inter-related. In the TCI case, a very complementary exercise was in progress at the pilot level. This was the Sustainable Development Planning Initiative (SDPI), which was just completing its pilot exercise on one island (Grand Turk) in the TCI archipelago as the Environment Charter project started. This was a community-based physical planning exercise. It was anticipated that SDPI would be rolled out rapidly to the other islands, coincident with much of the Environment Charter project. In order both to be as cost-effective as possible and to avoid public confusion about two related projects undertaking independent public awareness programmes, it was agreed that the community-based SDPI would take the lead on general public awareness, bringing in mention of the Environment Charter.

In the event, the roll-out of SDPI was delayed. The Environment Charter project therefore boosted its public awareness element to include specialist groupings (such as the Chamber of Commerce) and widely picked-up press releases, issued by the Government Information Service, on each of the Workshops and also the project's progress report to Executive Council. The UK-based facilitator (a scientist) lectured the senior science students at the Community College on the Environmental Charter and other issues.

The project also detailed some future public awareness needs in its outputs. Some of these are being carried forward by the continuing locally run Environment Charter process arising from this project.

The plan for a public launch of the project was not carried forward in that form early in the project, although the then Chief Minister made frequent and supporting references to it in several major speeches. It is intended to organise high profile launches of the Strategy for Action as part of the implementation phase starting after the development project.

A good model of an alternative process, with wider participation of the general public from an earlier stage, is provided by the development of the Biodiversity Strategy and Action Plan for Bermuda. This is summarised in the conference proceedings *A Sense of Direction: a conference on conservation in UK Overseas Territories and other small island communities* (published on [www.ukotcf.org](http://www.ukotcf.org)).

### **Recommendations for immediate actions**

The first rounds of consultations had identified interim short-term recommendations, whose urgency local stake-holders wished to highlight before waiting for the final outputs. Those concerned with the operation of the Environmental Charter Working Group and other process matters were followed up and are not summarised here. Others are included simply by way of examples of the sort of issues raised in this way.

Records system to implement Commitment number 7. At the second workshop, participants identified the urgent need to collect and make available existing research and information on the biological systems of the TCI. This echoed similar concerns raised at a workshop held in August on the Plan for Biodiversity Management in North, Middle and East Caicos. The proposal for initiating the development of a biological records centre, was completed and submitted, following the identification by the facilitators of a potential route and relevant advisory expertise for this, and consultations during the visit with the TCI partners potentially involved. In order to meet the FCO's new schedule, a "pre-bid" was submitted for possible funding for part of this element in the coming year. The pre-bid was successful and a full bid prepared, but FCO funding was inadequate to consider this further in that current round. It remains a priority.

The other aspect of information collation to be addressed concerns information in largely unpublished reports. The facilitators were tasked in the immediate future with visiting the various libraries held by different agencies to begin to assess the range of information available, but it was recognised that the critical element of collating records from many sources must be addressed in a comprehensive manner as soon as possible. Investigations revealed that extraction of information from libraries would be an important source but was well beyond the resourcing of the current project, and would need to be a separate project. A basic form to record systematically summaries of this information was developed (Annex AA).

The second Workshop also raised issues which were felt to warrant immediate action, rather than waiting for the completion of this process. The Working Group was very concerned about the erosion of the Protected Areas System by development. One of the root problems was that the boundaries of the Protected Areas System were not recorded on the Land Registry maps, so they appeared to potential developers to be prime pieces of Crown land suitable for development. The following two items for immediate action were proposed:

**2.b.1 TOP PRIORITY FOR IMMEDIATE ACTION:** Lodge the boundaries of existing Protected Areas in the Governmental GIS system, Planning and Land Registry by resourcing translation where digitised boundaries are already available and digitising of remaining boundaries.

This should be done in stages so that easily identifiable areas such as offshore cays or sites with known block and parcel numbers can be lodged immediately, those which need only translation can be lodged as soon as possible and where surveys or other work is needed, a schedule can be established to ensure that the work is done with as little delay as possible.

**2.b.2 TOP PRIORITY FOR IMMEDIATE ACTION:** develop Protected Areas Policy with agreement at highest level to ensure that there is no further erosion of the PAS through inappropriate development.

DECR had been working on this, but limited staff resources have slowed progress on this; resources must be allocated to facilitate immediate completion.

### **A second approach being used in the Falkland Islands**

A second approach is being used in the Falkland Islands. This note summarises this, in order to provide a wider range of approaches for other UKOTs to consider when developing their own approach. It should be noted that the approaches are not entirely independent, because the TCI pilot has been providing advice and progress reports to the Falkland Islands project.

Both projects have been part-funded by the Foreign & Commonwealth Office. The main differences are:

- the Falkland Islands project is coordinated by a 2-year contract officer working within the Environmental Planning Department of the Falkland Islands Government, whilst the TCI project utilised external facilitators, albeit working closely with TCI Governmental colleagues;
- the FI project is running over two years, whilst the TCI one ran over 1 year, centred on periods of intensive programmed work during facilitator visits;
- the approach in FI centres on a Conservation Strategy and Biodiversity Action Plan, whereas the TCI one attempts to give equal prominence to all aspects of the Environment Charter.
- The TCI project used two part-time facilitators, whilst the FI one uses one full-time officer.

Each approach will have advantages and disadvantages. However, as the FI project is in its earlier stages, it is too early to draw major conclusions.

To summarise the current approach in the Falkland Islands, the rest of this section has been edited from a document prepared by Dr Andrew Douse, Conservation Strategy Officer (CSO), Environmental Planning Department, Stanley, Falkland Islands. [adouse.planning@taxation.gov.fk](mailto:adouse.planning@taxation.gov.fk)

### **Background**

Falkland Islands Executive Council endorsed the preparation of a Conservation Strategy and Biodiversity Action Plan (and the resources needed to complete this) at the 14 October 2002 meeting. The post-holder began work on 2 May 2003, and is based in the Environmental Planning Department in Stanley.

The project arises out of a commitment in both the Islands Plan (objective number 08.2) and a commitment in the Environmental Charter (as signed on 26 September 2001 by FIG). Significant milestones within the Islands Plan are for a Conservation Strategy to be in place by 2003/2004 and a Biodiversity Action Plan by late 2004. The project is complementary to a project just completed in the Turks and Caicos Islands, which is led by Dr Mike Pienkowski and Mrs Dace McCoy Ground of the UK Overseas Territories Conservation Forum (UKOTCF); Dr Pienkowski is based in the UK. Both approaches may act as 'models' for similar projects in other Overseas Territories that do not have current Conservation Strategies.

There are several key external and internal drivers for this project. Internally, there is an accepted need to ensure that socio-economic development does not damage the environment and that what is widely regarded and acclaimed within the islands is maintained, rather than allowed to degrade. This is articulated in the Islands Plan in both the generality of the policy framework as well as the specific (environmental) objectives. External drivers arise out of a number of international agreements, conventions and protocols. In some areas there is binding international law (e.g. with regard to maritime pollution). Among the most important external drivers are those derived from the 1992 Rio Convention, including the Convention on Biological Diversity (CBD) and the more recent World Summit on Sustainable Development (WSSD). The list is long (and growing) and while these are frequently viewed as constraints on socio-economic activity, it is

more appropriate to regard environmental matters as fundamental components of sustainable development, alongside social and economic imperatives.

### ***Issues that will be addressed***

The Conservation Strategy will address a wide range of issues that impact on the environment. The Environmental Committee endorsed the approach taken, and specifically noted the need to encompass issues that included those that affect the both the terrestrial and marine environments. It is recognised that some of these issues are the responsibility of others to lead on. However, it is considered appropriate that a Conservation Strategy which looks at environmental issues in their broadest sense should incorporate such issues in its overall ambit.

### ***The Process for Development of the Conservation Strategy***

The focus of the project will be through the Environmental Committee, to which the CSO will report regularly on progress, as well as bringing particular or critical issues for resolution. (The Environmental Committee, in line with other Committees in the FI governmental structure, brings together some of the elected Councillors, departmental officers, representatives of NGOs and other specialists.)

It was agreed by the Environmental Committee that a small Working Group be established which would act as a more regular point of contact for the CSO, and would provide a means for a more interactive developmental approach, given that the Environmental Committee meets only every two months. It was suggested that this small Working Group be chaired by a Councillor (Stephen Luxton) and would have additional independent members (Peter Johnston {Agriculture Department}, Becky Ingham {Falklands Conservation, local conservation NGO}, Tim Cotter (Falkland Islands Development Commission) and Riki Evans - or other nominee – (Rural Business Association}).

It was also agreed that ExCo would be kept informed of progress, through information papers and where necessary key decisions. However, ExCo would be the key decision making forum for acceptance of the Conservation Strategy when drafted.

It was also emphasised that other government management groupings would be kept apprised of progress, particularly the Government Management Team [senior officials of Government] which should also see and comment on particular issues, especially those relating to policy, those with financial implications or those that might be novel and/or contentious.

### ***The Timing for Development of the Conservation Strategy***

The first draft of the Conservation Strategy will be ready in June 2004 (i.e. at the end of FY 2003/2004 as set out in the Islands Plan). The specific action plan for key habitats and species will be drafted by September 2004.

These timings will allow further development of the Conservation Strategy (CS) and Biodiversity Action Plans (BAP), so that finalised documents will be available early in the new year of 2005. It is envisaged that the draft CS may have to be put before ExCo on at least two or three separate occasions before final sign-off can be achieved.

The contract for the CSO terminates at the end of April 2005.

### ***Consultation and Publicity***

It is essential that ongoing consultation is maintained with all relevant individuals and organisations within the Falkland Islands. Key parties to such consultation will be:

- (a) Government and relevant Government Departments;



- (b) Business (especially Rural Business Association/Sheep Owners Association, Fishing Industry, Tourism);
- (c) The Conservation 'community', especially Falklands Conservation, as well as key individuals;
- (d) The wider community in Stanley and Camp. ["Camp" is the term for the rural areas, outside the capital (and only town), Stanley.]

Meetings have already been held with most government departments as well as the RBA/SoA and further meetings (in relation to fishing issues) are planned.

Involvement of the wider community will occur through a combination of ongoing publicity (through media such as local newspapers *Penguin News*, *The Wool Press*, as well as the radio service FIBS [Falkland Islands Broadcasting Service]). More 'active' engagement will be through a series of talks in both Stanley and Camp (including participation in one or more of the Camp Road-shows).

It is suggested that some (to be agreed) form of public consultation on the CS be undertaken in the latter part of 2004 to receive wider, community views on the draft Strategy.

Finally, it should be noted that there are several UK 'stakeholders', not least the FCO who will be kept informed as to progress as the project develops.

### **Reporting Framework**

The Conservation Strategy will be delivered as four linked documents; These will be:

- (a) A Policy Summary, setting out the context and key policy approaches that the CS will adopt;
- (b) A 'State of the Environment' Report, which will set out a brief, considered view of the state of the environment on and around the Falkland Islands, as well as the pressures, impacts and responses;
- (c) The Conservation Strategy and Biodiversity Action Plan; and
- (d) The Habitat and Species Action Plans (within the context of the overall Biodiversity Action Plan).

In addition there will be a short consultative summary document (see above) for public consumption. The main documents will be available as Portable Format Documents (PDF) on a CD-ROM and/or via the web.

**Annex A: Environment Charter between UK and the Turks & Caicos Islands**  
(All Charters are fairly similar and all can be viewed at [www.ukotcf.org](http://www.ukotcf.org) or [www.fco.gov.uk](http://www.fco.gov.uk))

## *Environment Charter*

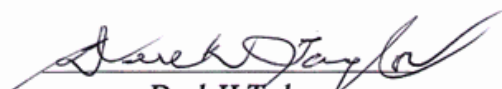
### TURKS AND CAICOS ISLANDS

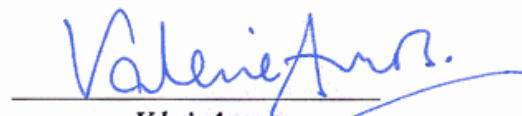


#### *Guiding Principles*

*For the UK government, for the government of the Turks and Caicos Islands  
and for the people of the Turks and Caicos Islands.*

- 1 To recognise that all people need a healthy environment for their well-being and livelihoods and that all can help to conserve and sustain it.
- 2 To use our natural resources wisely, being fair to present and future generations.
- 3 To identify environmental opportunities, costs and risks in all policies and strategies.
- 4 To seek expert advice and consult openly with interested parties on decisions affecting the environment.
- 5 To aim for solutions which benefit both the environment and development.
- 6 To contribute towards the protection and improvement of the global environment.
- 7 To safeguard and restore native species, habitats and landscape features, and control or eradicate invasive species.
- 8 To encourage activities and technologies that benefit the environment.
- 9 To control pollution, with the polluter paying for prevention or remedies.
- 10 To study and celebrate our environmental heritage as a treasure to share with our children.

  
**Derek H. Taylor**  
TURKS AND CAICOS ISLANDS  
26 September 2001

  
**Valerie Amos**  
UNITED KINGDOM  
26 September 2001

## *Commitments*

### *The government of the UK will:*

- 1 Help build capacity to support and implement integrated environmental management which is consistent with the Turks and Caicos Islands' own plans for sustainable development.
- 2 Assist the Turks and Caicos Islands in initiating, reviewing and updating environmental legislation.
- 3 facilitate the extension of the UK's ratification of Multilateral Environmental Agreements of benefit to the Turks and Caicos Islands and which the Turks and Caicos Islands has the capacity to implement (and a desire to adopt).
- 4 Keep the Turks and Caicos Islands informed regarding new developments in relevant Multilateral Environmental Agreements and invite the Turks and Caicos Islands to participate where appropriate in the UK's delegation to international environmental negotiations and conferences.
- 5 Help the Turks and Caicos Islands to ensure it has the legislation, institutional capacity (technology, equipment, procedures) and mechanisms it needs to meet international obligations.
- 6 Promote better cooperation and the sharing of experience and expertise between the Turks and Caicos Islands, other Overseas Territories and other states and communities which face similar environmental problems.
- 7 Use UK, regional and local expertise to give advice and improve knowledge of technical and scientific issues. This includes regular consultation with interested non-governmental organisations and networks.
- 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 Turks and Caicos Islands' environment.
- 9 Help the Turks and Caicos Islands identify further funding partners for environmental projects, such as donors, the private sector or non-governmental organisations.
- 10 Recognise the diversity of the challenges facing Overseas Territories in very different socio-economic and geographical situations.
- 11 Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

### *The government of the Turks and Caicos Islands will:*

- 1 Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1).
- 2 Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.
- 3 Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.
- 4 Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.
- 5 Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.
- 6 Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards the extension of other relevant agreements.
- 7 Review the range, quality and availability of baseline data for natural resources and biodiversity.
- 8 Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies; establish effective monitoring and enforcement mechanisms.
- 9 Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.
- 10 Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.
- 11 Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

## **Annex B. List of Desired Outcomes (*italics*) agreed for each Environment Charter Commitment (preceding roman type)**

1. Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action.

*Environmental considerations are integrated into all policies and plans, public and private, ensuring that the quality of the environment is maintained in the TCI.*

2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.

*Key habitats, key species and landscape features are protected, and where necessary, restored.*

3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.

*Social and economic planning ensures a healthy environment; production and consumption are carried on in a sustainable manner.*

4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.

*Growth and development have a minimal negative impact on both the environment and public health.*

5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.

*Decisions regarding growth and development are taken in open consultation with the community and reflect the shared values of the community*

6. Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.

*The TCI implements its shared responsibilities to the world environment*

7. Review the range, quality and availability of baseline data for natural resources and biodiversity.

*Good scientific and technical information is available to ensure well-informed, sustainable, reasonable decisions consistent with international standards*

8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.

*Economic activity is carried out in a manner which does not pollute the environment and ensures that the developer or operator carries the costs, rather than TCIG*

9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.

*Our children learn to value their natural and cultural heritage, and respect the TCI's role in the global environment*

10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.

*Our citizenry values their natural and cultural heritage, and respects the TCI's role in the global environment*

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.

*The choices made by our government are informed by an understanding that they impact on the environment, both local and global, now and in the future.*

## **Annex C. Environment Charter: Breakdown of Elements of each Commitment**

1. Develop strategic plan for action
- 2.a. Have in place effective legislation for protection of key habitats, species and landscape features
- 2.b. Develop Protected Areas Policy
- 2.c. Have in place effective management structures for protection of key habitats, species and landscape features
- 2.d. Prevent new invasive species
- 2.e. Eradicate problem invasive species
- 3.a. Integrate environmental considerations within social and economic planning processes
- 3.b. Promote sustainable patterns of production and consumption
4. Ensure that environmental and environmental health impacts are considered when approving major projects [within growth management strategy as dealt with in Commitment 3.]
- 5.a. Ensure open and consultative decision making process on proposed development and plans
- 5.b. Environmental impact assessments include consultation with stakeholders.
- 6.a. Implement the Cartagena Convention
- 6.b. Implement the Bonn Convention on Migratory Species
- 6.c. Implement the London Convention
- 6.d. Implement the Ramsar Convention on Wetlands
- 6.e. Implement the World Heritage Convention
- 6.a. Assess the needs for joining other relevant MEAs: CITES, CBD, MARPOL, others?
7. Review baseline data for natural resources and biodiversity
- 8.a. Polluter pays: establish effective legislation, policies.
- 8.b. Establish effective monitoring and enforcement of pollution controls
9. Support and enhance environmental education in schools
- 10.a. Promote Environmental Charter principles within the TCI by developing and implementing programmes to increase public awareness
- 10.b. Create and promote publications which spread awareness of TCI's special environmental features
- 10.c. Promote awareness of the Environmental Charter itself
- 11.a. Abide by Rio Principles
- 11.b. Work towards meeting International Development Targets

## **Annex D. Interview Approach**

### **Objectives:**

1. A complete list of activities and programmes that address the EC elements
2. A listing of the gaps in our environmental programmes as perceived prior to analysis
3. A sense of people's priorities and concerns to serve as the basis of the discussion on shared values

### **General attitude Qs based on EC Guiding Principles**

1. Are you aware of the Environmental Charter?
2. Do you feel that we use our natural resources wisely?
3. Are environmental concerns taken into account sufficiently in decision making?
4. Are the public and experts consulted sufficiently in decisions which affect the environment?
5. Is the balance between environmental protection and the need for development generally about right?
6. Does the TCI help or hurt the global environment?
7. Are native species sufficiently valued and protected?
8. Do we have a pollution problem? Do our policies ensure that the polluter pays?
9. Do policies encourage activities that benefit (or do not harm) the environment?
10. Are our children being taught to understand and value our environmental heritage? Are we doing enough for ourselves?
11. What institutions do you think are working for the environment in the TCI?

### **Ongoing activities:**

For core people or people involved with projects, we need to elicit as much info as possible about ongoing projects, initiatives. This to be followed by a brief review of the 11 commitments to elicit any information they have about other projects and initiatives being carried out by themselves or others.

For non-core stakeholders, review the 11 commitments briefly to discover whether they know of anything that is being done with regard to any of them of which we are not aware.

### **Wrap Up**

1. What do you think is the best thing being done to benefit the environment?
2. What are your greatest concerns?

**Annex E. Matrix used to guide discussion in Workshop #1**

**Session 1 --- Element 3**

*Production and consumption are carried on in a sustainable manner.*

Elements of Undertaking	Response Mechanisms	Existing programmes/projects/activities	Gaps/Issues for investigation
3.a. Integrate environmental considerations within social and economic planning processes	<ul style="list-style-type: none"> <li>-Policy analysis</li> <li>-Planning processes</li> <li>-Inward investment policy</li> <li>-Taxation policies</li> <li>-Policies relating to the transfer of Crown land</li> <li>-WHAT ELSE?</li> </ul>	<ul style="list-style-type: none"> <li>-SDPI</li> <li>-Planning/Lands &amp; Surveys/Land Registry's Integrated Land Management and Control Project</li> <li>-WHAT ELSE?</li> </ul>	
3.b. Promote sustainable patterns of production and consumption	<ul style="list-style-type: none"> <li>-Policies to control sustainable use of resources such as water</li> <li>-Incentives/disincentives created by public policy</li> <li>-Public education</li> </ul>	<ul style="list-style-type: none"> <li>-SDPI</li> <li>-Water and Sewer Board water policies</li> <li>-TCInvest Small Business Development Project</li> <li>-SHOULD BE LOTS MORE HERE...</li> </ul>	

**Session 2 --- Elements 4 and 5**

*Growth and development have a minimal negative impact on both the environment and public health.*

**Decisions regarding growth and development reflect the shared values of the community**

<b>Elements of Undertaking</b>	<b>Response Mechanisms</b>	<b>Existing programmes/projects/activities</b>	<b>Gaps/Issues for investigation</b>
4.a. Ensure that environmental impacts are considered in developing growth management strategies.	Policy development, evaluation	SDPI	
4.b. Ensure that environmental health impacts are considered in developing growth management strategies.	Policy development, evaluation	SDPI	
4.c. Ensure that environmental impacts are considered when approving major projects.	Planning processes, EIA procedures	-Planning processes as laid out in the Physical Planning Ordinance and Regs, and as implemented by the Dept of Planning and the Physical Planning Board  -TCInvest “due diligence” reviews on proposed inward investment  -WHAT ELSE?	
4.d. Ensure that environmental health impacts are considered when approving major projects.	Laws, regs, Planning processes, EIA procedures	Planning processes as laid out in the Physical Planning Ordinance and Regs, Public Health Ordinance and Regs, as implemented by the Dept of Planning and the Physical Planning Board	



5.a. Ensure open and consultative decision making process on proposed developments and plans.	<ul style="list-style-type: none"> <li>-Laws, regulations, policies</li> <li>-Notification processes</li> <li>-Consultation processes</li> <li>-Public enquiry system</li> <li>-Having outcomes published with reasons</li> </ul>	Planning processes as laid out in the Physical Planning Ordinance and Regs, and as implemented by the Dept of Planning and the Physical Planning Board	
5.b. Environmental impact assessments include consultation with stakeholders.	<ul style="list-style-type: none"> <li>-Planning processes</li> <li>-EIA procedures</li> <li>-Publication of impact assessments to enable both local and peer review</li> </ul>	EIA procedures	

### Session 3 --- Element 2

*Key habitats, key species and landscape features are protected, and where necessary, restored.*

Elements of Undertaking	Response Mechanisms	Existing programmes/projects/activities	Gaps/Issues for investigation
2.a. Have in place effective legislation for protection of key habitats, species and landscape features	-Legislation -Analysis of legislation	-National Parks Ordinance and Regs -National Trust Ordinance -Wild Bird Protection Ordinance -Planning Ordinance: Building preservation orders; Plant Preservation orders, conservation areas -Fisheries Ordinance -Endangered Species provisions in Customs Ordinance -WHAT ELSE?	
2.b. Develop Protected Areas Policy	-Process for identification of key species, habitats and landscape features -Policy development for protecting existing designated Protected Areas -Policy development for protecting areas of similar standard not designated as part of PAS --Policy development for ensuring sustainable management outside Protected Areas to complement those within	-NPS now developing Protected Areas Policy -Management arrangements for designated Protected Areas – see list below -Heritage Register /identification of areas warranting protection – see hand-out list -Important Bird Areas Programme -WHAT ELSE?	

<b>NATIONAL PARKS</b>	
1. Admiral Cockburn Land and Sea National Park – South Caicos	
2. Chalk Sound National Park - Providenciales	

3. Columbus Landfall Marine National Park – Grand Turk	
4. Conch Bar Caves National Park – Middle Caicos	In TCNT Biodiversity Mgmt Plan
5. East Bay Islands National Park – North Caicos	
6. Fort George Land and Sea National Park – North of Pine Cay	
7. Grand Turk Cays Land and Sea National Park – Grand Turk	
8. North West Point Marine National Park - Providenciales	CRMP Plan
9. Princess Alexandra Land and Sea National Park - Providenciales	CRMP Plan
10. South Creek National Park – Grand Turk	
11. West Caicos Marine National Park – West Caicos	CRMP Plan
<b>NATURE RESERVES</b>	
12. Admiral Cockburn Nature Reserve – Long Cay, Middleton Cay, Six Hill Cay	
13. Bell Sound Nature Reserve – South Caicos	
14. Cottage Pond Nature Reserve – North Caicos	
15. Dick Hill Creek and Bellefield Landing Pond Nature Reserve – North Caicos	
16. Lake Catherine Nature Reserve – West Caicos	
17. North, Middle and East Caicos (International Ramsar Site)	In TCNT Biodiversity Mgmt Plan
18. North West Point Pond Nature Reserve - Providenciales	?in NW Point Dev Plan
19. Pigeon Pond and Frenchman’s Creek Nature Reserve - Providenciales	
20. Princess Alexandra Nature Reserve – Little Water, Donna, and Mangrove Cays	TCNT manage LW Cay
21. Pumpkin Bluff Pond Nature Reserve – North Caicos	
22. Vine Point (Man O’War Bush and Ocean Hole Nature Reserve – Middle Caicos	In TCNT Biodiversity Mgmt Plan
<b>SANCTUARIES</b>	
23. Big Sand Cay Sanctuary – Big Sand Cay	
24. French, Bush and Seal Cays Sanctuary – South Caicos Bank	
25. Long Cay Sanctuary – South East of Grand Turk	

26. Three Mary Cays Sanctuary – North Caicos	
<b>HISTORICAL SITES</b>	
27. Boiling Hole – South Caicos	TCNT project?
28. Cheshire Hall - Providenciales	TCNT
29. Fort George – Fort George Cay	
30. H.M.S. Endymion Wreck – South of Big Sand Cay	
31. Molasses Reef Wreck – South East of West Caicos	
32. Salt Works and Village – Salt Cay	
33. Sapodilla Hill Rock Carving - Providenciales	

<b>Elements of Undertaking</b>	<b>Response Mechanisms</b>	<b>Existing programmes/projects/activities</b>	<b>Gaps/Issues for investigation</b>
2.c. Have in place effective management structures for protection of key habitats, species and landscape features	<ul style="list-style-type: none"> <li>-Area-specific management plans and their implementation</li> <li>-Species-specific projects and programmes</li> <li>-Conservation Fund disbursement policies</li> <li>-projects to replace harvesting from the wild</li> </ul>	<ul style="list-style-type: none"> <li>-Management of PAS as listed above</li> <li>-Regs issued under Ntl Parks Ordinance</li> <li>-Trust's management plans for areas outside the PAS</li> <li>-Northwest Point Master Plan</li> <li>-Fisheries Management Plans</li> <li>fauna: <ul style="list-style-type: none"> <li>-iguana programmes</li> <li>-turtle programmes</li> <li>-whale programmes</li> <li>-whistling duck programmes</li> <li>-Conch Farm</li> <li>ADDITIONAL SPECIES??</li> </ul> </li> </ul>	

		flora: -native plant projects -NPEAC review of Conservation Fund policies -WHAT ELSE?	
2.e. Prevent new invasive species	-Identification of potential threats -Customs and Public Health laws and regulations -effective control over imports		
2.f. Eradicate problem invasive species	-Scientific study to identify problem species -Design/implementation of control programme for each case	-Feral Dogs Project -Rat/cat programmes to protect iguana populations -WHAT ELSE?	

### Session 4 -- Element 8

*Economic activity is carried out in a manner which does not pollute the environment.*

Elements of Undertaking	Response Mechanisms	Existing programmes/projects/activities	Gaps/Issues for investigation
8.a. Polluter pays: establish effective legislation, policies.	Laws, policies	-Public Health Ordinance  -Water and Sewer Ordinance  -WHAT ELSE?	
8.b. Establish effective monitoring and enforcement of pollution controls	Identification of pollution problems and potential problems  Govt programmes for monitoring and enforcement	-Water Quality Management Team  -Provo Pollution Taskforce  -Coastal waters monitoring project (Dept Env Health)  -EU-funded fisheries water quality project  -WHAT ELSE?	
<i>Additional:</i> -solid waste  -disposal of toxic substances  -sewage disposal  -litter control		-Comprehensive Solid Waste Management Study  -“Clean Up TCI” programmes including the Annual Coastal Cleanup and the marine pollution programme  -DEH Provo Liquid Waste Management Plan	

-WHAT ELSE?		-Water and Sewage Board programmes?  -Oil spill response protocol  -Hotel Association's Beach Beautification Programme  -WHAT ELSE?	
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### Session 5 --- Elements 9 and 10

*Our children learn to value their natural and cultural heritage, and respect the TCI's role in the global environment.*

*Our citizenry values their natural and cultural heritage, and respects the TCI's role in the global environment.*

Elements of Undertaking	Response Mechanisms	Existing programmes/projects/activities	Gaps/Issues for investigation
9. Support and enhance environmental education in schools	Programmes, publications	-Environmental curriculum in primary and secondary schools  -Our Land, Our Sea, Our People – TCNT  -Litter Critter Project – “Clean Up TCI”  -Living Classrooms Programme – TCNT  -Museum Workshops Programmes  -Summer Camp programmes  -Eco-Echoes  -WHAT ELSE?	
10.a. Promote Environmental Charter principles within the TCI	Programmes, publications  Public awareness campaigns	[assess public information and awareness campaigns in workshop]	
10.b. Create and promote publications which spread awareness of TCI's special environmental features	publications	-Richard Ground bird book and articles  -Kathleen Wood plants book and articles  -National Museum:	



		<ul style="list-style-type: none"> <li>-Times of the Islands "Astrolabe"</li> <li>-Series of small museum publications</li> </ul>	
		<ul style="list-style-type: none"> <li>-RSPB Bird Cards</li> <li>-Many others to add</li> </ul>	
10.c. Develop and implement programmes to increase public awareness of the special environmental features of the TCI	<ul style="list-style-type: none"> <li>Eco-tourism facilities</li> <li>Membership-based organisations</li> </ul>	<ul style="list-style-type: none"> <li>-National Museum</li> <li>-Devel of National Environmental Centre</li> <li>-DECR South Caicos Aquarium/visitor centre</li> <li>-Devel of Middle Caicos EcoCentre</li> <li>-Middle and North Caicos Field Roads Programme</li> <li>-Cheshire Hall</li> <li>-Wades Green</li> <li>-Activities of the DECR Public Awareness Committee</li> <li>-WHAT ELSE?</li> </ul>	
10.d. Promote awareness of the Environmental Charter itself	Public awareness campaign		



## Annex F.

### Environmental Charter Workshop #1 November 12, 2002 Agenda

#### 9:30 Welcome

Discussion on each of the Charter undertakings will begin with brief presentations regarding major implementation efforts underway. Other activities will be brought out in general discussion.

\*Note: Because of time constraints, we will not cover undertakings #6 ,#7 and #11 specifically, but the issues they deal with will be covered in other discussion.

#### 9:45 Introduction

Review of Charter undertakings and desired outcomes

#### 10:15

***“3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.”***

- Delton Jones:  
Sustainable Development Planning Initiative
- Arlene Dixon:  
Sustainable Development Planning Initiative  
Integrated land management control project
- Discussion

#### 11:00

***“4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy. “***

***“5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.”***

- Arlene Dixon: planning process
- Discussion

#### 11:45

***“2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms. including a protected areas policy, and attempt the control and eradication of invasive species.”***

- Michelle Fulford Gardiner:  
Protected Areas Policy  
Management plans for the three marine parks  
Protection of native species/invasives
- Ethlyn Gibbs Williams  
Trust management plans  
Species management programmes
- Discussion

1:00 lunch

2:00

***“8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.”***

- Lorne Robinson:
  - pollution control
  - solid waste management
  - liquid waste management
- Kingsley Been:
  - Provo Pollution Task Force
- Michelle Fulford Gardiner
  - Clean Up TCI
- Discussion

3:00

***“9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.”***

***“10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.”***

- Clara Gardiner
  - Environmental education in the TCI schools curriculum
- Ethlyn Gibbs Williams
  - The Trust’s education projects
  - Trust ecotourism facilities
- Nigel Sadler
  - Museum’s education projects
  - The Museum as an ecotourism facility
- Michelle Fulford Gardiner
  - South Caicos aquarium
  - DECR projects
  - NEC

Finish 4 pm

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
<p>1. Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor’s office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1)</p>	<p>Environmental considerations are integrated into all policies and plans, public and private, ensuring that the quality of the environment is maintained in the TCI.</p>	<p>1. Develop strategic plan for action</p>		<p>This planning process [in context agreed in Strategic Country Plan sec 14 III (a)]</p>	<p>Output: One of the outputs from this exercise is a working group, formally appointed by ExCo, to keep process moving forward. During the establishment phase of the Charter process, Facilitators will serve as secretariat to the Working Group. Facilitators requested to propose a structure as an <u>early</u> output. Note: this is the essential output before the public launch of the Environment Charter – see 10(d) below.</p> <p>Workshop idea: An easy way to coordinate work is to have the cooperating agencies meet to coordinate their work plans in advance.</p>
<p>2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.</p>	<p>Key habitats, key species and landscape features are protected, and where necessary, restored.</p>	<p>2.a. Have in place effective legislation for protection of key habitats, species and landscape features</p>	<p>-Legislation -Analysis of legislation</p>	<p>-National Parks Ord  -National Trust Ord  -Wild Bird Protection Ord  -Planning Ord: Building preservation orders; Plant Preservation orders, conservation areas  -Fisheries Ord  -Endangered Species provisions in Customs Ord</p>	<p>Task (Dace lead): review legislation and regulations (in concert with AG’s Chambers) for effectiveness</p> <p>Legislation issues identified through this process: Gap(2e): Currently legislation for control of ports re import of disease and invasive species totally inadequate</p> <p>Gap (2f): Legislation re dog importation, control, etc</p> <p>Gap: there is no power to order restoration of historic building or to intervene to restore; Govt only has power to order destruction</p>
		<p>2.b. Develop Protected Areas Policy</p>	<p>-Process for identification of key species, habitats and landscape features  -Policy development for protecting existing designated Protected Areas  -Policy development for protecting areas of similar standard not designated as part of PAS  --Policy development for ensuring sustainable management outside Protected</p>	<p>-DECR now developing Protected Areas Policy        -Heritage Register  -Important Bird Areas Programme</p>	<p>Gap: Need process for identifying species of importance to the TCI and methods for protecting them.</p> <p>Task (Mike lead): Review existing Protected Areas and identify both changes in status and additional sites which should be considered for inclusion.</p> <p>Gap: DECR have the task of coordinating the development of a Protected Areas Policy, but do not have adequate staff to carry this forward.</p> <p>Gap: Heritage Register required by National Trust Ordinance needs completion and formal adoption. List of built heritage needs updating, following 1988 UN study. Trust has identified some</p>



Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
			<p>-projects to replace harvesting from the wild</p> <p>-Conservation Fund disbursement policies</p>	<p>-Iguana Programmes                      ---TCNT's public education campaign re iguanas                      ---Little Water Cay Iguana project                      ---Little Ambergris Cay habitat protection project                      ---San Diego Zoo iguana study and relproject                      ---Denver Zoo Iguana Relocation Project                      ---IUCN West Indian Iguana Specialist Group meeting in TCI, 2003 – Proposed output: TCI iguana action plan</p> <p>-turtle programme:                      ---Univ of Swansea and the Marine Conservation Society [commissioned by UK Govt] Turtle Conservation in Overseas Territories Project with local participation by DECR staff and collaborators</p> <p>-whale programmes                      ---TCIG participation in UK delegation to the International Whaling Commission                      ---DECR guidelines and training for local whale watching enterprises                      ---DECR proposed project with the South Florida Fisheries Inst study on migrating whales</p> <p>-whistling duck programmes                      ---TCNT and Society for Caribbean Ornithology ongoing Whistling Duck Programme</p> <p>flora: -native plant projects</p> <p>-Conch Farm</p> <p>NPEAC current review of CF disbursement policies</p>	<p>Sand Cay                      31. Molasses Reef Wreck – South East of West Caicos                      32. Salt Works and Village – Salt Cay                      33. Sapodilla Hill Rock Carving - Providenciales</p> <p>Gap: Need for sources of funding to allow restoration/making safe heritage buildings (NT done some but resources limited)</p> <p>Gap: Procedures needed re ownership/ repair/ required repair rather than ordered demolition (see 2A)</p> <p>Gap: Need Agriculture policy/programme</p> <p>Issue: Means of addressing pest insect problems without impacting other species</p> <p>Query: Should it be legal to take turtles in TCI waters?</p> <p>Gap: process for ascertaining need for species-specific conservation programmes for flora</p> <p>Issue: Ensure that new management authority for Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures</p>
		2.e. Prevent new invasive	-Customs and Public Health		Gap: Port security major area for investigation;

Annex G. Environment Charter Project matrix – working copy

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
		species	laws and regulations  -effective control over imports		technical training of customs officers needed. Legislation also not adequate (2a above).  Workshop suggestion: Must restrict ports of entry if we are ever to gain control over intentional and unintentional invasive flora and fauna  Gap: Process for identifying exotic landscaping plants whose importation could lead to landscape change in the TCI.  Query: Is there sufficient legal basis for preventing the import of pet animals which could easily naturalise?
		2.f. Eradicate problem invasive species	-Scientific study to identify problem species -Design/implementation of control programme for each case	-Feral Dogs Project  -Rat/cat programmes to protect iguana populations	Gap: process for identification of problem exotic species
3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.	Production and consumption are carried on in a sustainable manner.	3.a. Integrate environmental considerations within social and economic planning processes	-Policy analysis  -Planning processes  -Inward investment policy  -Taxation policies  -Policies relating to the transfer of Crown land	-SDPI  -Planning/Lands & Surveys/Land Registry's Integrated Land Management and Control Project	Key Issue: As sustainable development is a value-based concept, it is imperative that we find ways to assess full economic cost of proposed development, including total impact and total cost to all affected.  Key Issue: Need for mechanisms which have continuity of targets beyond four year cycles. This requires an educated/ informed electorate able to support difficult political decisions. Empowerment and education of the electorate, as well as giving them a role in decisionmaking, will further this goal.  Gap: Need for government to establish and articulate policies for development with clear criteria against which to assess proposals.  Gap: Need for indicators for all the different types of capital (natural, human, social, financial, etc) to ensure that one type is not wasted in pursuit of another.  Gap: Precondition for moving forward with sustainable development planning is a means to identify benchmarks to assess current conditions.  Gap: Can do none of the above without a



Annex G. Environment Charter Project matrix – working copy

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
					<p>population policy based on a carrying capacity analysis.</p> <p>Issue: Ensuring that infrastructure costs are built into development, rather than being picked up by TCIG later.</p> <p>Gap: Process for monitoring and enforcing agreed payments/projects by developers. Note that these can be non-physical, such as commitment to enhance educational advancement.</p> <p>Workshop mandate: Must ensure that in all consideration of 'environment' we include cultural and historical heritage.</p>
		<p>3.b. Promote sustainable patterns of production and consumption</p>	<p>-Policies to control sustainable use of resources</p> <p>-Incentives/disincentives created by public policy</p> <p>-Public education</p>	<p>-SDPI – among its most important objectives is to establish sustainable use policies for our most finite resource – land.</p> <p>-DECR's Marine Resources Management Plan Project</p> <p>-TCInvest Small Business Development Project</p> <p>-Proposed project to FCO for evaluation of touristic development, means to reduce dependency on tourism</p> <p>-Water and Sewer Board water policies</p>	<p>Task (Dace lead): Identify policies which affect our use of resources -- water, fisheries, land, agriculture, quarrying, sand mining, construction methods, touristic development -- and evaluate in terms of sustainability.</p> <p>Gap: Must develop policy for allocation of Crown Lands in a sustainable manner. Planning Department should have input on decisions regarding allocation of Crown land.</p> <p>Gap: Need to develop procedure for establishing, applying and monitoring criteria for the use of public funds in projects– ensure a good governance approach which means that publicly funded projects contribute to environmental, social and financial sustainability. Should be able to evaluate Government's projects against firm criteria</p> <p>Gap: Need to ensure code compliance with regard to all aspects of development and resource management</p> <p>Gap: Need for registration of architects, surveyors, etc to ensure professional standards</p> <p>Gap: Analysis of Incentives/disincentives created by public policy to ensure that policies promote sustainable use</p>

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
<p>4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.</p>	<p>Growth and development have a minimal negative impact on both the environment and public health.</p>	<p>4.a. Ensure that environmental and environmental health impacts are considered when approving major projects [within growth management strategy as dealt with in Undertaking 3.]</p>	<p>Planning processes, EIA procedures</p>	<p>-Planning processes as laid out in the Physical Planning Ordinance and Regs, and as implemented by the Dept of Planning and the Physical Planning Board</p> <p>-TCInvest “due diligence” reviews on proposed inward investment</p> <p>-Taking forward commitments in Country Strategic Plan (j) to incorporate a Strategic Environment Assessment approach into EIA procedures</p>	<p>Key Issue: Establishment of good planning procedures to protect good decisions</p> <p>Key Issue/Gap: Means to ensure that technical advice is properly taken into account in Ministerial decisions</p> <p>Issue: Large development proposals need Minister’s Certificate of Approval (sec 31) before Planning Board can consider the application or applications which comprise the proposed development. This process appears to be intended as a safeguard against inappropriate developments, but appears to be seen as an overall approval for the project before any EIA work has been carried out. This is because the EIA process is only triggered by an application to the Planning Department. Therefore there appears to be a need for a process requiring environmental assessment for the overall project prior to the Minister’s decision on the Certificate of Approval.</p> <p>Gap: Need zoning scheme (via SDPI) to provide framework for individual decisions</p> <p>Gap: Qualifications of people who are working professionally in producing plans and EIAs is increasingly important. Must establish certification procedures, but not in such a way that unduly harms local practitioners</p> <p>Gap: Need for open review as projects are carried forward as to whether EIA was accurate, using this as feedback both to that development and to future EIAs.</p> <p>Gap: Educate developers on the benefits of using EIA’s to guide the conceptual planning of a project.</p> <p>Issue: Are health impacts adequately considered in decisions regarding proposed development?</p>
<p>5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact</p>	<p>Decisions regarding growth and development reflect the shared values of the community</p>	<p>5.a. Ensure open and consultative decision making process on proposed development and plans</p>	<p>-Laws, regulations, policies</p> <p>-Notification processes</p>	<p>Planning processes as laid out in the Physical Planning Ordinance and Regs, and as implemented by the Dept of Planning and the Physical Planning Board</p>	<p>Workshop mandate: public consultation &amp; involvement are essential in every stage of consideration of all proposed development</p>

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
assessments include consultation with stakeholders.			<ul style="list-style-type: none"> <li>-Consultation processes</li> <li>-Public enquiry system</li> <li>-Having outcomes published with reasons</li> </ul>		<p>Task (Dace): Assessment of current procedure with regard to public notice, input and participation.</p> <p>Gap: Broader notice provisions for projects which will have wider impacts</p> <p>Gap: Framework for advocacy that takes in broader issues, rather than focusing only on narrow legal procedural points. (Legislation issue)</p> <p>Gap: Need to educate the public about the broader positive &amp; negative effects of development projects, and the needs for and benefits of effective EIAs.</p> <p>Gap: Build up capacity and involvement of not-for-profit bodies to participate in decision processes, with value-added benefits</p> <p>Gap: Need further assistance to fund co-management activities– especially Small Business Project and DEPS support</p>
		5.b. Environmental impact assessments include consultation with stakeholders.	<ul style="list-style-type: none"> <li>-Planning processes</li> <li>-EIA procedures</li> <li>-Publication of impact assessments to enable both local and peer review</li> </ul>	<p>EIA procedures [Currently, our best tools are good terms of reference and vetting of consultants by Dep. Dir Planning.]</p> <p>-Taking forward commitments in Country Strategic Plan (k) to enhance stakeholder participation</p> <p>-DECR/Planning awards for good environmental activities from EIA to native plants in landscaping</p>	<p>Key issue: Moving towards international best practice of having EIA consultants appointed and contracted by Planning Department, with developer meeting the costs.</p> <p>Gap: Publicly transparent oversight procedure needed to ensure quality control in EIAs</p> <p>Issue: Problem of expanding consultation on EIA while still meeting timing requirements of Planning Regulations.</p> <p>Gap: In accordance with best practice, EIAs should be open for peer review by any scientific body, and regulations should allow adequate time for this.</p>
6. Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.	The TCI implements its shared responsibilities to the world environment	6.a. Implement the Cartagena Convention			Task (Mike leads stage1): Investigate the match between existing domestic legislation and the convention.

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
		6.b. Implement Convention on Migratory Species			Task (Mike leads stage1): Investigate the match between existing domestic legislation and the convention.
		6.c. Implement London Convention			Task (Mike leads stage1): Investigate the match between existing domestic legislation and the convention.
		6.d. Implement Ramsar Convention		-TCNT development of management plan for the Ramsar Nature Reserve and adjacent areas, with implementation ongoing  -long overdue mapping of boundaries of Ramsar site, now completed and submitted via UK Govt to the Convention Secretariat	Task (Mike leads stage1): Investigate the match between existing domestic legislation and the convention.  Task (Mike leads stage1): consider other sites in the TCI appropriate for designation under the Ramsar convention
		6.e. Implement World Heritage Convention			Task (Mike leads stage1): Investigate the match between existing domestic legislation and the convention.
		6.f. Assess the needs for joining other relevant MEAs: CITES, CBD, MARPOL, others?		Taking forward commitments in Country Strategic Plan (i) to extend CITES, MARPOL and the CBD, and to incorporate into TCI legislation.	Task (Mike leads stage1, Dace investigates MarPol): Investigate with local officers the match between existing domestic legislation and the conventions.  Key Issue: Ensure that UK Government maintains full consultation with TCIG before extending its ratification of treaties to include TCI.
7. Review the range, quality and availability of baseline data for natural resources and biodiversity.	Good scientific and technical information is available to ensure good decisions	7. Review baseline data for natural resources and biodiversity	Collate/catalog available data; establish biological records system	-Museum's collections, library and access to international data sources  -Data collected and collated under TCNT/Forum Biodiversity Management Project  -Baseline studies for CRMP Marine Parks Management Plans  -Birdlife International: surveys for Important Bird Areas Programme  -Extensive information in DECR files – needs to be catalogued  -School for Field Studies reports on research projects  -TCNT Herbarium project  -Environmental Impact Assessment reports on major development projects	<b>Critical gap: Need computer-based biological records system to allow collation, checking, input, handling and recovery of observations from many potential observers, to make available for conservation and planning.</b>  Gap: Information to serve as benchmarks to evaluate current status – NB the types of capital . Essential if we are to implement resource accounting (Min Finance pursuing this).  Gap: Need to coordinate (and where practicable link into biological records system) information held by many agencies, including dissertations done on topics relating

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
				-TCI Digital Marine Mapping -TCNT/Forum work on GIS-based habitat mapping in the Caicos Islands -Museum's Message in a Bottle project -Museum plans to do wet land core samples for pollen and seed analysis -Gathering of cultural information by Cultural Officer [We are also on the lookout for individuals who study/collect local flora and fauna such as shells and insects]	to conditions here in the TCI and scientific studies (which must be properly licensed) Gap: Evaluate the range and quality of information, once collected, and identify further needs. Task (for Jan/Feb visit): Facilitators to spend time in all the different libraries – DECR, Planning, Museum, etc – to get a sense of what's there, how cataloguing could be carried out, etc
8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.	Economic activity is carried out in a manner which does not pollute the environment	8.a. Polluter pays: establish effective legislation, policies.	Laws, policies	-Public Health Ordinance -Water and Sewer Ordinance	Task (Dace leads): Assess whether legislation supports "Polluter Pays" policy Gap: Need stronger penalties for pollution – they're cheaper than mitigation now Gap: Appeals procedure needs framework of criteria for decision making Issue: Adopting international marine pollution convention (see 6f)
		8.b. Establish effective monitoring and enforcement of pollution controls	Govt programmes	-Water Quality Management Team -Provo Pollution Taskforce [note: Taskforce provides model for dealing with environmental issues which involve a variety of government departments] -Coastal waters monitoring project (Dept Env Health) -EU-funded fisheries water quality project -DEH programme to address air pollution issues	Gap: Need for national laboratory Gap: Need for discharge standards Gap: Mechanism for enforcement of polluting activities of cruise lines etc in international waters Issue: Need for cruise ship proposal to involve baseline & monitoring studies Gap: Ntl Parks Ordinance has blanket pollution provisions, but Regs lack standards. Water and Sewer Ord also lacks standards. Gap: Laws have (inadequate) punishment provisions, but no power to enforce mitigation.
		Additional: solid waste litter control		-Comprehensive Solid Waste Management Study ---Reduce, reuse, recycle and re-think	Gap: Need for awareness raising of public role; encouraging community spirit within each community

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
		liquid waste disposal of toxic substances		---Properly managed landfill sites on every island ---Disposal methods for septage, oily waste and formaldehyde --- Disposal methods for toxic substances  -Clean Up TCI programmes including the Annual Coastal Cleanup and the marine pollution programme  -DEH Provo Liquid Waste Management Plan  -Water and Sewage Board programmes?  -Oil spill response protocol  -Hotel Association's Beach Beautification Programme	Gap: Recycling – need for legislation, facilities and incentives  Gap: Removal of large waste, e.g. cars, construction equipment, etc  Task (Jan/Feb visit): Facilitators to meet with Lea Astwood re Water and Sewer Board powers, policies, projects and needs  Task (Dace lead): Facilitators need to review the Comprehensive Solid Waste Management Study
9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.	Our children learn to value their natural and cultural heritage, and respect the TCI's role in the global environment	9. Support and enhance environmental education in schools	Programmes, publications	-Environmental curriculum in primary and secondary schools[Note: explicit environmental curriculum in primary grades 4 - 6 and the pre-vocational secondary forms 1 – 3, with environmental issues being integrated where possible throughout the curriculum.]  -TCNT/RARE Centre's Rocky the Iguana Project  -Our Land, Our Sea, Our People – TCNT  -TCNT junior Membership Programme  -TCNT Living Classrooms Programme  -Litter Critter Project – Clean Up TCI  -Museum Workshops Programmes  -Summer Camp programmes  -Eco-Echoes	Gap: Need more capacity on career guidance  Gap: Need resources for taking students on field trips, supplemented too by video courses (acquired or developed)  Gap: TCNT Living Classrooms Project have identified localities for each island, but needs Government approval for the use of the sites and resources.  Gap: Ed Dept's curriculum needs resources to allow more regional context  Gap: NT need funds to take on work-experience students  Issue: Need for holistic approach to prepare for life; avoid too much compartmentalisation  Gap: Capacity to reprint good local educational materials, with PRIDE's excellent <i>The Natural World of the TCI</i> as a prime example
10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and	Our citizenry values their natural and cultural heritage, and respects the TCI's role in the global environment	10.a. Promote Environmental Charter principles within the TCI	Programmes, publications	-Activities of the DECR Public Awareness Committee	Major Gap: Need for adult education/awareness building identified as important in every stakeholder interview as well as is every Workshop session.

Annex G. Environment Charter Project matrix – working copy

Environmental Charter TCI undertakings	Desired outcomes for each undertaking	Elements of undertaking	Response Mechanisms	Existing Programmes/Projects/Initiatives	Gaps/Issues for Investigation/Tasks for Facilitators
Caicos Islands the guiding principles set out above.					Gap: Govt needs to articulate its development/environment policy; and this needs to be clear to citizens – civics for T&C Islanders
		10.b. Create and promote publications which spread awareness of TCI's special environmental features	publications	-Richard Ground bird book and articles -Kathleen Wood plants book and articles -National Museum: Times of the Islands "Astrolabe" Series of small museum publications -Tourist Board's Island Trails Programme -TCNT Field Road/Trail Guides Programme	[see last note in sec 9] Gap: Publications covering other key wildlife
		10.c. Develop and implement programmes to increase public awareness of the environment and related issues in the TCI	Eco-centres, eco-tourism facilities and related activities which serve both to educate local people as well as being a tourism resource	-National Museum -DECR Devel of National Environmental Centre -DECR South Caicos Aquarium/visitor centre -DECR's proposed whale watching centre in Salt Cay -TCNT Little Water Cay Iguana Reserve -TCNT Devel of Middle Caicos EcoCentre -TCNT Middle and North Caicos Field Roads Programme -TCNT Cheshire Hall, Provo -TCNT Wades Green, North Caicos -TCNT Boiling Holes, South Caicos -TCNT Government House/Salt Cay Historic Preservation Project	Gap: Funding support for NGO (especially the Trust and Museum) projects; difficulty of finding funding means that projects are under-resourced, requiring that staff take so much time seeking funding that it impacts the ability to carry out the projects.
		10.d. Promote awareness of the Environmental Charter itself	Public awareness campaign	-Planned launch of Environment Charter in the New Year, led by Chief Minister and Minister, Natural Resources	Task (Dace lead): Facilitators work with Core Group to implement the launch.
11. Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).	The choices made by our government and other decision makers are informed by an understanding that they impact the environment of present and future populations, both locally and globally.	11.a. Abide by Rio Principles			Task Mike lead): Examine whether any aspect of the Rio Principles are not addressed within the framework of undertakings 1 – 10.
		11.b. Work towards meeting International Development Targets			Task (Mike lead): Examine whether any aspect of the International Development Targets are not addressed within the framework of undertakings 1 – 10.

## Annex H. Review of legislation

Draft #3 7 March 2003

### Incorporating comments and input from Workshop #2

Dace McCoy Ground

#### 1. Habitat/Species protection:

##### Charter commitment #2.

“Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.”

#### National Parks Ordinance and Regs

Affords protection to specific sites by designation as Sanctuary, Nature Reserve, etc. Controls activities, development, etc, within protected areas. Law and regs generally good (although there are some inconsistencies in the Regulations), penalties for breach strong. Issues relate to correct designation of areas (whether those in the PAS are correctly designated and whether other sites should be included in the PAS), to management/enforcement of protected areas and to the process for designation or de-designation of areas under the Ordinance.

#### National Trust Ordinance

Creates NGO which can hold conservation property in perpetuity, engage in programmes for preservation and protection of wildlife, hold conservation easements, manage habitat within its control, and advise Government on conservation issues. Valuable legislation which needs some updating. Impact on conservation depends on the Trust itself and on Government's willingness to support and use the Trust.

#### Wild Bird Protection Ordinance

Prohibits taking, disturbing nests and eggs, selling or exporting all wild birds except blue winged teal. Penalties \$500/one month for all birds except those classified as rare or endangered -- pelicans, flamingos and roseate terns. For them, penalty is \$5000/six months. Enforcement would presumably lie with DECR and the Police.

#### Physical Planning Ordinance

Contains potentially useful provisions for conservation.

**Plant Preservation orders** (sec 56) may be made in respect of any plant or group or species of plants, the preservation of which is desirable for amenity, environmental, landscape, scientific or similar reasons. Refers to building preservation orders, *mutatis mutandis*, so presumably you can't destroy a protected plant without development permission. Criminal penalties for breach.

**Conservation areas** (sec 61) can be established to protect:

- the natural beauty of the area
- flora, fauna, ecological, geological, hydrogeological or physiographical features
- to provide special opportunities for the study of or research into the terrestrial or marine environment of the area.

An order establishing a Conservation Area can specify what types of development can be carried out in the area, authorise works for the protection of the area, restrict entry or any particular activities in the area and/or prohibit development altogether in the area.

Commercial and industrial development in such areas requires an EIA, and permission to



develop must come from ExCo. No criminal penalties for breach except general provision regarding development without permission.

**The Development Manual** adds protection for Woodland Reserves, Agricultural Land Reserves, Salinas, Underground Water Lenses, Water Conservation Areas and lays out some restrictions on development of areas designated under the National Parks Ordinance. Unclear how these provisions interact with the National Parks Ordinance, and the Manual does not indicate how areas outside the parks system are given designations such as Woodland Reserve.

### **Fisheries Protection Ordinance and Regs**

All controls are in the form of regulations, which makes amendment easier. Mainly concerned with licensing a variety of fishing activities; need to determine how fishery management plans are used in licensing decisions. Allows taking of endangered species such as turtles, black coral, as well as other marine products such as sponges. Protects marine mammals. Prohibits some harmful fishing methods such as explosives/bleach, spear guns, taking marine life on scuba; controls fish aggregating devices by licensing; permits fish traps.

### **Endangered Species provisions in Customs Ordinance**

Adopts the international list as of 1992; doesn't seem to be updated. Prohibits import and export of sea turtles, but taking them in TCI waters is legal.

### **Pub and Env Health Ordinance**

Sec 20(g) defines as a nuisance: "any excessive growth of prickly pear, bush or weeds, or any underbrush other than ornamental or useful plants upon premises." Health Officer can order the clearing of bush, criminal penalties for failing to comply.

### **Plant Protection Ordinance**

Meant entirely to deal with plant diseases; no reference to invasive species.

## **Summary**

**Habitat:** The laws are adequate to protect specific sites and areas through designation under the National Parks Ordinance and protection by the National Trust, and management of these protected sites is logically covered by DECR and the Trust. However, the sites protected must, in practical terms, all be either Crown or Trust property. (An exception is the Salt Cay Area of Historic Interest – we need to determine how successful that is in preserving the historic fabric of privately owned buildings.) It is desirable to have some means to protect habitat that is not Crown or Trust property, and for this the provisions for conservation areas and plant protection orders in the Physical Planning Ordinance can be useful. For example, within a forested area a Plant Protection Order could prevent chopping down mature trees without permission, or a food plant for an endemic butterfly could be protected. If the conservation area provisions are to be used, there should probably be specific penalties in Sec 88 of the Physical Planning Ordinance, similar to those for building and plant preservation orders, and all the penalties in that section should be increased.

**Species – Fauna:** The Wild Birds Protection Ordinance in theory protects all birds except the blue winged teal. The list of endangered birds should be expanded to include the West Indian Whistling Duck and the Kirtland's Warbler, and other possible inclusions should be considered. The Fisheries Protection Ordinance should protect marine species, but allows taking of sea turtles and other endangered species, as well as sponges and corals which should have legal protection. This will violate requirements of some MEAs. There is no law protecting terrestrial

species other than birds, leaving, for example, the native endemic rock iguana without legal protection. Equally, there is no mechanism for preventing the import of exotic species which could naturalise here and compete with native fauna.

**Species – Flora:** The only means to protect important plant species is tree preservation orders which can, in theory, apply to a given species throughout the country. However, while it may make sense for Planning to be the enforcement agency in specific areas such as the forest example above, a country-wide protection of, say, orchids, would probably be better entrusted to DECR.

Another critical gap is laws to control invasive species. It is recognised by the Working Group that mechanisms for quarantine and port security must be established. A law is also needed to create a mechanism for identifying problem species and both prohibit import and establish eradication programmes. It should also be noted that means to control invasive species are a requirement of a number of Multilateral Environmental Agreements, both ones the TCI is signatory to and some which it is considering signing.

Finally, the section of the Public and Environmental Health Ordinance which defines prickly pear and bush as a nuisance should be repealed or at least amended to apply only to well developed areas. If nothing else, it sends the wrong message about the value of native plants.

## **2. Planning/EIAs - Open & consultative decision-making**

### **Charter Commitment #5**

**“Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.”**

### **Physical Planning Ordinance procedures for public notice and input:**

Sec 31- For large projects meeting certain criteria, Minister must issue certificate of approval before Board can consider application. No public notice or procedures for this.

Sec 30 – The decision on who gets notice regarding an application for development permission is made by the Director on a case by case basis, depending on whether he feels that the development would derogate from the amenities of the public or affect nearby property. Development Permission Regulations, sec 7, sched 2, require advertising and a posted notice on site for applications to develop bars, entertainment facilities (unless air conditioned), hotels and guest houses, mortuaries, cemeteries, repair garages, industrial uses, service stations, laboratories, dumps. The Director can require any applicant to advertise.

Sec 33 – Director consults with anyone he wants in relation to a development application, and any such person may be invited by the Board to address them.

Sec 34 – In considering applications, the Board is to take into account, *inter alia*, any representations made with regard to the application. These are to be summarised in the report from the Director to the Board.

Sec 82 – Right of appeal for refusal of development permission, imposing conditions, etc, etc. Minister decides whether to deal with it by written representations or public enquiry, based on public interest and importance. No provision for public inquiry before the decision is made, only

if the application is refused or given burdensome conditions, and only if the developer appeals. Decision by the inspector appointed to conduct the inquiry is a recommendation to the Minister, who decides.

EIAs: Sec 32 – decision on whether to require EIA or economic feasibility study is made by the Director. EIAs carried out at the applicant's expense, by a person approved by the Director. Sec 64 gives Director more control over EIAs for commercial and industrial development in designated conservation areas, in that he may set out the particular matters to be reported on and the degree of detail required.

### **Physical Planning Board Regulations**

Sec 9 – Board meetings held in private. Only those invited by the Board may attend. Press specifically banned.

### **Summary:**

I would not think that the procedures laid out above would be considered to meet the requirements of the Charter commitment. Workshop comments indicate that all development should be advertised, with the public having a right to inspect plans and make representations. Planning has recently put in place an improved system for notice, hearings and objections, and once that system is worked out, appropriate changes should be made to the Ordinance and Regulations. Development Permission Regulations, sec 7, sched 2, should be reviewed and greatly expanded so that all projects with potential impacts require advertisement. A major defect is in the Planning Director's control over EIAs, including appointing and contracting the consultants, and EIAs should be subject to both public and peer review. For major projects, public hearings should be held before any decision is taken. Major amendment to these provisions are needed if the law is to comply with the Charter.

## **4. Sustainable use**

### **Charter commitment #3**

**“Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory”**

### **Coast Protection Ordinance**

Prohibits the removal of sand, rock, etc, from the coast unless done under a licence, or by a Belonger to be used in building his home. Substantial criminal penalties and confiscation of equipment. Sand mining licences approved by ExCo and extend only three months, although a person is allowed to apply for more than one licence and for consecutive licences.

### **Water and Sewer Ordinance**

Creates a Water and Sewer Board to advise the Minister, *inter alia*, on the need for conservation, augmentation, distribution and proper use of water and on the limits to be imposed on the abstraction of groundwater in any area. It is not clear in the Ordinance how that advice is used. For example, sec 14 which lays out the process for issuing abstraction licences by the Minister requires that he have regard to any representations made in writing, the needs of the applicant and the abstraction rights of any other licensee in the area. Presumably he can also consider the advice of the Board, but the law doesn't mention that. Also, every household has an absolute right to abstract up to 250 gallons per day for domestic use.

### **Fisheries Protection Ordinance**

Fisheries Advisory Committee charged with preparation of fishery management plans which are clearly intended to ensure sustainable use. Need to review plans, assess effectiveness, and ascertain the degree to which they guide licensing decisions.

**Summary:**

Sustainable use is more affected by policy than legislation. The ordinances described could be used to promote sustainable use or not, depending on the decisionmakers. There is a problem with automatic rights such as the right to extract 250 gallons of ground water for every household in that the law provides no mechanism to ensure sustainable use.

**5. Pollution/"Polluter Pays"**

**Charter commitment #8**

**"Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanisms."**

**Public and Environmental Health Ordinance**

Sec 50 penalises disposing of waste on land (\$500/six months) and "disposal of waste by dumping at sea" (\$2000/12 months). Both subject to aggravation: \$10,000/two years if hazardous substance or gives rise to environmental hazard.

Sec 51 allows the Minister to create a "Clean-Up Fund" by identifying polluting or recyclable items, attaching an import levy on those items, and using that levy to fund private contractors to carry out recycling programmes. Need to find out if this has been activated.

**Water and Sewer Ordinance**

Sec 57 makes illegal any act or neglect which causes water intended for human consumption to become polluted. (\$10,000 fine)

Sec 106 has provisions prohibiting discharge of pollution into all controlled waters but no penalties.

**National Parks Ordinance**

**Sec. 6.** (1) If the Governor is satisfied that—

- (a) it is, or is likely to become, necessary for the prevention of the pollution of, or any other harmful or disturbing effect or influence on, the natural ecology of any national park, nature reserve or sanctuary; or
- (b) the preservation of any particular form of living organism (including vegetable or marine life) in any part of the Islands so requires,

he may by order impose restrictions on any development or the depositing or discharge of any waste or harmful matter in any area which he considers would have direct or indirect harmful effect on such natural ecology or living organism. (Penalties \$50,000/12 months)

However, this excellent provision is undermined in usefulness by subsection (2) which provides compensation if the value of land is diminished by an order: this means that government would pay someone to stop polluting, the exact opposite of the polluter-pays principle.

**Coast Protection Ordinance**

Prohibits depositing “offensive substance” on the coast or in the sea such that it travels to the coast. Penalties high: \$25,000/two years on summary conviction, \$100,000/five years on indictment. Also prohibits littering on the beach, with a \$500 fine.

### **Physical Planning Ordinance**

In approving development plans, the Planning Board clearly has authority to impose any conditions it finds necessary to ensure that the development will not contribute to polluting the environment, and at that stage, the polluter-pays principle is easiest to ensure. Plans are reviewed by Environmental Health and DECR, which should ensure that these considerations are taken into account. Need to assess practice.

Provo Pollution Task Force has tried to use Enforcement Notices as a means to control pollution, but the provisions of the Physical Planning Ordinance make them cumbersome to use: the approval of the Minister is required before the Notice can be issued, Notices are suspended pending appeal, and the Minister can quash or vary them.

Sec 58 (amenity orders) allows the Planning Board to order disposal of waste, rubbish etc, at property owner’s expense. Penalty varies - \$500 on summary conviction (with \$100/day for continuing violations); \$10,000/six months on indictment.

### **Summary**

There are a number of tools to use in controlling pollution on land, in ground water and in coastal waters, and at sea. A major concern currently is pollution of coastal waters, and the defect in the Water and Sewer Ordinance which creates pollution offences but has no penalties should be corrected, as it is always best in criminal proceedings to prosecute under the ordinance which most closely describes the criminal activity. The provision in the National Parks Ordinance has wide-ranging application, and could be used very effectively in areas like Turtle Cove, requiring nothing more than an order from ExCo to bring it into effect in any particular area, but the compensation provisions must be repealed in order for this to be useful.

### **6. Historic Preservation:**

While the Charter does not specifically deal with historic preservation, the Working Group feels strongly that culture and history are integral parts of the environment and must also be considered, and therefore a review of legislation in that area has also been carried out.

### **Trust Ordinance**

Heritage Register: The Trust Ordinance gives the Trust the power to create and maintain a register of areas, sites, buildings, structures or objects of cultural, historical or natural significance. However, the law offers no protection to sites on such a Register.

The Trust Ordinance also gives the Trust the powers to hold historic properties in trust for the public.

### **Physical Planning Ordinance**

Building Preservation Orders (Sec 54). Means of preserving the landscape, architectural, cultural and historical heritage of the Islands. Can apply to a building or part thereof or group of buildings or area of architectural interest. Prohibits developing, demolishing or engaging in any building operations, other than essential repairs, without a grant of development permission from the Board. Criminal penalties for breach.

### **National Parks Ordinance**

Areas of Historic Interest are designated and protected under this Ordinance. Development in AHIs must be approved by ExCo, and alteration of the outward appearance of structures is prohibited.

### **Public and Environmental Health Ordinance**

“34. (1) The owner or... the occupier of a property in a prescribed location shall, when notified in writing by a health officer to do so, repair or pull down and remove all ruinous and dangerous walls or buildings upon such property. “ No provision to protect historic structures.

### **Summary:**

There is no governmental process for “listing” historic structures, although the Trust is empowered at least to identify them through the Heritage Register process. AHI status should protect historic structures, but query whether it works well in protecting the one historic district so far designated – Salt Cay. Building preservation orders could be a very fair and effective means of protection of historic districts, depending on how they are used and enforced. Generally, it appears that the laws in place could be effective if used. However, the Public and Environmental Health Ordinance should be amended to ensure that historic structures are not destroyed using section 34.

## Annex I. “Ramsar” Convention on Wetlands

### TCI is included in UK’s ratification of Ramsar

Article	Main requirements	Provision in TCI, if any	Further need
2.1	Designate suitable wetlands for inclusion in the List of Wetlands of International Importance	National Parks Ordinance National Trust Ordinance North, Middle & East Caicos designated in 1990 This Environmental Charter project should help identify other potential “Ramsar” sites.	Further wetlands need designating once identified.
3.1	Formulate and implement planning so as to promote the conservation of these wetlands and the wise use [essentially meaning environmentally sustainable use] of all wetlands in their territory.	Proposed Sustainable Development Planning Initiative	Potentially the Sustainable Development Planning Initiative
3.2	Monitor so as to be aware at the earliest possible time if the ecological character of any designated wetland has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference, and report this to the Convention Secretariat.	The only designated wetland at present is North, Middle & East Caicos. The Darwin Initiative management plan lays the basis for monitoring.	Implementation of the plan requires agreement by government for there to be a managing body [the National Trust is suggested], after which monitoring could be developed.
4.1	Promote the conservation of wetlands by establishing nature reserves on wetlands, whether they are designated Wetlands of International Importance or not, and provide adequately for their wardening.	A number of significant wetlands are included amongst the nature reserves have been established by Regulation under the National Parks Ordinance and by assignment to the National Trust under the National Trust Ordinance. A review of further potential sites, and of the classification of existing sites, is being initiated under the present project. Management plans are being developed for some.	Management plans need implementation where they exist, and developing and implementing for other sites.
4.3	Encourage research and the exchange of data and publications regarding wetlands and their flora and fauna.	The Darwin Initiative and the resulting management plan reviews much of the existing material, and sets in train much potential further collaboration.	There is a need for a system for collating and curating biological records, and the potential for this is being investigated.
4.4	Endeavour through management to increase waterfowl populations on appropriate wetlands.	See 4.1	See 4.1
4.5	Promote the training of personnel competent in the fields of wetland research, management and wardening.	The Darwin Initiative initiated training in several aspects and set in train potential for further collaboration.	Dependent on resourcing for management and wardening personnel.
5.1	Consult and cooperate with other countries about conservation matters needing international cooperation.	There is involvement in collaborative conservation measures for whales, turtles and birds.	

## Annex J. “Bonn” Convention on Migratory Species of Wild Animals (“CMS”)

Apart from some general requirements, CMS works primarily by encouraging Agreements (effectively subsidiary MEAs) under the Convention for particular species or groups of species by the range states concerned. At present some of the Agreements made or being developed include:

Several for individual threatened bird species which migrates in Eurasia and Africa

Bats in Europe

Small cetaceans in the Baltic and North Seas (Ascobans)

Small cetaceans in the Black and Mediterranean Seas (Ascobams)

African-Eurasian Migratory Waterbirds (AEMA)

Indian Ocean turtles

Albatrosses and Petrels [mainly southern oceans but check geographical coverage]

At present few, if any, of these are relevant to TCI but, after a slow start, the progressing of Agreements is now moving quite well and there could be the development of relevant ones. **TCI is included in UK’s ratification of the main convention.**

Article	Main requirements	Provision in TCI, if any	Further need
	<p>Without requiring any subsidiary agreements, the main convention requires (under Article II.3(b)) countries to provide immediate protection for migratory species included in Appendix I. This is to include (under Article III.4) actions:</p> <ul style="list-style-type: none"> <li>a) to conserve and, where feasible and appropriate, restore habitats of the species;</li> <li>b) to prevent, remove, compensate for or minimize, as appropriate, adverse effects on the species; and</li> <li>c) to prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating, already introduced exotic species.</li> </ul> <p>Species in this category for which TCI has responsibility are: Kirkland’s warbler <i>Dendroica kirklandii</i>, green turtle <i>Chelonia mydas</i>, loggerhead turtle <i>Caretta caretta</i>, hawksbill turtle <i>Eretmochelys imbricata</i>, humpback whale <i>Megaptera novaeangliae</i>, and Caribbean monk seal <i>Monachus monachus</i> if this latter proves not to be extinct.</p>	<p>There appears to be appropriate basic provision in TCI legislation for most aspects, except turtles, but some Regulations may need amending and further measures taken under existing legislation.</p>	<p>Kirkland’s Warbler should be moved to the highest level of protection. Protection needs to be extended to the turtles. Protected areas are needed on Middle Caicos and possibly elsewhere for Kirkland’s warbler and for turtle nesting beaches.</p>
	<p>Without requiring any subsidiary agreements, the main convention requires (under Article II.1) countries to acknowledge the importance of all migratory species being conserved and to take action to this end, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in co-operation appropriate and necessary steps to conserve such species and their habitat. Countries (under Article II.3(a)) should promote, co-operate in and support research relating to migratory species.</p>	<p>As above</p>	<p>The review of protected species and the extension of protected areas, both noted in other Env Charter project documents, need taking forward.</p>



	<p>Under Article II.3(c), countries shall endeavour to conclude Agreements covering the conservation and management of migratory species included in Appendix II. Accordingly, although no agreements are in place yet, measures need to be under active consideration/</p> <p>Species in this category for which TCI has responsibility are:  flamingos, all ducks and geese, all birds of prey, all cranes, all shorebirds, roseate and black terns, all turtles, whale shark <i>Rhincodon typus</i>, monarch butterfly <i>Danaus plexippus</i>.</p>	As above	See cell above
	<p>Under Article VI, Countries in which the species listed in Appendix I or Appendix II occur should inform the Conference of the Parties through the Secretariat, at least six months prior to each ordinary meeting of the Conference, on measures that they are taking to implement the provisions of this Convention for these species.</p>		TCI needs to input into the regular UK reports.

## Annex K. Convention on Biological Diversity (“CBD”)

### TCI is not yet included in UK’s ratification of CBD

One aspect of this project is to identify and suggest ways of addressing obstacles to TCI joining in UK’s ratification of CBD. It appears, however, that TCI already has mechanisms or is working on these for almost all relevant aspects of CBD. It would seem, therefore, that there is little, if anything, preventing TCI joining UK’s ratification, and that relatively little effort would be needed to fill the gaps. Many, if not all countries, address some CBD requirements after joining, rather than completing all before.

Article	Main requirements	Provision in TCI, if any	Further need
5	<p>Each Contracting Party shall, as far as possible and as appropriate, cooperate with other Contracting Parties, directly or, where appropriate, through competent international organizations, in respect of areas beyond national jurisdiction and on other matters of mutual interest, for the conservation and sustainable use of biological diversity.</p> <p>Note that Article makes it clear that CBD covers the actions and consequences of actions of Parties both within their own areas of jurisdiction and elsewhere.</p> <p>Article 2 defines:  <i>"Biological diversity"</i> means the variability among living organisms from all sources including, <i>inter alia</i>, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.  <i>"Ecosystem"</i> means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit.  <i>"Ex-situ conservation"</i> means the conservation of components of biological diversity outside their natural habitats.  <i>"Habitat"</i> means the place or type of site where an organism or population naturally occurs.  <i>"In-situ conservation"</i> means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable populations of species in their natural surroundings and, in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.  <i>"Protected area"</i> means a geographically defined area which is designated or regulated and managed to achieve specific conservation objectives.  <i>"Sustainable use"</i> means the use of components of biological diversity in a way and at a rate that does not lead to the long-term decline of biological diversity, thereby maintaining its potential to meet the needs and aspirations of present and future generations.</p>		
6	<p>(a) Develop national strategies, plans or programmes for the conservation and sustainable use of biological diversity or adapt for this purpose existing strategies, plans or programmes which shall reflect, <i>inter alia</i>, the measures set out in this Convention relevant to the Contracting Party concerned; and</p> <p>(b) Integrate, as far as possible and as appropriate, the conservation and sustainable use of biological diversity into relevant sectoral or cross-sectoral plans, programmes and policies.</p>	Potentially through the current project and SDPI	Much higher level of awareness needs to be established to ensure incorporation of conservation of biodiversity into all other activities as normal practice.
7	(a) Identify components of biological diversity important for its conservation and sustainable use;	Some start through this project, Darwin	Further need for work in

	<p>(b) Monitor, through sampling and other techniques, the components of biological diversity identified pursuant to subparagraph (a) above, paying particular attention to those requiring urgent conservation measures and those which offer the greatest potential for sustainable use;</p> <p>(c) Identify processes and categories of activities which have or are likely to have significant adverse impacts on the conservation and sustainable use of biological diversity, and monitor their effects through sampling and other techniques; and</p> <p>(d) Maintain and organize, by any mechanism data, derived from identification and monitoring activities pursuant to subparagraphs (a), (b) and (c) above.</p>	Initiative, CRMP	<p>this area has been identified through the current process.</p> <p>Need biological records system and biological monitoring programme.</p>
8	<p>(a) Establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity;</p> <p>(b) Develop, where necessary, guidelines for the selection, establishment and management of protected areas or areas where special measures need to be taken to conserve biological diversity;</p> <p>(c) Regulate or manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use;</p> <p>(d) Promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings;</p> <p>(e) Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas;</p> <p>(f) Rehabilitate and restore degraded ecosystems and promote the recovery of threatened species, <i>inter alia</i>, through the development and implementation of plans or other management strategies;</p> <p>(g) Establish or maintain means to regulate, manage or control the risks associated with the use and release of living modified organisms resulting from biotechnology which are likely to have adverse environmental impacts that could affect the conservation and sustainable use of biological diversity, taking also into account the risks to human health;</p> <p>(h) Prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species;</p> <p>(i) Endeavour to provide the conditions needed for compatibility between present uses and the conservation of biological diversity and the sustainable use of its components;</p> <p>(j) Subject to its national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and</p>	<p>Started under the National Parks Ordinance and National Trust Ordinance. Review initiated under current project. Management planning initiated e.g. by Darwin Initiative project, CRMP, TCNT</p> <p>SDPI also important</p> <p>Species-based plans, including fisheries management plans, contribute</p> <p>SDPI, Darwin Initiative</p> <p>Dog programme</p> <p>e.g. Darwin Initiative management plan</p>	<p>Further designations, management planning and implementation required.</p> <p>Other prevention and control programmes required</p>

	<p>involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge, innovations and practices;</p> <p>(k) Develop or maintain necessary legislation and/or other regulatory provisions for the protection of threatened species and populations;</p> <p>(l) Where a significant adverse effect on biological diversity has been determined pursuant to Article 7, regulate or manage the relevant processes and categories of activities; and</p> <p>(m) Cooperate in providing financial and other support for <i>in-situ</i> conservation outlined in subparagraphs (a) to (l) above, particularly to developing countries.</p>		<p>Protection for turtles, iguanas and black coral especially required, amongst others.</p>
9	<p>Predominantly for the purpose of complementing <i>in-situ</i> measures:</p> <p>(a) Adopt measures for the <i>ex-situ</i> conservation of components of biological diversity, preferably in the country of origin of such components;</p> <p>(b) Establish and maintain facilities for <i>ex-situ</i> conservation of and research on plants, animals and micro-organisms, preferably in the country of origin of genetic resources;</p> <p>(c) Adopt measures for the recovery and rehabilitation of threatened species and for their reintroduction into their natural habitats under appropriate conditions;</p> <p>(d) Regulate and manage collection of biological resources from natural habitats for <i>ex-situ</i> conservation purposes so as not to threaten ecosystems and <i>in-situ</i> populations of species, except where special temporary <i>ex-situ</i> measures are required under subparagraph (c) above; and</p> <p>(e) Cooperate in providing financial and other support for <i>ex-situ</i> conservation outlined in subparagraphs (a) to (d) above and in the establishment and maintenance of <i>ex-situ</i> conservation facilities in developing countries.</p>	<p>Some aspects of this in hand by National Trust</p>	
10	<p>(a) Integrate consideration of the conservation and sustainable use of biological resources into national decision-making;</p> <p>(b) Adopt measures relating to the use of biological resources to avoid or minimize adverse impacts on biological diversity;</p> <p>(c) Protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements;</p> <p>(d) Support local populations to develop and implement remedial action in degraded areas where biological diversity has been reduced; and</p> <p>(e) Encourage cooperation between its governmental authorities and its private sector in developing methods for sustainable use of biological resources.</p>	<p>A fundamental aspect of the current project</p>	<p>Role for SDPI, EIA, SEA etc</p>

11	Adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity.		
12	<p>The Contracting Parties, taking into account the special needs of developing countries, shall:</p> <p>(a) Establish and maintain programmes for scientific and technical education and training in measures for the identification, conservation and sustainable use of biological diversity and its components and provide support for such education and training for the specific needs of developing countries;</p> <p>(b) Promote and encourage research which contributes to the conservation and sustainable use of biological diversity, particularly in developing countries; and</p> <p>(c) Promote and cooperate in the use of scientific advances in biological diversity research in developing methods for conservation and sustainable use of biological resources.</p>	<p>[noted because of relevance for help to TCI, rather than as a task for TCI]</p> <p>Some measures already, such as training courses in UK, training element of recent Darwin Initiative and related projects.</p>	
13	<p>(a) Promote and encourage understanding of the importance of, and the measures required for, the conservation of biological diversity, as well as its propagation through media, and the inclusion of these topics in educational programmes; and</p> <p>(b) Cooperate, as appropriate, with other States and international organizations in developing educational and public awareness programmes, with respect to conservation and sustainable use of biological diversity.</p>	[see section 9 of Env Charter matrix]	[reference section 9 of Env Charter matrix]
14.1	<p>(a) Introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimizing such effects and, where appropriate, allow for public participation in such procedures;</p> <p>(b) Introduce appropriate arrangements to ensure that the environmental consequences of its programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account;</p> <p>(d) In the case of imminent or grave danger or damage, originating under its jurisdiction or control, to biological diversity within the area under jurisdiction of other States or in areas beyond the limits of national jurisdiction, notify immediately the potentially affected States of such danger or damage, as well as initiate action to prevent or minimize such danger or damage; and</p> <p>(e) Promote national arrangements for emergency responses to activities or events, whether caused naturally or otherwise, which present a grave and imminent danger to biological diversity and encourage international cooperation to supplement such national efforts and, where appropriate and agreed by the States or regional economic integration organizations concerned, to establish joint contingency plans.</p>	[see sections 4 & 5 of Env Charter matrix]	[see sections 4 & 5 of Env Charter matrix]
15	Endeavour to create conditions to facilitate access to genetic resources for environmentally sound uses by other Contracting Parties, on mutually agreed terms.		
17	Facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, including exchange of results of technical, scientific and socio-economic research, as well as information on training and surveying programmes, specialized knowledge, indigenous and traditional knowledge.		
18	Promote international technical and scientific cooperation in the field of conservation and sustainable use of		

	<p>biological diversity, through the appropriate international and national institutions.</p> <p>Encourage and develop methods of cooperation for the development and use of technologies, including indigenous and traditional technologies, and promote cooperation in the training of personnel and exchange of experts.</p>		
26	<p>Report periodically to the Conference of the Parties on measures which it has taken for the implementation of the provisions of this Convention and their effectiveness in meeting the objectives of this Convention.</p>		Input to UK regular report

## Annex L. Convention Concerning the Protection of the World Cultural and Natural Heritage (“World Heritage Convention”)

### TCI is included in UK’s ratification of the World Heritage Convention

Article	Main requirements	Provision in TCI, if any	Further need
3	Identify and delineate sites of cultural heritage and the natural heritage.	Some sites listed under the National Parks Ordinance. The present project starting to review list, especially for natural sites.	Review of especially cultural sites needs extending. Detailed specification and protection needs extending to all new sites identified, natural or cultural. Does TCI legislation provide adequately for cultural sites?
4	Ensure the identification, protection, conservation, presentation and transmission to future generations of this cultural and natural heritage.	See Art 3 above	See Art 3 above
5	Ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage by: <ul style="list-style-type: none"> <li>a. adopting a general policy which aims to give the cultural and natural heritage a function in the life of the community and integrating the protection of that heritage into comprehensive planning programmes;</li> <li>b. setting up within its territories, where such services do not exist, one or more services for the protection, conservation and presentation of the cultural and natural heritage with an appropriate staff and possessing the means to discharge their functions;</li> <li>c. developing scientific and technical studies and research and working out such operating methods so as to be capable of counteracting the dangers that threaten its cultural or natural heritage;</li> <li>d. taking the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of this heritage; and</li> <li>e. fostering the establishment or development of national or regional centres for training in the protection, conservation and presentation of the cultural and natural heritage and encouraging scientific research in this field.</li> </ul>	<p>Potentially part of SDPI</p> <p>NGO for both in TC National Trust Govt body for natural sites in DECR; is there a Govt body for cultural sites?</p> <p>See e.g. Darwin Initiative Management Plan and other documents noted in 2c of the Env Charter matrix.</p> <p>Being reviewed under this project and SDPI</p> <p>Env centres on a local scale;</p>	<p>Plans needed for more sites and work needed on all.</p> <p>Actions arising</p> <p>Input to schools and colleges</p>
11	1. Submit to the World Heritage Committee an inventory of those sites forming part of the cultural and natural heritage, and which potentially qualify for the World Heritage List.		<p>Needs drawing out from the review of sites being started in this project.</p> <p>NB: The next revision of the list of potential World Heritage sites is due in about 2004/5/6. Therefore, recognising the lead time, the January 2003 meeting of UK Government with UK Overseas Territories Conservation Forum advised that UK Overseas Territories start</p>

			considering this in 2003.
27	<p>Endeavour, in particular by educational and information programmes, to strengthen appreciation and respect by their peoples of the cultural and natural heritage, and keep the public broadly informed of the dangers threatening this heritage and of the activities carried on in pursuance of this Convention.</p>	<p>Current programmes of the Tourist Board's Cultural Officer, the Education Dept, the National Trust, the National Museum, DECR</p>	<p>See main Env Charter project documents</p>
29	<p>In the regular reports to the General Conference of the United Nations Educational, Scientific and Cultural Organization, give information on the legislative and administrative provisions which they have adopted and other action which they have taken for the application of this Convention, together with details of the experience acquired in this field.</p>		<p>Provide material for regular reports by UK to the Convention.</p>



## Annex M. “Washington” Convention on International Trade in Endangered Species of Wild Fauna and Flora (“CITES”)

The TCI is not a signatory to this convention. The relatively few further measures needed for the TCI to be able to meet the requirements of this convention are noted in Section 6.f of Annex 26.

Article	Main requirements
II	<p>1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.</p> <p>2. Appendix II shall include:</p> <ul style="list-style-type: none"> <li>(a) all species which although not necessarily now threatened with extinction may become so ; and</li> <li>(b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.</li> </ul> <p>3. Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.</p> <p>4. The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.</p> <p>Definitions from Article I: For the purpose of the present Convention, unless the context otherwise requires:</p> <ul style="list-style-type: none"> <li>(a) "Species" means any species, subspecies, or geographically separate population thereof;</li> <li>(b) "Specimen" means: <ul style="list-style-type: none"> <li>(i) any animal or plant, whether alive or dead;</li> <li>(ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and</li> <li>(iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;</li> </ul> </li> <li>(c) "Trade" means export, re-export, import and introduction from the sea;</li> <li>(d) "Re-export" means export of any specimen that has previously been imported;</li> <li>(e) "Introduction from the sea" means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;</li> <li>(f) "Scientific Authority" means a national scientific authority designated in accordance with Article IX;</li> <li>(g) "Management Authority" means a national management authority designated in accordance with Article IX;</li> <li>(h) "Party" means a State for which the present Convention has entered into force.</li> </ul>
III	<p>1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.</p> <p>2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:</p> <ul style="list-style-type: none"> <li>(a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;</li> <li>(b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;</li> <li>(c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and</li> <li>(d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen.</li> </ul> <p>3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:</p> <ul style="list-style-type: none"> <li>(a) a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;</li> <li>(b) a Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is</li> </ul>

	<p>suitably equipped to house and care for it; and</p> <p>(c) a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.</p> <p>4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:</p> <p>(a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention;</p> <p>(b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and</p> <p>(c) a Management Authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.</p> <p>5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:</p> <p>(a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;</p> <p>(b) a Management Authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and</p> <p>(c) a Management Authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.</p>
IV	<p>1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.</p> <p>2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:</p> <p>(a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;</p> <p>(b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and</p> <p>(c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.</p> <p>3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.</p> <p>4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.</p> <p>5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:</p> <p>(a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and</p> <p>(b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.</p> <p>6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:</p> <p>(a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and</p> <p>(b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.</p> <p>7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.</p>
V	<p>1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.</p> <p>2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:</p> <p>(a) a Management Authority of the State of export is satisfied that the specimen was not obtained in</p>

	<p>contravention of the laws of that State for the protection of fauna and flora; and</p> <p>(b) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.</p> <p>3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.</p> <p>4. In the case of re-export, a certificate granted by the Management Authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.</p>
VI	<p>1. Permits and certificates granted under the provisions of Articles III, IV, and V shall be in accordance with the provisions of this Article.</p> <p>2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.</p> <p>3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.</p> <p>4. Any copies of a permit or certificate issued by a Management Authority shall be clearly marked as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.</p> <p>5. A separate permit or certificate shall be required for each consignment of specimens.</p> <p>6. A Management Authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.</p> <p>7. Where appropriate and feasible a Management Authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes "mark" means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.</p>
VII	<p>1. The provisions of Articles III, IV and V shall not apply to the transit or transshipment of specimens through or in the territory of a Party while the specimens remain in Customs control.</p> <p>2. Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect.</p> <p>3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:</p> <p>(a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or</p> <p>(b) in the case of specimens of species included in Appendix II:</p> <p>(i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred;</p> <p>(ii) they are being imported into the owner's State of usual residence; and</p> <p>(iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens; unless a Management Authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.</p> <p>4. Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.</p> <p>5. Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.</p> <p>6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a Management Authority.</p> <p>7. A Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:</p> <p>(a) the exporter or importer registers full details of such specimens with that Management Authority;</p> <p>(b) the specimens are in either of the categories specified in paragraph 2 or 5 of this Article; and (c) the Management Authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.</p>
VIII	<p>1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:</p>

	<p>(a) to penalize trade in, or possession of, such specimens, or both; and</p> <p>(b) to provide for the confiscation or return to the State of export of such specimens.</p> <p>2. In addition to the measures taken under paragraph 1 of this Article, a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.</p> <p>3. As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.</p> <p>4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:</p> <p>(a) the specimen shall be entrusted to a Management Authority of the State of confiscation;</p> <p>(b) the Management Authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the present Convention; and</p> <p>(c) the Management Authority may obtain the advice of a Scientific Authority, or may, whenever it considers it desirable, consult the Secretariat in order to facilitate the decision under sub-paragraph (b) of this paragraph, including the choice of a rescue centre or other place.</p> <p>5. A rescue centre as referred to in paragraph 4 of this Article means an institution designated by a Management Authority to look after the welfare of living specimens, particularly those that have been confiscated.</p> <p>6. Each Party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:</p> <p>(a) the names and addresses of exporters and importers; and</p> <p>(b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.</p> <p>7. Each Party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the Secretariat:</p> <p>(a) an annual report containing a summary of the information specified in sub-paragraph (b) of paragraph 6 of this Article; and</p> <p>(b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.</p> <p>8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the Party concerned.</p>
IX	<p>1. Each Party shall designate for the purposes of the present Convention:</p> <p>(a) one or more Management Authorities competent to grant permits or certificates on behalf of that Party; and</p> <p>(b) one or more Scientific Authorities.</p> <p>2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the Depository Government of the name and address of the Management Authority authorized to communicate with other Parties and with the Secretariat.</p> <p>3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the Party concerned to the Secretariat for transmission to all other Parties.</p> <p>4. Any Management Authority referred to in paragraph 2 of this Article shall, if so requested by the Secretariat or the Management Authority of another Party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.</p>
X	Where export or re-export is to, or import is from, a State not a Party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any Party.
XIII	<p>1. When the Secretariat in the light of information received is satisfied that any species included in Appendix I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.</p> <p>2. When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.</p> <p>3. The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.</p>

## Annex N. “Cartagena” Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region

Main requirements	Provision in TCI, if any	Further need
<b>THE TCI is a signatory to the main convention and to the Oil Spill Protocol – since 1986. Not a signatory to SPAW.</b>		
3.1. Parties shall conclude bilateral or multilateral agreements for the protection of the marine environment of the Convention area.		
<p>4. Parties shall:</p> <ul style="list-style-type: none"> <li>a. take all appropriate measures to prevent, reduce and control pollution of the Convention area and to ensure sound environmental management, while not causing pollution outside the Convention area.</li> <li>b. co-operate in the formulation and adoption of protocols or other agreements to facilitate the effective implementation of this Convention.</li> <li>c. take appropriate measures for the effective discharge of the obligations prescribed in this Convention and its protocols and shall endeavour to harmonize their policies in this regard.</li> <li>d. Co-operate with and assist the other Contracting Parties and other organisations for the effective implementation of this Convention and its protocols</li> </ul>	Oil Spill Protocol established and updated	Implement the actions in section 8 of <b>Annex 26</b> of this report.
<p><b>Sources of pollution covered:</b></p> <p>5-9 Parties shall take all appropriate measures to prevent, reduce and control pollution:</p> <ul style="list-style-type: none"> <li>a. caused by discharges from ships</li> <li>b. caused by dumping of wastes and other matter at sea from ships, aircraft or manmade structures at sea</li> <li>c. caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources on their territories.</li> <li>d. resulting directly or indirectly from exploration and exploitation of the sea-bed and its subsoil.</li> <li>e. resulting from discharges into the atmosphere from activities under their jurisdiction.</li> </ul>		Implement the actions in section 8 of Annex 26 of this report.

<p style="text-align: center;"><b>Protected Areas</b></p> <p>10. Parties shall</p> <ol style="list-style-type: none"> <li>a. take all appropriate measures to protect and preserve rare or fragile ecosystems, as well as the habitat of depleted, threatened or endangered species</li> <li>b. endeavour to establish protected areas.</li> <li>c. exchange information concerning the administration and management of such areas.</li> </ol>	<p style="text-align: center;"><b>Protected Areas System established</b></p>	<p style="text-align: center;"><b>Needs updating, reinforcing, boundaries recorded, etc as noted in Action Points for EC Commitment #2 (see Annex 26 of this report)</b></p>
<p style="text-align: center;"><b>Response to pollution emergencies</b></p> <p>11. Parties shall</p> <ol style="list-style-type: none"> <li>a. co-operate in responding to pollution emergencies to control, reduce or eliminate pollution resulting therefrom.</li> <li>b. Develop/promote contingency plans for responding to incidents involving pollution</li> <li>c. if aware of cases in which the Convention area is in imminent danger of being polluted or has been polluted, immediately notify other States likely to be affected by such pollution, and shall inform other States, etc, of measures it has taken to minimise or reduce pollution</li> </ol>	<p style="text-align: center;"><b>Current emphasis on marine pollution via Provo Pollution Task Force</b></p>	<p style="text-align: center;"><b>Legislation supporting pollution control now under review; needs strengthening (see section 8 in Annex 26 of this report)</b></p>
<p style="text-align: center;"><b>EIAs</b></p> <p>12. Parties shall</p> <ol style="list-style-type: none"> <li>a. As part of their environmental management policies, develop technical and other guidelines to assist the planning of their major development projects in such a way as to prevent or minimise harmful impacts on the Convention area.</li> <li>b. Assess the potential effects of such projects on the marine environment, particularly in coastal areas, to enable mitigation measures to be implemented; develop procedures for the dissemination of information and consultation on such assessments.</li> </ol>	<p style="text-align: center;"><b>EIAs currently required in major developments, but deficiencies in the legislation limit ability to direct the preparation of EIAs and thus ensure their usefulness.</b></p>	<p style="text-align: center;"><b>Action points under EC Commitments # 3,4 &amp; 5 (see Annex 26 of this report) will greatly improve EIA procedures</b></p>
<p><b>Research and monitoring</b></p> <p>13. Parties shall</p> <ol style="list-style-type: none"> <li>a. Cooperate in scientific research, monitoring, and the exchange of data and other scientific information relating to the purposes of this Convention.</li> <li>b. develop and co-ordinate their research and monitoring programmes to ensure the necessary links between their research centres and institutes with a view to producing compatible results.</li> </ol>	<p>TCI monitoring of pollution fairly new; unclear how much international cooperation now in place</p>	<p>Implement actions 2.c.11, 2.d.2, 2.e.2, 3.(various) &amp; 7</p>

<p>c. participate in international arrangements for pollution research and monitoring.</p> <p>d. Provide technical and other assistance to other Parties in fields relating to pollution and sound environmental management of the Convention area, taking into account the special needs of the smaller island developing countries and territories.</p>		
<p>14. Parties shall co-operate, with a view to adopting appropriate rules and procedures in the field of liability and compensation for damage resulting from pollution of the Convention area.</p>		
<p><b>Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region</b></p>		<p><b>Needs assessment against TCI's Oil Spill Protocol</b></p>
<p>3. Parties shall</p> <p>a. co-operate in taking all necessary measures, both preventive and remedial, for the protection of the marine and coastal environment of the Wider Caribbean Region, particularly the coastal areas of the islands of the region, from oil spill incidents.</p> <p>b. establish and maintain the means of responding to oil spill incidents and endeavour to reduce the risk thereof, including:</p> <ul style="list-style-type: none"> <li>▪ the enactment of relevant legislation</li> <li>▪ contingency plans</li> <li>▪ capability to respond to an oil spill incident</li> <li>▪ designation of an authority responsible for the implementation of this Protocol.</li> </ul>		
<p>4. Each Party shall periodically exchange with the other Parties up-to-date information relating to its implementation of this Protocol, including the identity of the authorities, information on their laws, regulations, institutions and operational procedures relating to the prevention of oil spill incidents and to the means of reducing and combating the harmful effects of oil spills.</p>		
<p>5. Parties shall establish appropriate procedures to ensure that information regarding oil spill incidents is reported as rapidly as possible, including requiring or requesting officials, masters of ships, aircraft pilots and persons in charge of offshore facilities to report any oil spill incident involving their ships or facilities, or of which they are aware;</p> <p>In the event of receiving such a report, notify all other Contracting Parties whose interests are likely to be affected by such incident, as well as the flag State of any ship involved in it, and competent international organisations of the incident and of measures it has taken to minimize or reduce pollution or the threat thereof.</p>		

<p>6. Parties shall</p> <ol style="list-style-type: none"> <li>a. render assistance to other Contracting Parties which request assistance in responding to an oil spill incident</li> <li>b. facilitate the movement into, through and out of its territory of technical personnel, equipment and material necessary for responding to an oil spill incident.</li> </ol>		
<p>7. Parties shall take steps including those outlined below in responding to an oil spill incident:</p> <ol style="list-style-type: none"> <li>a. <b>Make a preliminary assessment of the incident, including the type and extent of existing or likely pollution effects;</b></li> <li>b. Promptly communicate information concerning the incident pursuant to article 5;</li> <li>c. Promptly determine its ability to take effective measures to respond to the incident and the assistance that might be required;</li> <li>d. Consult as appropriate with other Parties concerned in the process of determining the necessary response to the incident;</li> <li>e. Take the measures necessary to prevent, reduce or eliminate the effects of the incident, including monitoring of the situation.</li> </ol>		
<p><b>Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region</b> <b>TCI NOT a signatory</b></p>		
<p>3. Parties shall</p> <ol style="list-style-type: none"> <li>a. take the necessary measures to protect, preserve and manage in a sustainable way: <ol style="list-style-type: none"> <li>o areas that require protection to safeguard their special value; and</li> <li>o threatened or endangered species of flora and fauna</li> </ol> </li> <li>b. regulate and, where necessary, prohibit activities having adverse effects on these areas and species.</li> <li>c. co-operate in the enforcement of these measures</li> <li>d. manage species of fauna and flora with the objective of preventing species from becoming endangered or threatened.</li> </ol>	<ol style="list-style-type: none"> <li>a. Protected Areas System established, see notes above.</li> <li>b. National Park Ord provides for some control on activities in areas adjacent to the PAS, but needs improvement;</li> </ol>	<p>Some legislation in place to protect threatened or endangered flora and fauna but needs improvement: see action points in section 2 of Annex 26</p> <p>See action point 8.a.2.</p>
<p>4. Parties shall establish protected areas with a view to sustaining the natural resources of the Wider Caribbean Region, and encouraging ecologically sound and appropriate use:</p> <ol style="list-style-type: none"> <li>a. representative types of coastal and marine ecosystems of adequate size to ensure their long-term viability and to maintain biological and genetic diversity;</li> </ol>	<p>Protected Areas System in place, but see notes above on improvements needed.</p>	<p>See action points under Convention on Migratory Species (6.b) and Ramsar convention (6.d) and also 2.b.3</p>



<ul style="list-style-type: none"> <li>b. habitats and their associated ecosystems critical to the survival and recovery of endangered, threatened or endemic species of flora or fauna;</li> <li>c. the productivity of ecosystems and natural resources that provide economic or social benefits and upon which the welfare of local inhabitants is dependent; and</li> <li>d. areas of special biological, ecological, educational, scientific, historic, cultural, recreational, archaeological, aesthetic, or economic value, including in particular, areas whose ecological and biological processes are essential to the functioning of the Wider Caribbean ecosystems.</li> </ul>		
<p>5. Parties shall progressively take such measures as are necessary and practicable to achieve the objectives for which the protected area was established, including:</p> <ul style="list-style-type: none"> <li>a. regulation/prohibition of the dumping or discharge of wastes</li> <li>b. regulation/prohibition of coastal disposal or discharges causing pollution, emanating from coastal establishments and developments, outfall structures or any other sources within their territories;</li> <li>c. regulation of the passage of ships, of any stopping or anchoring, and of other ship activities, that would have significant adverse environmental effects on the protected area</li> <li>d. regulation/prohibition of fishing, hunting, taking or harvesting of endangered or threatened species of fauna and flora and their parts or products;</li> <li>e. prohibition of activities that result in the destruction of endangered or threatened species of fauna or flora and their parts and products, and the regulation of any other activity likely to harm or disturb such species, their habitats or associated ecosystems;</li> <li>f. regulation/prohibition of the introduction of non-indigenous species;</li> <li>g. regulation/prohibition of any activity involving the exploration or exploitation of the sea-bed or its subsoil or a modification of the sea-bed profile;</li> <li>h. regulation/prohibition of any activity involving a modification of the profile of the soil that could affect watersheds, denudation and other forms of degradation of watersheds, or the exploration or exploitation of the subsoil of the land part of a marine protected area;</li> <li>i. regulation of any archaeological activity and of the removal or damage of any object which may be considered as an archaeological object;</li> <li>j. regulation/prohibition of trade in, and import and export of threatened or endangered species of fauna or their parts, products, or eggs, and of threatened or endangered species of flora or their parts or products, and</li> </ul>	<p>a/b. Laws regarding discharge of waste in place but need strengthening, as noted above.</p> <p>c. Ntl Parks Ord bans anchoring large vessels in Marine Parks</p> <p>e. National Park Ord provides for some control on activities in areas adjacent to the PAS, but needs improvement; see action point 8.a.2.</p> <p>g. Coast Protection Ord and Mineral Ord</p> <p>j customs Ord; Endangered Species Order</p>	<p>d. Fisheries Ordinance allows taking sea turtles; this may be necessary to sustain cultural traditions, but should be more closely regulated/ controlled. Legal protection needed for terrestrial species.</p> <p>f. Major programme to deal with invasive species needed: see action items 2.d and 2.e</p> <p>[DACE: this is such a wide piece of wording that we could spend a lot of time writing further bits in here. I think that it would be more constructive not to do this, but remember this section when we are doing the consolidation after this report and before the next workshop, because it may provide some support in areas where that is thin from elsewhere.]</p>

<p>archaeological objects that originate in protected areas;</p> <p>k. the regulation or prohibition of industrial activities and of other activities which are not compatible with the uses that have been envisaged for the area by national measures and/or environmental impact assessments pursuant to Article 13;</p> <p>l. regulation of tourist and recreational activities that might endanger the ecosystems of protected areas or the survival of threatened or endangered species of flora and fauna; and</p> <p>m. any other measure aimed at conserving, protecting or restoring natural processes, ecosystems or populations for which the protected areas were established.</p>		
<p>Parties shall adopt and implement planning, management and enforcement measures for protected areas. Such measures should include:</p> <p>a. appropriate management guidelines for protected areas;</p> <p>b. a management plan that specifies the legal and institutional framework and the management and protection measures</p> <p>c. scientific research and monitoring of user impacts, ecological processes, habitats, species and populations; and the undertaking of activities aimed at improved management;</p> <p>d. development of public awareness and education programmes for users, decision-makers and the public</p> <p>e. co-management</p> <p>f. financing mechanisms</p> <p>g. contingency plans for responding to incidents that could cause or threaten to cause damage to protected areas</p> <p>h. procedures to permit, regulate or otherwise authorise activities compatible with the objectives for which the protected areas were established; and</p> <p>i. the development of qualified managers, and technical personnel, as well as appropriate infrastructure.</p>	<p>a. management plans in place for some, needed in others</p> <p>c. monitoring in place for some marine parks and for Ramsar site</p>	<p>Implement actions in 2.c in Annex 26</p> <p>Implement actions 2.c.11, 2.d.2, 2.e.2, 3.(various), 7, 9 &amp; 10</p>
<p>7. Parties shall establish co-operation programmes within the framework of the Convention and the Action Plan assist with the selection, establishment, planning, management and conservation of protected areas, and shall create a network of protected areas.</p>		
<p>8. Parties may establish buffer zones in which activities are less restricted than in the protected area while remaining compatible with achieving the purposes of the protected area.</p>		

<p>10. Parties shall identify endangered or threatened species of flora and fauna within areas over which it exercises sovereignty and accord protected status to such species and shall regulate and prohibit activities having adverse effects on such species or their habitats and ecosystems, and carry out species recovery, management, planning and other measures to effect the survival of such species.</p> <p>a. Flora: regulate/ prohibit all forms of destruction and disturbance, including the picking, collecting, cutting, uprooting or possession of, or commercial trade in, such species.</p> <p>b. Fauna: regulate/ prohibit:</p> <ul style="list-style-type: none"> <li>o the taking, possession or killing (including, to the extent possible, the incidental taking, possession or killing) or commercial trade in such species or their parts or products; and</li> <li>o to the extent possible, the disturbance of wild fauna, particularly during the period of breeding, incubation, estivation or migration, as well as other periods of biological stress.</li> </ul> <p>Parties shall</p> <ul style="list-style-type: none"> <li>o carry out captive breeding of protected fauna and propagation of protected flora.</li> <li>o endeavour to consult with range States that are not Parties to this Protocol, with a view to co-ordinating their efforts to manage and protect endangered or threatened migratory species.</li> <li>o make provisions for the repatriation of protected species exported illegally.</li> </ul>		See action items under EC Commitment 2a (Annex 26)
<p>11. Parties shall adopt co-operative measures to ensure the protection and recovery of endangered and threatened species</p> <ul style="list-style-type: none"> <li>o to ensure the protection and recovery of species of flora listed in Annex I each Party shall prohibit all forms of destruction or disturbance, including the picking, collecting, cutting, uprooting or possession of, or commercial trade in such species, their seeds, parts or products. They shall regulate activities, to the extent possible, that could have harmful effects on the habitats of the species.</li> <li>o ensure total protection and recovery to the species of fauna listed in Annex II by prohibiting: <ul style="list-style-type: none"> <li>i. the taking, possession or killing (including, to the extent possible, the incidental taking, possession or killing) or commercial trade in such species, their eggs, parts or products;</li> <li>ii. to the extent possible, the disturbance of such species, particularly</li> </ul> </li> </ul>		Better regulation of sea turtles needed; see above.

<p>during periods of breeding, incubation, estivation or migration, as well as other periods of biological stress.</p> <ul style="list-style-type: none"> <li>o Each Party shall adopt appropriate measures to ensure the protection and recovery of the species of flora and fauna listed in Annex III and may regulate the use of such species in order to ensure and maintain their populations at the highest possible levels. With regard to the species listed in Annex III, each Party shall, in co-operation with other Parties, formulate, adopt and implement plans for the management and use of such species, including: <ul style="list-style-type: none"> <li>for species of fauna: <ul style="list-style-type: none"> <li>a. the prohibition of all non-selective means of capture, killing, hunting and fishing and of all actions likely to cause local disappearance of a species or serious disturbance of its tranquility;</li> <li>b. the institution of closed hunting and fishing seasons and of other measures for maintaining their population;</li> <li>c. the regulation of the taking, possession, transport or sale of living or dead species, their eggs, parts or products;</li> </ul> </li> </ul> </li> </ul> <p>For species of flora, including their parts or products, the regulation of their collection, harvest and commercial trade.</p>		Turtle nesting beaches need PAS designation
12. Parties shall regulate/prohibit intentional or accidental introduction of non-indigenous or genetically altered species to the wild that may cause harmful impacts to the natural flora, fauna or other features of the Wider Caribbean Region.		Need to add this to the action items on EIAs (section 4 of Annex 26)
13. EIAs must evaluate and take into consideration the possible direct and indirect impacts, including cumulative impacts, of the projects and activities being contemplated on species protected under this Protocol.		Need to add this to the action items on EIAs (section 4 of Annex 26)
14 Management plans may take into account and provide exemptions to meet traditional subsistence and cultural needs of its local populations.		
<p><b>PROTOCOL CONCERNING POLLUTION FROM LAND-BASED SOURCES AND ACTIVITIES TO THE CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF THE MARINE ENVIRONMENT OF THE WIDER CARIBBEAN REGION</b></p> <p><b>TCI Not a signatory</b></p>		<p>Implement actions in sections 3, 8, 9 &amp; 10 of Annex 26</p> <p>[Dace: similar comments to those at SPAW 5 apply as to how we handle this</p>

		further]
<p>III. In order to prevent, reduce and control pollution of the Convention area from land-based sources and activities, Parties shall:</p> <ul style="list-style-type: none"> <li>o take appropriate measures, using the best practicable means at its disposal.</li> <li>o Develop/implement appropriate plans, programmes and measures both individually and with other Parties</li> </ul>		
<p>IV. Parties shall address the source categories, activities and associated pollutants of concern listed in <u>Annex I</u> through the progressive development and implementation of additional annexes which shall include <i>inter alia</i>:</p> <ul style="list-style-type: none"> <li>--effluent and emission limitations and/or management practices based on the factors identified in <u>Annex II</u> to this Protocol; and</li> <li>--timetables for achieving the limits, management practices and measures agreed by the Contracting Parties.</li> </ul> <ul style="list-style-type: none"> <li>o Parties shall take measures to prevent, reduce and control pollution of the Convention area from the source categories, activities and pollutants addressed in annexes other than <u>Annexes I</u> and <u>II</u> to this Protocol.</li> <li>o Parties may also develop such additional annexes as they may deem appropriate, including an annex to address water quality criteria for selected priority pollutants identified in <u>Annex I</u> to this Protocol.</li> </ul>		
<p>V. Parties shall cooperate in the following areas:</p> <ul style="list-style-type: none"> <li>o monitoring activities undertaken in accordance with <u>Article VI</u>;</li> <li>o research on the chemistry, fate, transport and effects of pollutants;</li> <li>o exchange of scientific and technical information;</li> <li>o identification and use of most appropriate technologies applicable to the specific source categories, activities and pollutants identified in Annex I to this Protocol; and</li> <li>o research and development of technologies and practices for the implementation of this Protocol.</li> </ul> <p>Parties shall assist other Parties to:</p> <ul style="list-style-type: none"> <li>o develop scientific, technical, educational and public awareness programmes</li> <li>o train scientific, technical and administrative personnel;</li> <li>o provide technical advice, information</li> <li>o identify and approach potential sources of financing for projects necessary to implement this Protocol.</li> </ul>		
<p>VI. Parties shall formulate and implement monitoring programmes which</p>		

<p>a. systematically identify and assess patterns and trends in the environmental quality of the Convention area; and</p> <p>b. assess the effectiveness of measures taken to implement the Protocol.</p>		
<p>VII Parties shall develop and adopt guidelines concerning environmental impact assessments, and review and update those guidelines as appropriate.</p> <p>1. When a Party has reasonable grounds to believe that a planned land-based activity on its territory is likely to cause substantial pollution of the Convention area, it shall review the potential effects of such activity, through means such as an EIA which should be subject to public review and considered in governmental decision-making.</p>		
<p>VIII. Parties shall cooperate to develop information systems and networks for the exchange of information to facilitate the implementation of this Protocol.</p>		
<p>IX. Where pollution from land-based sources and activities originating from any Party is likely to affect adversely the coastal or marine environment of one or more of the other Contracting Parties, the Parties concerned shall use their best efforts to consult at the request of any affected Contracting Party, with a view to resolving the issue.</p>		
<p>X. Parties shall promote public access to relevant information concerning pollution of the Convention area and public participation in decision-making processes</p>		
<p>XI Parties shall carry out environmental education programmes</p>		

## **Annex O. 1996 PROTOCOL TO THE “LONDON” CONVENTION ON THE PREVENTION OF MARINE POLLUTION BY DUMPING OF WASTES AND OTHER MATTER, 1972 AND RESOLUTIONS ADOPTED BY THE SPECIAL MEETING**

TCI is included in the original 1972 Convention. The 1996 Protocol replaces the entire text with an updated version. Although UK has signed this, it is not yet in force and TCI is not included yet. However, the contents of the Protocol are very close to those of the original Convention. Therefore to look forward and to avoid repetition, the new Protocol is used as the basis of this Annex. Action points arising from this Protocol are shown in Annex 26, sec 6.c.

### **1. DEFINITIONS**

"Organization" means the International Maritime Organization.

"Dumping" means:

- 1 any deliberate disposal into the sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;
- 2 any deliberate disposal into the sea of vessels, aircraft, platforms or other man-made structures at sea;
- 3 any storage of wastes or other matter in the seabed and the subsoil thereof from vessels, aircraft, platforms or other man-made structures at sea; and
- 4 any abandonment or toppling at site of platforms or other man-made structures at sea, for the sole purpose of deliberate disposal.

"Sea" means all marine waters other than the internal waters of States, as well as the seabed and the subsoil thereof; it does not include sub-seabed repositories accessed only from land.

"Pollution" means the introduction, directly or indirectly, by human activity, of wastes or other matter into the sea which results or is likely to result in such deleterious effects as harm to living resources and marine ecosystems, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water 2. and reduction of amenities.

### **2.OBJECTIVES**

Parties shall individually and collectively protect and preserve the marine environment from all sources of pollution and take effective measures, according to their scientific, technical and economic capabilities, to prevent, reduce and where practicable eliminate pollution caused by dumping or incineration at sea of wastes or other matter. Where appropriate, they shall harmonize their policies in this regard.

### **3. GENERAL OBLIGATIONS**

- Parties shall apply precautionary approach using preventative measures to prevent dumping of wastes
- Parties shall promote “polluter-pays” practices
- Parties shall not transfer damage or pollution from one part of the environment to another

### **4. DUMPING OF WASTES OR OTHER MATTER**

Parties shall prohibit the dumping of any wastes or other matter with the exception of those listed in Annex 1. Dumping of wastes listed in Annex 1 shall require a permit.

**ANNEX 1 LIST:**

- 1 dredged material;
- 2 sewage sludge;
- 3 fish waste, or material resulting from industrial fish processing operations;
- 4 vessels and platforms or other man-made structures at sea;
- 5 inert, inorganic geological material;
- 6 organic material of natural origin; and
- 7 bulky items primarily comprising iron, steel, concrete and similarly unarmful materials for which the concern is physical impact, and limited to those circumstances where such wastes are generated at locations, such as small islands with isolated communities, having no practicable access to disposal options other than dumping.

**5. INCINERATION AT SEA**

Parties shall prohibit incineration at sea of wastes or other matter.

**6. EXPORT OF WASTES OR OTHER MATTER**

Parties shall not allow the export of wastes or other matter to other countries for dumping or incineration at sea.

**7. INTERNAL WATERS**

Parties shall control deliberate disposal of waste in marine internal waters. Parties shall inform the IMO on how they control such disposal.

**8. EXCEPTIONS**

Dumping or incineration may be used in emergencies posing an unacceptable threat to human health, safety, or the marine environment and admitting of no other feasible solution, but must be carried out so as to minimize the likelihood of damage to human or marine life and shall be reported forthwith to the IMO. Before doing so, Parties must consult any other country likely to be affected, and be guided by the instructions from the IMO as to the means to be used.

**9. ISSUANCE OF PERMITS AND REPORTING**

Each Party shall designate an appropriate authority or authorities to issue permits in accordance with this Protocol; keep records of the nature and quantities of all wastes for which dumping permits have been issued; monitor the condition of the sea for the purposes of this Protocol; and report to the IMO.

**10 APPLICATION AND ENFORCEMENT**

Each Party shall apply the measures required to implement this Protocol to all vessels and aircraft registered in its territory or flying its flag; vessels and aircraft loading in its territory the wastes or other matter which are to be dumped or incinerated at sea; and vessels, aircraft and platforms or other man-made structures believed to be engaged in dumping or incineration at sea in areas within which it is entitled to exercise jurisdiction in accordance with international law.



**13 TECHNICAL CO-OPERATION AND ASSISTANCE**

Parties shall collaborate in training of scientific personnel, information and technical co-operation relating to waste minimization and clean production processes; the disposal and treatment of waste; access to and transfer of environmentally sound technologies and corresponding know-how and facilitate scientific and technical research on the prevention, reduction and where practicable elimination of pollution by dumping.

**14. RESPONSIBILITY AND LIABILITY**

Parties undertake to develop procedures regarding liability arising from the dumping or incineration at sea of wastes or other matter

**ANNEX 2 ASSESSMENT OF WASTES OR OTHER MATTER THAT MAY BE CONSIDERED FOR DUMPING**

Parties shall carry out a waste prevention audit.

Each Party shall develop a national Action List to provide a mechanism for screening candidate wastes and their constituents on the basis of their potential effects on human health and the marine environment, with priority given to toxic, persistent and bioaccumulative substances from anthropogenic sources.

Annex 2 also gives much detail on the permitting process.

## Annex P. Marpol Convention

Note: most of this Convention and its Annexes deals with shipping and countries which have shipping registries, so this summary covers only those few requirements which may apply to the TCI.

<p><b>Article 1</b> <b>GENERAL OBLIGATIONS UNDER THE CONVENTION</b></p> <p>1 The Parties to the Convention undertake to give effect to the provisions of the present Convention and those Annexes thereto by which they are bound, in order to prevent the pollution of the marine environment by the discharge of harmful substances or effluents containing such substances in contravention of the Convention.</p>		
<p><b>Article 6</b> <b>DETECTION OF VIOLATIONS AND ENFORCEMENT OF THE CONVENTION</b></p> <p>1. Parties shall co-operate in the detection of violations and the enforcement of the provisions of the present Convention, using all appropriate and practicable measures of detection and environmental monitoring, adequate procedures for reporting and accumulation of evidence.</p> <p>2. Parties may inspect ships they suspect of being in violation.</p> <p>3. Any Party shall furnish to the IMO evidence, if any, that the ship had discharged harmful substances in violation of the provisions of the Regulations. If it is practicable to do so, the competent authority of the former Party shall notify the Master of the ship of the alleged violation.</p>	TCI Maritime Division would be responsible for this	
<p><b>Article 8</b> <b>REPORTS ON INCIDENTS INVOLVING HARMFUL SUBSTANCES</b></p> <p>1. A report of an incident shall be made without delay to the fullest extent possible in accordance with the provisions of Protocol I to the present Convention.</p> <p>2. Parties shall appoint an officer or agency to deal with incident reports</p>	TCI Maritime Division would be responsible for this	
<p><b>Article 11</b> <b>COMMUNICATION OF INFORMATION</b></p> <p>1. The Parties to the Convention undertake to communicate to the IMO:</p> <p>a) the text of laws, orders, decrees and regulations and other instruments which have been promulgated on the various matters within the scope of the present Convention;</p> <p>d) a list of reception facilities including their location, capacity and available facilities and other characteristics;</p> <p>f) an annual statistical report, in a form standardized by the Organization, of penalties actually imposed for infringement of the present Convention.</p>		
<p><b>Article 17</b> <b>PROMOTION OF TECHNICAL CO-OPERATION</b></p> <p>Parties shall promote support for those Parties which request technical assistance for:</p> <p>a) the training of scientific and technical personnel;</p> <p>b) the supply of necessary equipment and facilities for reception and monitoring;</p> <p>c) the facilitation of other measures and arrangements to prevent or mitigate pollution of the marine environment by ships; and</p> <p>d) the encouragement of research;</p> <p>preferably within the countries concerned, so furthering the aims and purposes of the present Convention.</p>		
<p><b>PROTOCOL I</b> <b>Provisions Concerning Reports on Incidents Involving Harmful Substances (in accordance with Article 8 of the Convention)</b></p>		

<p><b>Regulation 9</b> <b>CONTROL OF DISCHARGE OF OIL</b></p> <p>3. Whenever visible traces of oil are observed on or below the surface of the water in the immediate vicinity of a ship or its wake, Governments of Parties should, to the extent they are reasonably able to do so, promptly investigate the facts bearing on the issue of whether there has been a violation of the provisions of this Regulation or Regulation 10 of this Annex. The investigation should include, in particular, the wind and sea conditions, the track and speed of the ship, other possible sources of visible traces in the vicinity, and any relevant oil discharge records.</p>		
<p><b>Regulation 12</b> <b>RECEPTION FACILITIES</b></p> <p>1. Subject to the provisions of Regulation 10 of this Annex, the Government of each Party undertakes to ensure the provision at oil loading terminals, repair ports, and in other ports in which ships have oily residues to discharge, of facilities for the reception of such residues and oily mixtures as remain from oil tankers and other ships adequate to meet the needs of the ships using them without causing undue delay to ships.</p> <p>2. Reception facilities in accordance with paragraph (1) of this Regulation shall be provided in:</p> <p>c) all ports having ship repair yards or tank cleaning facilities;</p> <p>e) all ports in respect of oily bilge waters and other residues, which cannot be discharged in accordance with Regulation 9 of this Annex; and</p>		
<p><b>ANNEX II</b> <b>REGULATIONS FOR THE CONTROL OF POLLUTION BY NOXIOUS LIQUID IN BULK</b></p>		
<p><b>Regulation 7</b> <b>RECEPTION FACILITIES</b></p> <p>1. The Government of each Party undertakes to ensure the provision of reception facilities according to the needs of ships using its ports, terminals or ports as follows:</p> <p>a) cargo loading and unloading ports and terminals shall have facilities adequate for reception without undue delay to ships of such residues and mixtures containing noxious liquid substances as would remain for disposal from ships carrying them as a consequence of the application of this Annex; and</p> <p>2. The Government of each Party shall determine the types of facilities provided for the purpose of paragraph (1) of this Regulation at each cargo loading and unloading port, terminal and ship repair in its territories and notify the Organization thereof.</p> <p>3. Each Party shall notify the Organization, for transmission to the Parties concerned, of any case where facilities required under paragraph (1) of this Regulation are alleged to be inadequate.</p>		
<p><b>ANNEX IV</b> <b>REGULATIONS FOR THE PREVENTION OF POLLUTION BY SEWAGE FROM SHIPS</b></p>		
<p><b>Regulation 1</b> <b>DEFINITIONS</b></p> <p>3. "Sewage" means:</p> <p>a) drainage and other wastes from any form of toilets urinals, and WC</p>		

<p>scuppers;  b) drainage from medical premises (dispensary, sick bay, etc.) via wash basins, wash tubs and scuppers located in such premises;  c) drainage from spaces containing living animals; or  d) other waste waters when mixed with the drainages defined above.</p>		
<p><b>Regulation 10</b>  <b>RECEPTION FACILITIES</b>  1. The Government of each Party undertakes to ensure the provision of facilities at ports and terminals for the reception of sewage, without causing undue delay to ships, adequate to meet the needs of the ships using them.   2. The Government of each Party shall notify the IMO for transmission to the Contracting Governments concerned of all cases where the facilities provided under this Regulation are alleged to be inadequate.</p>		<p>TCI will need to provide facilities for sewage disposal for cruise ships in Grand Turk and perhaps at Provo port</p>
<p><b>ANNEX V</b>  <b>REGULATIONS FOR THE PREVENTION OF POLLUTION BY GARBAGE FROM SHIPS</b></p>		
<p><b>Regulation 1</b>  <b>DEFINITIONS</b>  1. "Garbage" means all kinds of victual, domestic and operational waste excluding fresh fish and parts thereof, generated during the normal operation of the ship and liable to be disposed of continuously or periodically except those substances which are defined or listed in other Annexes to the present Convention.</p>		
<p><b>Regulation 7</b>  <b>RECEPTION FACILITIES</b>  1. The Government of each Party undertakes to ensure the provision of facilities at ports and terminals for the reception of garbage, without causing undue delay to ships, and according to the needs of the ships using them.   2. The Government of each Party shall notify the IMO for transmission to the Parties of all cases where the facilities provided under this Regulation are alleged to be inadequate.</p>		<p>TCI will need to provide facilities for garbage disposal for cruise ships in Grand Turk and at the Provo port</p>

## **Annex Q. Environmental Charter Workshop number 2, 5 February 2003 - Agenda**

Environment Charter Working Group  
Workshop #2  
5 February 2003  
9:00 am to 12:30 pm  
TC National Museum

### **Agenda**

- 9:00 Welcome – HE the Governor
- 9:10 Introduction – Michelle Fulford Gardiner
- 9:20 Confirm matrix containing results of workshop #1 previously circulated as Annex 7 of the December Progress Report
- 9:30 Review translation of gaps/issues identified at Workshop #1 into action items.
- 9:50 Discussion of Review of Legislation paper circulated with the agenda
- 10:45 Develop Action Items for Charter Commitment #3 from issues/gaps identified at Workshop #1
- 11:45 Update on review of Multilateral Environmental Agreements
- 12:15 Review project/activity forms which will form an element of the final plan.
- 12:20 Wider Stakeholder Workshop
  - date: April 29?
  - location: National Environmental Centre?
  - discuss invitees
- 12:30 Adjourn

## Annex R. Matrix: Action Items for review at Workshop number 2

### Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
1. Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1)	1. Develop strategic plan for action	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Adoption of Environmental Charter Working Group by ExCo</li> <li>➤ Adequate support to ensure regular meetings, continuity, implementation</li> <li>➤ Integration into Strategic Country Plan Process</li> </ul>
2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.	2.a. Have in place effective legislation for protection of key habitats, species and landscape features	<p><b>LEGISLATIVE ISSUES TO BE ADDRESSED AT WORKSHOP</b></p>
	2.b. Develop Protected Areas Policy	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Enact regulations to make changes in status of some parts of PAS and to add others, following agreed list</li> <li>➤ DECR (PAD) coordinate development of a Protected Areas Policy</li> <li>➤ National Trust works with Museum and TCIG to create Heritage Register</li> </ul>
	2.c. Have in place effective management structures for protection of key habitats, species and landscape features	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Set priorities for parts of PAS most urgently in need of management plans.</li> <li>➤ Develop management plans for every site in PAS in priority order</li> <li>➤ Implement and periodically update existing management plans: <ul style="list-style-type: none"> <li>DECR/NPS management plans</li> <li>Princess Alexandra Marine Park</li> <li>West Caicos Marine Park</li> <li>Northwest Point Marine Park</li> </ul> </li> </ul>

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
		<p>Trust's management plans                      Conch Bar Caves National Park                      North, Middle and East Caicos (International Ramsar Site) (including Vine Point (Man O'War Bush and Ocean Hole) Nature Reserve                      Princess Alexandra Nature Reserve – Little Water, Donna, and Mangrove Cays                      Boiling Hole AHI                      Cheshire Hall AHI</p> <ul style="list-style-type: none"> <li>➤ <b>Trust's management plans/process for areas outside PAS:</b>                          Wade's Green                          Woodland between Lorrimers &amp; Bambarra including Haulover Plantation, Nanny &amp; Garden Ponds                          Crossing Place Trail and Fish Ponds, Middle Caicos                          Indian Cave, Middle Caicos                          Little Ambergris Cay                          Old Govt House, Salt Cay</li> <li>➤ Dept of Planning:                          Northwest Point Master Plan</li> <li>➤ DECR:                          Fisheries Management Plans</li> <li>➤ Identify habitats/areas which may need some protection, but are not appropriate for inclusion in PAS and develop strategy for protecting them.</li> <li>➤ TCIG develop (with National Trust) a policy for preservation of historic buildings, appropriate legislation and funding.</li> <li>➤ Ensure that new management authority for Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures.</li> <li>➤ TCIG create means for developing and implementing agricultural policy</li> </ul> <p><b>Species protection:</b></p> <ul style="list-style-type: none"> <li>➤ Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for iguanas, turtles, whales, and whistling ducks.</li> <li>➤ Carry out systematic evaluation of species requiring conservation action and develop action plans to address these.</li> <li>➤ Develop action plans to address pest problems which</li> </ul>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
		<ol style="list-style-type: none"> <li>1. avoid adverse impacts on other species</li> <li>2. effectively address the problem</li> <li>3. affects target species proportionally</li> </ol>
	2.e. Prevent new invasive species	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Major project to implement port environmental security including:               <ol style="list-style-type: none"> <li>1. Restricting ports of entry</li> <li>2. Stronger legislation</li> <li>3. Establishment of quarantine facilities for both plants and animals</li> <li>4. Technical training for customs officers</li> </ol> </li> <li>➤ Review and list exotic flora and fauna which pose greatest potential problems to either environmental health or biodiversity conservation; enact legislation to prohibit entry</li> </ul>
	2.f. Eradicate problem invasive species	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Continue Feral Dogs Project and extend to other islands as needed.</li> <li>➤ Task the agencies for environmental health, environmental conservation, agriculture, etc, to monitor invasive species, identify problems, develop appropriate plans to eradicate or otherwise control and carry these out.</li> </ul>
3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.	3.a. Integrate environmental considerations within social and economic planning processes	<p><b>ISSUES/GAPS IDENTIFIED AT WORKSHOP#1 TO BE DEVELOPED INTO ACTION ITEMS AT WORKSHOP#2</b></p> <p>Key Issue: As sustainable development is a value-based concept, it is imperative that we find ways to assess full economic cost of proposed development, including total impact and total cost to all affected.</p> <p>Key Issue: Need for mechanisms which have continuity of targets beyond four year cycles. This requires an educated/ informed electorate able to support difficult political decisions. Empowerment and education of the electorate, as well as giving them a role in decision-making, will further this goal.</p> <p>Gap: Need for government to establish and articulate policies for development with clear criteria against which to assess proposals.</p> <p>Gap: Need for indicators for all the different types of capital (natural, human, social, financial, etc) to ensure that one type is not wasted in pursuit of another.</p> <p>Gap: Precondition for moving forward with sustainable development planning is a means to identify benchmarks to assess current conditions.</p> <p>Gap: Can do none of the above without a population policy based on a carrying capacity analysis.</p>



Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
		<p>Issue: Ensuring that infrastructure costs are built into development, rather than being picked up by TCIG later.</p> <p>Gap: Process for monitoring and enforcing agreed payments/projects by developers. Note that these can be non-physical, such as commitment to enhance educational advancement.</p> <p>Workshop mandate: Must ensure that in all consideration of 'environment' we include cultural and historical heritage.</p>
	<p>3.b. Promote sustainable patterns of production and consumption</p>	<p><b>ISSUES/GAPS IDENTIFIED AT WORKSHOP#1 TO BE DEVELOPED INTO ACTION ITEMS AT WORKSHOP#2</b></p> <p>Task: Identify policies which affect our use of resources -- water, fisheries, land, agriculture, quarrying, sand mining, construction methods, touristic development -- and evaluate in terms of sustainability.</p> <p>Gap: Must develop policy for allocation of Crown Lands in a sustainable manner. Planning Department should have input on decisions regarding allocation of Crown land.</p> <p>Gap: Need to develop procedure for establishing, applying and monitoring criteria for the use of public funds in projects-- ensure a good governance approach which means that publicly funded projects contribute to environmental, social and financial sustainability. Should be able to evaluate Government's projects against firm criteria</p> <p>Gap: Need to ensure code compliance with regard to all aspects of development and resource management</p> <p>Gap: Need for registration of architects, surveyors, etc to ensure professional standards</p> <p>Gap: Analysis of Incentives/disincentives created by public policy to ensure that policies promote sustainable use</p>
<p>4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.</p>	<p>4.Ensure that environmental and environmental health impacts are considered when approving major projects [within growth management strategy as dealt with in commitment #3.]</p>	<p><b>LEGISLATIVE ISSUES TO BE ADDRESSED AT WORKSHOP</b></p> <p>Key Issue: Establishment of good planning procedures to protect good decisions</p> <p>Key Issue/Gap: Means to ensure that technical advice is properly taken into account in Ministerial decisions</p> <p>Issue: Certain large development proposals need Minister's Certificate of Approval (sec 31) before Planning Board can consider the application or applications which comprise the proposed development. This process appears to be intended as a safeguard against inappropriate developments, but appears to be seen as an overall approval for the project before any EIA work has been carried out. This is because the EIA process is</p>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
		<p>only triggered by an application to the Planning Department. Therefore there appears to be a need for a process requiring environmental assessment for the overall project prior to the Minister's decision on the Certificate of Approval.</p> <p>Gap: Need zoning scheme (via SDPI) to provide framework for individual decisions</p>
<p>5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.</p>	<p>5.a. Ensure open and consultative decision making process on proposed development and plans</p>	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Amend Physical Planning Ordinance and relevant Regulations to establish procedures which ensure public notice for all projects, ability for public review of plans for proposed projects, meaningful opportunity for input before decisions made. These amendments should ensure:               <ul style="list-style-type: none"> <li>○ advocacy takes in broader issues, rather than focusing only on narrow legal procedural points</li> <li>○ all members of the public, including associations and NGOs, have standing to make representations</li> </ul> </li> <li>➤ Carry out public information campaign (as part of SDPI?) about the broader positive &amp; negative effects of development projects, and the needs for and benefits of effective EIAs. Develop resources to facilitate NGOs and other less-enfranchised groups' participation in the planning process. Educate developers on the benefits of using EIA's to guide the conceptual planning of a project.</li> <li>➤ Adopt appropriate international certification requirements for practitioners who develop plans and EIAs. Facilitate local practitioners seeking international certification.</li> <li>➤ Develop means for open review as projects are carried forward as to whether EIA was accurate, using this as feedback both to that development and to future EIAs.</li> </ul>
	<p>5.b. Environmental impact assessments include consultation with stakeholders.</p>	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ <b>Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which:</b> <ul style="list-style-type: none"> <li>○ Gives Director of Planning more control over EIAs, including appointing and contracting the consultants, identifying issues to be addressed, level of detail, etc.</li> <li>○ Makes EIA subject to both public and peer review, and in major projects, makes the scoping process also subject to public review</li> <li>○ Creates deadlines in Planning Regulations which allow adequate time for public review and input</li> </ul> </li> </ul>
<p>6. Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant</p>	<p>6.a. Implement the Cartagena Convention</p>	<p style="text-align: center;"><b>REVIEW OF MEAs IS IN PROGRESS</b></p> <p>Investigate the match between existing domestic legislation and the convention.</p>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
agreements.		
	6.b. Implement Convention on Migratory Species	Investigate the match between existing domestic legislation and the convention.
	6.c. Implement London Convention	Investigate the match between existing domestic legislation and the convention.
	6.d. Implement Ramsar Convention	Investigate the match between existing domestic legislation and the convention.  Consider other sites in the TCI appropriate for designation under the Ramsar convention
	6.e. Implement World Heritage Convention	Investigate the match between existing domestic legislation and the convention.
	6.f. Assess the needs for joining other relevant MEAs: CITES, CBD, MARPOL, others?	Investigate with local officers the match between existing domestic legislation and the conventions.  Key Issue: Ensure that UK Government maintains full consultation with TCIG before extending its ratification of treaties to include TCI.
7. Review the range, quality and availability of baseline data for natural resources and biodiversity.	7. Review baseline data for natural resources and biodiversity	<p>DRAFT: ACTION ITEMS</p> <ul style="list-style-type: none"> <li>➤ <b>Establish computer-based biological records system to allow collation, checking, input, handling and recovery of observations from many potential observers, to make available for conservation and planning.</b></li> <li>➤ Develop meta-database (and where practicable link into biological records system) of information held by many agencies, including dissertations done on topics relating to conditions here in the TCI, scientific studies, EIAs, etc, leading to progressively increasing accessibility of all this material.</li> <li>➤ Establish programmes and progressive integration of databases to provide baseline and potentially monitoring information on natural resources, including ground-truthed satellite imagery of marine systems, terrestrial ecosystems, built environment to enable implementation of resource accounting.</li> <li>➤ Keep under review the range and quality of information, once collected, and identify further needs.</li> <li>➤ Ensure that ongoing projects are carried out and that logical successor projects follow on:             <ul style="list-style-type: none"> <li>○ TCNT Herbarium</li> <li>○ Museum's wet land core samples for pollen and seed analysis</li> <li>○ Individually developed study collection</li> <li>○ Further development of biodiversity studies in the Caicos Islands</li> </ul> </li> </ul>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
<p>8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.</p>	<p>8.a. Polluter pays: establish effective legislation, policies.</p>	<p style="text-align: center;"><b>LEGISLATIVE ISSUES TO BE ADDRESSED AT WORKSHOP</b></p> <p>Task: Assess whether legislation supports "Polluter Pays" policy</p> <p>Gap: Need stronger penalties for pollution – they're cheaper than mitigation now</p> <p>Gap: Laws have (inadequate) punishment provisions, but no power to enforce mitigation.</p> <p>Gap: Appeals procedure needs framework of criteria for decision making</p> <p>Issue: Adopting international marine pollution convention (see 6f)</p> <p>Gap: Ntl Parks Ordinance has blanket pollution provisions, but Regs lack standards. Water and Sewer Ord also lacks standards.</p>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment

elements of commitment

Actions/programmes which address gaps and issues identified in Workshop #1

	<p>8.b. Establish effective monitoring and enforcement of pollution controls</p>	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Implement the Comprehensive Solid Waste Management Study                     <ul style="list-style-type: none"> <li>---Reduce, reuse, recycle and re-think</li> <li>---Properly managed landfill sites on every island</li> <li>---Disposal methods for septage, oily waste and formaldehyde</li> <li>--- Disposal methods for toxic substances</li> </ul> </li> <li>➤ Build on work of Provo Pollution Task Force, applying this successful model to other problem areas.</li> <li>➤ Establish national laboratory to facilitate environmental monitoring</li> <li>➤ Establish discharge standards which can be enacted as Regulations for appropriate Ordinances</li> <li>➤ Gap: Mechanism for enforcement of polluting activities of cruise lines etc in international waters: <b>review this with MEAs</b></li> <li>➤ Establish monitoring programme for environmental impacts of major projects, beginning with cruise ships in Grand Turk, and including baseline studies and ongoing monitoring.</li> </ul>
	<p><i>Additional:</i> solid waste litter control</p> <p>liquid waste</p> <p>disposal of toxic substances</p>	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Build on programmes of “Clean Up TCI” to develop and extend public awareness regarding disposal of other categories of waste.</li> <li>➤ Establish recycling programmes, including legislation, facilities and incentives, using Sec 51 of the Public and Environmental Health Ordinance, if appropriate.</li> <li>➤ Implement the Provo Liquid Waste Management Plan</li> <li>➤ Establish programme for removal of large waste objects such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future.</li> </ul>
<p>9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.</p>	<p>9. Support and enhance environmental education in schools</p>	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Ensure that the publicly funded school system is adequately resources to allow greater capacity on career guidance, resources to allow environmental study in the field as well as the classroom, and to develop greater regional focus in the environmental curriculum.</li> <li>➤ Ensure that the National Trust is adequately resourced to carry out environmental education programmes, develop and distribute educational materials, conduct programmes like summer camps and the Living</li> </ul>

Environment Charter Project Action items for review at Workshop #2.

Environment Charter commitment	elements of commitment	Actions/programmes which address gaps and issues identified in Workshop #1
		Classrooms and take on work-experience students. Arrange for Government approval for the sites identified on each island and the resources to be made available to the National Trust for the Living Classrooms programme.
10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.	10.a. Promote Environmental Charter principles within the TCI	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Fund one of the NGOs (CleanUpTCI or the Trust, for example) to carry out a large-scale, multi-year, nation-wide awareness programme centred on the adult population.</li> <li>➤ Use the Strategy for Action developed through the current process as the basis of Government's development/environment policy and make it widely known.</li> </ul>
	10.b. Create and promote publications which spread awareness of TCI's special environmental features	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Encourage and support the further development of existing initiatives by the Trust, Museum, Tourist Board and others, including private individuals, to produce and use high-quality publications which spread awareness of the TCI's special environmental features.</li> </ul>
	10.c. Develop and implement programmes to increase public awareness of the environment and related issues in the TCI	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Recognising that ecotourism facilities are both an education tool and an economic engine, facilitate the securing of funding by NGOs (especially the Trust and the Museum) for the development of such facilities, so that staff time in seeking funding does not unduly impact the ability to carry out projects.</li> </ul>
	10.d. Promote awareness of the Environmental Charter itself	<p><b>DRAFT: ACTION ITEMS</b></p> <ul style="list-style-type: none"> <li>➤ Carry out high-profile launch to raise awareness of the Charter.</li> </ul>
11. Abide by the principles set out in the Rio Declaration on Environment and Development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).	11.a. Abide by Rio Principles	<p><b>THIS ONE WAITS UNTIL THE REST OF STRATEGY IS DRAFTED, AND THEN WE CAN CHECK</b></p> <p>Examine whether any aspect of the Rio Principles are not addressed within the framework of undertakings 1 – 10.</p>
	11.b. Work towards meeting International Development Targets	Examine whether any aspect of the International Development Targets are not addressed within the framework of undertakings 1 – 10.

## Annex S. Implementation Activities – draft form

### Environment Charter Strategy for Action Implementation Activities

Title of project/activity/task	
Lead implementing organisation	
Contact person	
Other main orgs involved	
Nature of activity	
Project status	
Dates of project/activity	
Budget head and/or external funding body	
Environment Charter commitment this addresses	
Objective	
Outputs	
Intended outcomes	
Project summary	
Project activities	
Exit strategy/sustainability (where appropriate)	
For proposed projects: --Proposed budget --Likely funding source	
Any other relevant information	
Date this form completed and by whom	

## Annex T. Important heritage areas in Turks & Caicos Islands

The Workshop asked the facilitators to collate an updated list of important heritage areas, based on the proposals made at various times by the National Trust based on studies since the National Parks Ordinance, together with suggestions made by others.

This list is arranged by the main islands that the sites are on or near. Status indicates present status and any changes needed insofar as these have been identified. Statutory designations are abbreviated as:

NP = National Park

NR = Nature Reserve

Sanct = Sanctuary

AHI = Area of Historic Importance

blank implies either uncertainty or an area which warrants protection but perhaps not in one of these statutory categories.

Numbers are those by which the statutory protected areas are normally known.

The "Management current" column tries to indicate present management activities, and may include notes on other points.

Note: We have listed the main recommendations from the 1988 UN Historic Buildings Study, although it lists many buildings as "potential monuments" which are not included here.

Site	Status	Management current
<b>West Caicos</b>		
West Caicos Marine National Park	NP 11	CRMP Plan
Lake Catherine Nature Reserve	NR 16	
Ruins at Yankee Town		1988 UN Historic Buildings Study
Causeway connecting Yankee Town with east coast		1988 UN Historic Buildings Study
(Other areas need survey and assessment)		
<b>Providenciales (and nearby cays)</b>		
Chalk Sound National Park	NP 2	
North West Point Marine National Park	NP 8	CRMP Plan
North West Point Pond Nature Reserve	NR 18	?in NW Point Dev Plan
Pigeon Pond and Frenchman's Creek Nature Reserve	NR 19	DECR Management Plan
Princess Alexandra Land and Sea National Park	NP 9	CRMP Plan (parts of this area fall within the following NR which is subject to NR management)
Princess Alexandra Nature Reserve – Little Water, Donna, and Mangrove Cays	NR 20	TCNT manage LW Cay (and could do the others)
Bird Rock Point		Owned by TCNT and could be incorporated by them in reserve & trail complex with adjacent Little Water, Donna & Mangrove Cays
Cheshire Hall	AHI 28	ExCo agreed 99-year lease to TCNT for Cheshire Hall on 17 Nov 1999. TCNT manages.
Sapodilla Hill Rock Carving	AHI 33 (Nat Mus indicates that the boundary to this site excludes important features currently under threat, and should be extended.)	
Cheshire Hall Creek, Providenciales	Needs NR status	Identified by TCNT for field classroom
Children's Park, Blue Hills, Providenciales		Identified by TCNT



The wells, Providenciales		Identified by TCNT
Middle Cay		Identified by TCNT
Bay Cay		Identified by TCNT
The Hole		Identified by Tourist Board
Church between Lower Bight and Kingston		1988 UN Historic Buildings Study
Government Rest House and adjacent buildings in Five Cays		1988 UN Historic Buildings Study
<b>North Caicos (and nearby cays)</b>		
East Bay Islands National Park	NP 5	
Fort George Land and Sea National Park – North of Pine Cay	NP 6	
Cottage Pond Nature Reserve	NR 14	
Dick Hill Creek and Bellefield Landing Pond Nature Reserve	NR 15	
Pumpkin Bluff Pond Nature Reserve	NR 21	
Three Mary Cays Sanctuary	Sanct 26	
Fort George – Fort George Cay	AHI 29	
Wades Green Plantation	Needs AHI status	ExCo agreed 99-year lease to TCNT for Wades Green on 17 Nov 1999. TCNT manages. Part of TCNT Biodiversity Mgmt Plan 1988 UN Historic Buildings Study
Gallery forest near Wade's Green	Needs NR status	In TCNT Biodiversity Mgmt Plan
Mangrove Pond		Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
Mud Hole Pond		Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
St Thomas Hill Pond		Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
Moore Hall Pond		Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
The Wells		Identified by TCNT and 1988 UN Historic Buildings Study
Two Lucayan sites: The Mountain, west of Belleview Wharf and an area two miles WSW of the Wharf		1988 UN Historic Buildings Study recommends AHI status
Kew Assembly Building and adjacent remains of sugar cane mill		1988 UN Historic Buildings Study
<b>Middle Caicos (and adjacent islands for Ramsar site)</b>		
North, Middle and East Caicos (International Ramsar Site)	NR 17	In TCNT Biodiversity Mgmt Plan
Vine Point (Man O'War Bush and Ocean Hole) Nature Reserve	NR 22 (totally within NR 17)	In TCNT Biodiversity Mgmt Plan
Conch Bar Caves National Park	NP 4; needs reclassifying as NR	In TCNT Biodiversity Mgmt Plan
Crossing Place Trail (including Blowing & Juniper Holes)	Needs NR status	In TCNT Biodiversity Mgmt Plan
Fish Ponds (possibly combine with adjacent Crossing Place Trail)	Needs NR status	In TCNT Biodiversity Mgmt Plan
Indian Cave (possibly combine with adjacent Crossing Place Trail)	Needs NR status	In TCNT Biodiversity Mgmt Plan
English Pond		Identified by Clarke & Norton 1987 & TCNT

		Biodiversity Mgmt Plan
Jack Pond		Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
Old School and grounds, Bambarra		Transfer from TCIG agreed 2001 for eco-centre. In TCNT Biodiversity Mgmt Plan
Woodland and scrub areas between Lorimers & Bambarra, including the following (lettered) specific areas:	Needs NR status	In TCNT Biodiversity Mgmt Plan
a) Haulover Plantation Ruins and Field, including trail	Needs AHI status	In TCNT Biodiversity Mgmt Plan
b) Nanny & Meadow Ponds & Trail		In TCNT Biodiversity Mgmt Plan
c) Trail to Armstrong Pond, & surrounds		In TCNT Biodiversity Mgmt Plan Area around Armstrong Pond identified as important Lucayan site by 1988 UN Historic Buildings Study
d) Trail to flats & Big Pond & surrounds		In TCNT Biodiversity Mgmt Plan
Turnup & Montpeller Ponds	Needs NR status	In TCNT Biodiversity Mgmt Plan
Corry & Washing Ponds	Needs NR status	In TCNT Biodiversity Mgmt Plan
Duck Pond, Middle Caicos	Needs NR status	In TCNT Biodiversity Mgmt Plan
Long Bay, Middle Caicos	Needs NR status	In TCNT Biodiversity Mgmt Plan
The creeks and flats at Lorimers and Increase, Middle Caicos	Needs NR status	In TCNT Biodiversity Mgmt Plan
Reef off N Shore of Middle Caicos	Needs NR status	Identified by TCNT, Spalding et al; & FCO
School House in Lorimers	Needs AHI status	Identified by TCNT and 1988 UN Historic Buildings Study
Dr John Lorimers tomb & surrounds	Needs AHI status	Identified by TCNT and 1988 UN Historic Buildings Study which recommends AHI status
Coral stone building with square well in Lorimers		1988 UN Historic Buildings Study
Ruins of Lorimers Plantation including slave quarters		1988 UN Historic Buildings Study
Dustry Plantation Ruins	Needs AHI status	Identified by TCNT
The Wells, Middle Caicos	Needs AHI status	Identified by TCNT and 1988 UN Historic Buildings Study
Lucayan sites east of Conch Bar		
Areas of importance for plants with traditional uses		In TCNT Biodiversity Mgmt Plan; to be identified in further work
<b>East Caicos (and nearby cays)</b>		
Joe Grant's Cay and the adjacent channels incl Windward Going Through	Needs NR status	Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
East Caicos Caves	Needs NR status	Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
Jacksonville ruins, East Caicos	Needs AHI status	Identified by TCNT
East Caicos ponds	Needs NR status	Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
East Caicos flats and marshes	Needs NR status	Identified by Clarke & Norton 1987 & TCNT Biodiversity Mgmt Plan
The reef off the north shore of East Caicos	Needs NR status	Spalding et al; FCO
The reef off the east shore of East Caicos	Needs NR status	Spalding et al; FCO
<b>South Caicos</b>		
Admiral Cockburn Land and Sea National Park	NP 1	
Admiral Cockburn Nature Reserve – Long Cay, Middleton Cay, Six Hill Cay	NR 12	

Bell Sound Nature Reserve	NR 13	
Boiling Hole	AHI 27	TCNT project
1988 UN Historic Buildings Study proposes two conservation areas in Salt Bay – one an area north of the sea front (Queen Elizabeth II Parade) up to Butterfield Street, and the other to include the lighthouse and District Commissioner's Residence		1988 UN Historic Buildings Study
Salt Pans & Historic Buildings, South Caicos		Identified by TCNT; further survey needed for both natural and cultural heritage
1988 UN Historic Buildings Study recommends a number of buildings for preservation in South Caicos which must be re-surveyed and mapped.		
<b>Ambergris Cays</b>		
Big Ambergris Cay	Needs NR status	Outstanding importance for animals such as iguanas & plants such as Turks Head Cacti, but development; measures needed to preserve parts
Little Ambergris Cay	Needs NR status	99-year lease to TCNT who manage
<b>Other cays</b>		
French, Bush and Seal Cays Sanctuary	Sanct 24	
Molasses Reef Wreck – South East of West Caicos	AHI 31	
Small cays for iguanas, seabirds etc	Need NR status	To be identified in further work
<b>Grand Turk (and nearby cays)</b>		
Columbus Landfall Marine National Park	NP 3	Unclear how management requirements taken into account re cruise liner developments
Grand Turk Cays Land and Sea National Park	NP 7; Penniston Cay and possibly Pinzon Cay need transferring to Sanctuary status; Gibbs Cay should remain NP	
South Creek National Park	NP 10	
Long Cay Sanctuary	Sanct 25	
North Lighthouse	Needs AHI status	Dept Public Works Recommended for conservation area status by 1988 UN Historic Buildings Study
Old H.M. Prison and Library	Needs AHI status	Identified by TCNT & Museum Recommended for conservation area status by 1988 UN Historic Buildings Study
Bakers Hill		Recommended for conservation area status by 1988 UN Historic Buildings Study
Middle Street		Recommended for conservation area status by 1988 UN Historic Buildings Study
Middle section of Front Street		Recommended for conservation area status by 1988 UN Historic Buildings Study
Northern and middle sections of Duke Street		Recommended for conservation area status by 1988 UN Historic Buildings Study
Akers Hill (Lucayan settlement)		Recommended for AHI status by 1988 UN Historic Buildings Study

North Wells		Recommended for AHI status by 1988 UN Historic Buildings Study
South Wells		Recommended for AHI status by 1988 UN Historic Buildings Study
Gun Hill	Needs NR and AHI status	Recommended for AHI status by 1988 UN Historic Buildings Study and needs conserving for natural features as well
Sandy Point		Recommended for AHI status by 1988 UN Historic Buildings Study
Town Salina and & other salt-pans	Needs NR & AHI status	Need conserving for historic interest and wildlife feature in town
Waterloo, St Thomas Church, GT Methodist Church, salt house in the PWD compound on Lighthouse Road		Buildings not included in the proposed conservation zones, but recommended for "Protective Status" by 1988 UN Historic Buildings Study
Gunners Terrace (just across the street on the south of Seaeye Divers)		Turks & Caicos Historical Society (Site of the only large gun placement in the Bahama archipelago, to cover the main entry for U-boats: between Grand Turk & South Caicos)
<b>Salt Cay (and nearby cays)</b>		
Big Sand Cay Sanctuary	Sanct 23	
H.M.S. Endymion Wreck – South of Big Sand Cay	AHI 30	
Salt Works and Village	AHI 32; possibly needs extending as NR in addition	
Old salt/boat warehouse, Salt Cay (included in previous entry AHI 30)		
Historic Buildings, Salt Cay (many of these are included in AHI 30, but this needs checking)		To be identified and listed
Government House, Salt Cay		Long lease to TCNT being arranged
Other historical/archaeological sites		To be identified in further work

Environment Charter commitment	Elements of commitment	Actions/programmes
<p>1. Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1)</p>	<p>1. Develop strategic plan for action</p>	<p>1.1 Adoption of Environmental Charter Working Group by ExCo            1.2 Create this as a "pilot project" in the first year, recording the UK support in the form of the facilitation exercise and providing budget for TCI governmental and non-governmental personnel involvement            1.3 If proved successful, in future years, ensure incorporation of project into recurrent budget, either as a block or within departments. Provide adequate staff support to ensure continuity of process when this initial project is finished.            1.4 Allocate a block of funding from the next budget cycle to ensure that the top priority projects identified through this process can start as soon as possible            1.5 Continue integration into Strategic Country Plan Process</p>
<p>2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.</p>	<p>2.a. Have in place effective legislation for protection of key habitats, species and landscape features</p>	<p style="text-align: center;"><b>Habitat/Landscape</b></p> <p>2.a.1 Use Conservation Areas, Building Protection Orders, Plant Preservation Orders in Physical Planning Ordinance as mechanism for conservation of specific features in areas of privately owned land. Update Sec 4 of the Development Manual, "Special Provisions Relating to Conservation" and ensure that it is being followed, for example, in requiring thorough EIAs before any development in salina areas.            2.a.2 Amend Physical Planning Ordinance sec 88 to include penalties for violation of Conservation Area Orders, and to increase penalties for violation of all conservation orders, including, in appropriate cases, confiscation of land. Develop zoning strategy to set aside lands for conservation.            2.a.3. Amend National Parks Ordinance to incorporate opportunities for public notice and input re the designation, changing designation or de-designation of areas protected under the ordinance.</p> <p><b>Species:</b></p> <p>2.a.4 Amend Fisheries Protection Ordinance to provide mechanism for regulating taking of turtles, to enable conservation of the populations            2.a.5 Review Fisheries Ordinance to ensure proper conservation of other marine species, with particular emphasis on multi-species breeding aggregations, with Nassau Groupers as the flagship species.            2.a.6 Amend Wild Birds Protection Ordinance to extend special protection measures for rare and endangered species to Kirtland's Warbler, West Indian Whistling Ducks and other vulnerable and/or geographically restricted populations.            2.a.7 New: Wildlife Protection Ord to protect important, native, threatened, etc fauna such as iguanas, other endemic reptiles, lepidoptera etc, which creates:</p> <ul style="list-style-type: none"> <li>○ a process for identifying species for which protection is appropriate</li> <li>○ appropriate management authority and criminal provisions</li> </ul>

Environment Charter commitment	Elements of commitment	Actions/programmes
		<ul style="list-style-type: none"> <li>○ means to identify exotic animal species which could become invasive</li> <li>○ means to prohibit import of such species</li> <li>○ ability to identify and extirpate harmful invasive species already here.</li> <li>○ may make sense to incorporate Wild Birds Protection Ord into new law</li> </ul> <p>2.a.8 Plant Protection Ord should be amended to</p> <ul style="list-style-type: none"> <li>○ Put in place a process for identifying species such as Turks Head cactus and local orchids for which protection is appropriate and establish appropriate management authority and criminal provisions</li> <li>○ deal with invasive plant species, both the identification of species for which import should be banned and the ability to identify problem species already here and eliminate them.</li> <li>○ One Govt department should have lead responsibility for this, whether it be DECR, Environmental Health or a new Dept of Agriculture.</li> </ul>
	2.b. Develop Protected Areas Policy	<p>2.b.1 <b>TOP PRIORITY FOR IMMEDIATE ACTION:</b> Lodge the boundaries of existing Protected Areas in the Governmental GIS system, Planning and Land Registry by resourcing translation where digitised boundaries are already available and digitising of remaining boundaries.</p> <p>2.b.2 <b>TOP PRIORITY FOR IMMEDIATE ACTION:</b> develop Protected Areas Policy with agreement at highest level to ensure that there is no further erosion of the PAS through inappropriate development</p> <p>2.b.3 Review the needs for amendments to the boundaries and/or the categorisation of existing Protected Areas, and the need for additional Protected Areas in the light of new information. Facilitators to initiate process by collating the recommendations already supplied by National Trust and others. Recommendations to be processed where sufficient information exists and information needs identified in other cases. Enact regulations accordingly, as cases reach the appropriate stage.</p> <p>2.b.4 National Trust work with Museum and TCIG to complete and adopt Heritage Register of significant built and natural sites required by National Trust Ordinance, building on 1988 UN study.</p>
	2.c. Have in place effective management structures for protection of key habitats, species and landscape features	<p>2.c.1 Set priorities for parts of PAS most urgently in need of management plans.</p> <p>2.c.2 Develop management plans for every site in PAS in priority order</p> <p>2.c.3 Finalise, adopt and periodically update existing management plans; integrate with Planning where useful:</p> <p>DECR/PAD management plans</p> <ul style="list-style-type: none"> <li>Princess Alexandra Land and Sea National Park</li> <li>West Caicos Marine National Park</li> <li>Northwest Point Marine National Park</li> <li>Pigeon Pond and Frenchman's Creek Nature Reserve</li> <li>West Caicos Master Plan</li> </ul> <p>Trust's management plans</p>

Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>Conch Bar Caves National Park  North, Middle &amp; East Caicos Nature Reserve (International Ramsar Site) (inc. Vine Point, Man O'War Bush &amp; Ocean Hole) Nature Res.  Princess Alexandra Nature Reserve – Little Water Cay; plans needed for Donna and Mangrove Cays  Boiling Hole AHI  Cheshire Hall AHI</p> <p>Trust's management plans/process for areas outside PAS:  Wade's Green  Woodland between Lorrimers &amp; Bambarra including Haulover Plantation, Nanny &amp; Garden Ponds  Crossing Place Trail and Fish Ponds, Middle Caicos  Indian Cave, Middle Caicos  Little Ambergris Cay  Old Govt House, Salt Cay  Bird Rock Point, Providenciales, linking in with adjacent Princess Alexandra NR</p> <p>Dept of Planning:  Northwest Point Master Plan</p> <p>DECR: Fisheries Management Plans</p> <p>2.c.4 Identify habitats/areas which may need some protection, but are not appropriate for inclusion in PAS and develop strategy for protecting them, using the Conservation Area and other provisions of the Physical Planning Ordinance.</p> <p>2.c.5 TCIG develop (with National Trust) a policy for preservation of historic buildings, appropriate legislation and funding; amend sec 34 of the Public and Environmental Health Ordinance to afford protection to historic structures</p> <p>2.c.6 Ensure that new management authority for Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures.</p> <p>2.c.7 TCIG create means for developing and implementing agricultural policy</p> <p><b>Species protection:</b></p> <p>2.c.8 Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for iguanas, turtles, whales, whistling ducks and other priority species.</p> <p>2.c.9 Carry out systematic evaluation of species requiring conservation action and develop action plans to address these.</p> <p>2.c.10 Develop action plans to address problem pests such as mosquitos which</p> <ul style="list-style-type: none"> <li>o avoid adverse impacts on other species</li> </ul>

Environment Charter commitment	Elements of commitment	Actions/programmes
		<ul style="list-style-type: none"> <li>o effectively address the problem</li> <li>o affect target species proportionately</li> </ul> <p>2.c.11 Develop and implement biological monitoring programme</p>
	2.d. Prevent new invasive species	<p>2.d.1 Major project to implement port environmental security including:</p> <ul style="list-style-type: none"> <li>o Restricting ports of entry</li> <li>o Stronger legislation</li> <li>o Establishment of quarantine facilities for both plants and animals</li> <li>o Technical training for customs officers</li> </ul> <p>2.d.2 Review and list exotic flora and fauna which pose greatest potential problems to either environmental health or biodiversity conservation; enact legislation to prohibit entry</p>
	2.e. Eradicate problem invasive species	<p>2.e.1 Continue Feral Dogs Project and extend to other islands as needed.</p> <p>2.e.2 Task the agencies for environmental health, environmental conservation, agriculture, etc, to monitor invasive species, identify problems, develop appropriate plans to eradicate or otherwise control and carry these out.</p>
3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.	3.a. Integrate environmental considerations within social and economic planning processes	<p>3.a.1 Identify existing or potentially easily gatherable data sets which could, if tracked, give <u>meaningful</u> indication of quality of life parameters. Use these to institute a system of indicators, ideally with annual reporting. The indicators should relate to health, literacy, pollution levels, natural resources, natural and cultural heritage, social stability and other real indicators of the effects of development decisions. Integrate with ongoing efforts to develop domestic GDP capacity to integrate sustainable measures of GDP. Some of these data sets will come from other organisations, but Government, too, needs to develop a more integrated approach to collation of statistics.</p> <p>3.a.2 Become familiar with, and contribute to, the international effort to develop meaningful measures of natural, human, social and financial capital. (Note that this is a new and rapidly developing field and the TCI is in no way behind in this new approach.)</p> <p>3.a.3. In order to maintain the competitiveness of the TCI in the global tourism market and enable us to attract high-value investment which improves life for the people of the TCI, complete and adopt the Sustainable Development Planning Initiative, begun in Grand Turk, and to be carried out in every inhabited island. Key SDPI goals to be met are:</p> <ul style="list-style-type: none"> <li>o Protection of environmental resources by establishing target growth capacity that sustains quality of ecosystems, human health and economic prosperity</li> <li>o Improvement of quality of life by providing for a diverse economy which balances foreign investment and local enterprise enabling a lasting prosperity</li> <li>o Strengthen the community by involving them in the decisions which affect their quality of life.</li> <li>o Develop a zoning scheme which provides the framework for individual decisions</li> </ul> <p>3.a.4. Establish Sustainability Commission which reviews activities at every level and involves local communities,</p>



Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>creates the institutional structure to carry the SDPI forward, and to convert it to a cultural standard.</p> <p>3.a.5 Build on the Standard of Living study to go back to the original respondents and begin working on the practical implications of the issues they raised.</p> <p>3.a.6 Carry the interdepartmental approach used in this project further to involve decision-makers in the SDPI, with a mechanism to incorporate the monitoring of social, economic and physical planning processes and report them alongside the outcomes as measured by the quality of life indicators, in order to establish a platform for what will be a constantly iterative process.</p> <p>3.a.7 Design and carry out a project to initiate the regular informing of different sectors of society to empower local people so that they can participate in informed democratic decision-making on matters which affect their future. Essential that people's right to be informed is honoured in this process. Important, also, because an informed electorate can support difficult political decisions. Implement with laws, regulations as needed and with adequate funding to ensure continuity. Should encourage NGO and private sector involvement.</p> <p>3.a.8 Given that the National Physical Development Plan expired in 1997, and pending the completion of the SDPI (3.a.3) and the National Strategic Development Policy (3.a.9), consider a variety of possible interventions, a moratorium on major built development being one of them. This could be applied to especially sensitive areas, important areas on which proper analysis has not been done, or other areas of concern, and would have to have a reasonably short window.</p> <p>3.a.9 Develop (with public consultation) and publish a National Strategic Development Policy with clear criteria against which to assess proposals and guidelines to aid Ministerial decisions. Decisions should be published with reasons explained against these criteria. Policy should lay out which kinds of development are good for the country and why. Each Development Agreement made by TCInvest should also lay out how the proposed development fits with the National Strategic Development Policy.</p> <p>3.a.10 In every area covered by the Charter, develop a culture amongst the authorities that they must enforce the laws and to make sure that Government action must also fall within the law, adequately resource Government departments to enable them to carry out enforcement activities, and raise public awareness of the purpose and value of laws which protect our environment</p>
	3.b. Promote sustainable patterns of production and consumption	3.b.1 Ongoing task for the Environment Charter Working Group, beyond the present project: Identify policies which affect use of resources -- water, fisheries, land, agriculture, quarrying, sand mining, construction methods, touristic development. Evaluate in terms of sustainability and make recommendations for policy development accordingly. This should address incentives/disincentives created by public policy to ensure that policies in all sectors promote sustainable use. In this process, take account of the likely effects of climate change, which will put additional stress on natural systems and services on which local livelihoods depend for natural resources, coastal protection and water resources; it will therefore be even more important to avoid other impacts on these features (see NRI/Tyndall Centre

Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>report to DFID 2001).</p> <p>3.b.2 As land is the most non-renewable resource, it is necessary to assess accurately the Crown lands which remain available for potential alienation without jeopardising those Crown lands which are identified to support other aspects of the future development of the country. This includes the Protected Areas System and other lands which underpin the high value tourist industry as well as the quality of life for Turks Islanders.</p> <p>3.b.3 Develop and follow a policy for the allocation of Crown lands both to Belongers and inward investors in a sustainable manner, recognising that the land supply is finite. The policy needs to look beyond the point when there is no longer appropriate Crown land to alienate, and a sustainable approach requires that this Policy is developed well before reaching that point. To ensure consistency with land use plans, Planning Department should have input on decisions regarding allocation of Crown Land. The policy must include an assessment of the percentage of the reserve that can be released at any time., and a process for exceeding that percentage. Develop clear policy for capital reserve derived from land sales to ensure sustainability of Government's budgets.</p> <p>3.b.4 Develop population policy consistent with the National Development Strategy based on carrying-capacity analysis, the spread of required skills between Belongers and incomers, and reasonable treatment of those contributing to the country's development, whether Belongers or incomers.</p> <p>3.b.5 Enable participatory budgeting by reviewing and adapting the Governmental decision process for deciding on capital projects, with a view to ensuring that publicly funded projects contribute to environmental, social and financial sustainability. Process must include consultation with an informed public who understand that there are choices to be made between priorities and that there are trade-offs inherent in capital development decisions.</p> <p>3.b.6 Develop and implement Coastal Zone Management Policy to deal with coastal works, flooding and disaster management and wise allocation of valuable and very limited supply of coastal land. This policy should recognise the value of natural features such as coral reefs, beaches, mangroves, and sea grass beds as natural defences and the utility of soft engineering approaches to encourage such natural systems.</p> <p>3.b.7 Develop mariculture/aquaculture projects to produce food animals such as conch and lobster to supply the tourism industry in a sustainable way, without depleting wild stock. Equally, develop nurseries to grow valued local plants such as the Turks Head cactus, but strictly control how any operations collect from the wild.</p> <p>3.b.8 The tourism industry sign up for Green Globe 21 project to promote sustainability in this growing industry.</p>
4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth	4. Ensure that environmental and environmental health impacts are considered when approving major projects [within growth	<p>4.1 Amend laws and procedures so that the EIA is carried out that earliest possible stage in the application process, so that it can inform critical early decisions rather than coming at the end of the process, when it can only be used to correct fairly minor aspects:</p> <p style="padding-left: 40px;">Encouragement of Development Ordinance:</p> <ul style="list-style-type: none"> <li>○ Create a new preliminary procedure in which the developer and TCInvest agree a general outline of</li> </ul>

Environment Charter commitment	Elements of commitment	Actions/programmes
management strategy.	management strategy as dealt with in Commitment #3.]	<p>the project contemplated without conveying the impression that the project has been approved. Director of Planning would determine on the basis of this preliminary outline whether an EIA will be required for the project, and the point in the application process at which an EIA would be most useful. The Director would have authority to decide that an EIA is required before a Development Order is agreed.</p> <ul style="list-style-type: none"> <li>○ Change process so that public notice and input is incorporated before Development Orders are agreed.</li> </ul> <p>Physical Planning Ordinance:</p> <ul style="list-style-type: none"> <li>○ Repeal sec 31, the Certificate of Approval process, because it conveys the idea that the project is approved before any review whatever can be carried out</li> <li>○ Amend Sec 32 to give Director of Planning control over EIAs, including scoping, screening and methodology agreed by the dept before any field work is carried out, appointing, contracting and paying the consultants (funding supplied by the Developer, but paid through the Planning Dept), identifying issues to be addressed, level of detail, qualitative indicators to be used to permit cost/benefit analysis, and ensuring that all field reports are submitted to Planning unchanged from the form submitted by the consultant.</li> <li>○ Specify in Sec 32 that all EIAs must describe existing conditions, identify potential impacts of the project and propose mitigation strategies, and must address cultural impacts in addition to any other elements the Director may require</li> </ul> <p>4.2 Take forward commitments in Country Strategic Plan (j) to incorporate a Strategic Environment Assessment approach and the SDPI-developed zoning scheme (see 3.a.3) into EIA procedures</p> <p>4.3 Develop policies and practice to ensure that conditions attached to development permission adequately require that total costs, including damage to primary resources, are built into development, rather than being picked up by TCIG later. Develop statistical framework, including a set of ratios which allow calculation of total costs of developments of various sizes. Develop process for monitoring and enforcing agreed payments/projects by developers. Note that these can be non-physical, such as commitment to enhance educational advancement.</p> <p>4.4 Ensure code compliance with regard to all aspects of development and resource management</p> <p>4.5 Adopt appropriate international certification requirements for architects, surveyors, etc to ensure professional standards and facilitate local practitioners seeking international certification.</p>
5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that	5.a. Ensure open and consultative decision making process on proposed development and plans	<p>5.a.1 Amend Physical Planning Ordinance and relevant Regulations to establish procedures which ensure public notice for all projects, ability for public review of plans for proposed projects, meaningful opportunity for input before decisions made. These amendments should ensure:</p> <ul style="list-style-type: none"> <li>○ advocacy takes in broader issues, rather than focusing only on narrow legal procedural points</li> <li>○ all members of the public, including associations and NGOs, have standing to make representations</li> </ul>

Environment Charter commitment	Elements of commitment	Actions/programmes
environmental impact assessments include consultation with stakeholders.		<ul style="list-style-type: none"> <li>○ representations are either made at a hearing or are fully conveyed to decision-makers</li> <li>○ any planning decision by the Minister is considered against the Development Policy criteria (see 3.a.6) with advice from technical officers, and reasons (relating to those criteria) are published with the decision</li> </ul> <p>5.a.2 As part of implementing Strategic Country Plan (k) carry out public information campaign (as part of SDPI?) about the broader positive &amp; negative effects of development projects, and the needs for and benefits of effective EIAs. Develop resources to facilitate NGOs and other less-enfranchised groups' participation in the planning process. Educate developers on the benefits of using EIA's to guide the conceptual planning of a project.</p> <p>5.a.3 Adopt appropriate international certification requirements for practitioners who develop plans and EIAs. Facilitate local practitioners seeking international certification. Include training component by DFID, World Bank or similar, and registration, for example by the Institute of Ecology and Environmental Management (IEEM).</p> <p>5.a.4 Develop means for open review as projects are carried forward as to whether EIA was accurate, using this as feedback both to that development and to future EIAs. Set out proper notification process for feedback, resulting in advisories which go directly to ExCo .</p>
	5.b. Environmental impact assessments include consultation with stakeholders.	<p>5.b.1 Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which:</p> <ul style="list-style-type: none"> <li>○ Make EIA subject to both public review and peer review by scientific bodies, and in major projects, make the scoping process also subject to public review</li> <li>○ Create deadlines in Planning Regulations which allow adequate time for public review and input</li> </ul>
6. Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.	6.a. Implement the Cartagena Convention See Annex 20.	Virtually all requirements under this Convention arise in other contexts throughout this document and the links will be noted in the next version.
	6.b. Implement Convention on Migratory Species See Annex 16	<p>6.b.1 Add Kirkland's Warbler to list of rare and endangered species in Wild Birds Protection Ordinance</p> <p>6.b.2 Amend Fisheries Protection Ordinance provide better protection for sea turtles and mechanisms regulate taking of turtles in such a way as to protect the population</p> <p>6.b.3 Establish Protected Areas for Kirkland's Warbler in the Caicos Islands and turtle nesting beaches throughout TCI.</p> <p>6.b.4 Review and extend the network of protected areas for migratory species</p>

Environment Charter commitment	Elements of commitment	Actions/programmes
	6.c. Implement London Convention See Annex 21	6.c.1 Apply precautionary approach using preventative measures to prevent dumping of wastes 6.c.2 Ensure that laws and practice do not transfer damage or pollution from one part of the environment to another 6.c.3 Designate an appropriate authority to issue permits in accordance with this Protocol; keep records of the nature and quantities of all wastes for which dumping permits have been issued; monitor the condition of the sea for the purposes of this Protocol; and report to the IMO. 6.c.4 Develop procedures regarding liability arising from the dumping or incineration at sea of wastes or other matter
	6.d. Implement Ramsar Convention on Wetlands See Annex 15	6.d.1 Monitor the designated Wetland of International Importance (the Nature Reserve in Middle, North and East Caicos) and manage the Reserve in such a way as to ensure biological conservation, using the Darwin Initiative Management Plan as the basis 6.d.2 Use the SDPI to ensure environmentally sustainable wise use of all wetlands in the TCI 6.d.3 For those areas already parts of the PAS which comprise wetlands, ensure proper management and wardening 6.d.4 Identify and designate other valuable wetlands as Nature Reserves or Sanctuaries and provide adequate wardening 6.d.5 Identify and designate suitable additional wetlands for inclusion in the List of Wetlands of International Importance 6.d.6 Develop biological records system to enable research and exchange of data 6.d.7 Train personnel in the fields of wetlands research, management and wardening
	6.e. Implement World Heritage Convention See Annex 18.	6.e.1 Extend review of especially cultural sites; and extend detailed specification and protection needs to all new sites identified, natural or cultural. 6.e.2 Consider amendment of National Parks Ordinance to broaden the purposes of Areas of Historic Interest beyond "projecting an object of historic interest" to take in other kinds of sites of cultural importance 6.e.3 Incorporate into SDPI effective and active measures for the protection, conservation and presentation of the cultural and natural heritage 6.e.4 Adopt and implement draft management plans for Protected Areas and develop plans for areas lacking them 6.e.5 Take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of the heritage 6.e.6 Develop the planned local environment- and eco-centres, and input environmental issues to schools and colleges 6.e.7 Review the list of heritage sites being started by this project for potential World Heritage Site nominations in time for the next review of the list of potential nominations in 2004/6.

Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>6.e.8 Further develop the current programmes of the Tourist Board's Cultural Officer, the Education Dept, the National Trust, the National Museum, DECR and other educational and information programmes, to strengthen appreciation and respect of the cultural and natural heritage, and keep the public broadly informed of the dangers threatening this heritage</p> <p>6.e.9 Provide material for regular reports by UK to the Convention</p>
	<p>6.f. Assess the needs for joining other relevant MEAs:  CITES (see Annex 19)  CBD (see Annex 17)  MARPOL (see Annex22)</p>	<p><b>Key Issue: Ensure that UK Government maintains full consultation with TCIG before extending its ratification of treaties to include TCI.</b></p> <p><b>CITES</b></p> <p>6.f.1 Request UK Government to add TCI to its ratification of CITES</p> <p>6.f.2 Adopt lists from Appendices I and II (complete) in the Customs Order and update as they are amended</p> <p>6.f.3 Enact legislation which penalises possession of listed species</p> <p><b>CONVENTION ON BIOLOGICAL DIVERSITY</b></p> <p>6.f.4 Request UK Government to add TCI to its ratification of CBD</p> <p>6.f.5 Use the continuation of the current project, the SDPI and other measures to establish much higher level of awareness of the need to ensure incorporation of conservation of biodiversity into all other activities as normal practice</p> <p>6.f.6 Further identify components of biological diversity important for its conservation and sustainable use, by development of the approaches of the Darwin Initiative project and CRMP.</p> <p>6.f.7 Develop and implement biological records system and biological monitoring programme</p> <p>6.f.8 Expand the Protected Areas system by further designations or other protection mechanisms in the light of the review initiated in this project, and develop and implement management plans</p> <p>6.f.9 Use SDPI, Darwin Initiative plan and planning procedures to manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use, and to promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas</p> <p>6.f.10 Use and further develop species-based plans, including fisheries management plans, to promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings</p> <p>6.f.11 Use the approaches outlined in section 2.d and 2.e of this plan to prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species</p> <p>6.f.12 Provide the conditions needed for compatibility between present uses and the conservation of biological diversity and the sustainable use of its components, and respect, preserve and maintain knowledge, innovations and</p>

Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>practices of local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices, such as in the approach used in the Darwin Initiative management plan</p> <p>6.f.13 Enact and implement protection legislation for turtles, iguanas and black coral, amongst others</p> <p>6.f.14 Where appropriate for the purpose of complementing <i>in-situ</i> conservation measures, adopt measures for the <i>ex-situ</i> conservation of components of biological diversity</p> <p>6.f.15 Integrate consideration of the conservation and sustainable use of biological resources into national decision-making, protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or sustainable use requirements, and encourage cooperation between governmental authorities and private sector in developing methods for sustainable use of biological resources, using the continuation of the current project, SDPI, EIA, SEA and other appropriate measures</p> <p>6.f.16 Adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity</p> <p>6.f.17 Implement measures under Commitments 9 &amp; 10 of the Environment Charter to promote and encourage understanding of the importance of, and the measures required for, the conservation of biological diversity</p> <p>6.f.18 Implement measures under Commitments 4 &amp; 5 of the Environment Charter to introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, allow for public participation in such procedures; and introduce appropriate arrangements to ensure that the environmental consequences of its programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account</p> <p>6.f.19 Facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, and promote international technical and scientific cooperation in these subjects</p> <p>6.f.20 Input to UK regular report to the Conference of the Parties to CBD</p> <p style="text-align: center;"><b>MarPol Convention</b></p> <p>6.f.21 Establish procedures for detection and reporting of oil spills, using all appropriate and practicable measures of detection and environmental monitoring, adequate procedures for reporting and accumulation of evidence. Appoint an agency to carry these out.</p> <p>6.f.22 Report to the IMO on laws, procedures, etc, for dealing with this Convention including a description of all reception facilities for sewage, garbage, etc.</p> <p>6.f.23 Whenever traces of oil are observed near or in the wake of a vessel, carry out an immediate investigation and</p>

Environment Charter commitment	Elements of commitment	Actions/programmes
		<p>report.</p> <p>6.f.24 Provide reception facilities for sewage, garbage and any other substances required under the Convention for any port used by cargo or passenger vessels.</p>
7. Review the range, quality and availability of baseline data for natural resources and biodiversity.	7. Review baseline data for natural resources and biodiversity	<p>7.1 Establish computer-based biological records system to allow collation, checking, input, handling and recovery of observations from many potential observers, to make available for conservation and planning.</p> <p>7.2 Develop meta-database (and where practicable link into biological records system) of information held by many agencies, including dissertations done on topics relating to conditions here in the TCI, scientific studies, EIAs, etc, leading to progressively increasing accessibility of all this material.</p> <p>7.3 Establish programmes and progressive integration of databases to provide baseline and potentially monitoring information on natural resources, including ground-truthed satellite imagery of marine systems, terrestrial ecosystems, built environment to enable implementation of resource accounting.</p> <p>7.4 Keep under review the range and quality of information, once collected, and identify further needs.</p> <p>7.5 Ensure that ongoing projects are carried out and that logical successor projects follow on:</p> <ul style="list-style-type: none"> <li>o TCNT Herbarium</li> <li>o Museum's wet land core samples for pollen and seed analysis</li> <li>o Individually developed study collections</li> <li>o Further development of biodiversity studies in the Caicos Islands</li> </ul>
8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.	8.a. Polluter pays: establish effective legislation, policies.	<p style="text-align: center;"><b>8.a.1 Water and Sewer Ordinance</b></p> <ul style="list-style-type: none"> <li>o Amend Sec 106 (prohibiting discharge of pollution into all controlled waters) to provide strong penalties with a range appropriate to individuals, businesses and international shipping, and also the power to compel mitigation. (Penalties should be comparable with the largest of those of neighbouring states to avoid TCI waters becoming a bargain dumping zone.)</li> <li>o Add explicit procedures for decisions on how sewage is to be disposed of.</li> </ul> <p>8.a.2 Revoke Sec 6(2) of the National Parks Ordinance which provides compensation to polluters</p> <p>8.a.3 Amend Secs 45, 46 and 51 of the Physical Planning Ordinance to vest appeals of Enforcement Notices in an independent technical body or commission with expertise in planning, pollution and related issues – this process must be made public</p>
	8.b. Establish effective monitoring and enforcement of	<p>8.b.1 Implement the Comprehensive Solid Waste Management Study</p> <ul style="list-style-type: none"> <li>o Reduce, reuse, recycle and re-think</li> <li>o Properly managed landfill sites on every island</li> </ul>

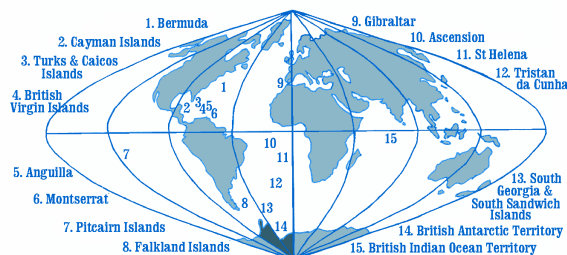


Environment Charter commitment	Elements of commitment	Actions/programmes
	pollution controls	<ul style="list-style-type: none"> <li>○ Disposal methods for septage, oily waste and formaldehyde</li> <li>○ Disposal methods for toxic substances</li> </ul> <p>8.b.2 Build on work of Provo Pollution Task Force, applying this successful model to other problem areas.</p> <p>8.b.3 Establish national laboratory to facilitate environmental monitoring</p> <p>8.b.4 Establish discharge standards which can be enacted as Regulations for appropriate Ordinances</p> <p>8.b.5 Gap: Mechanism for enforcement of polluting activities of cruise lines etc in international waters: <b>review this with MEAs</b></p> <p>8.b.6 Establish monitoring programme for environmental impacts of major projects, beginning with cruise ships in Grand Turk, and including baseline studies and ongoing monitoring.</p>
	8.c Additional: solid waste litter control liquid waste disposal of toxic substances	<p>8.c.1 Build on programmes of "Clean Up TCI" to develop and extend public awareness regarding disposal of other categories of waste.</p> <p>8.c.2 Establish recycling programmes, including legislation, facilities and incentives, using Sec 51 of the Public and Environmental Health Ordinance, if appropriate.</p> <p>8.c.3 Implement the Provo Liquid Waste Management Plan</p> <p>8.c.4 Establish programme for removal of large waste objects such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future.</p>
9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.	9. Support and enhance environmental education in schools	<p>9.1 Ensure that the publicly funded school system is adequately resourced to allow greater capacity on career guidance, resources to allow environmental study in the field as well as the classroom, and to develop greater regional focus in the environmental curriculum.</p> <p>9.2 Ensure that the National Trust is adequately resourced to carry out environmental education programmes, develop and distribute educational materials, conduct programmes like summer camps and the Living Classrooms and take on work-experience students. Arrange for Government approval for the sites identified on each island and the resources to be made available to the National Trust for the Living Classrooms programme.</p>
10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles	10.a. Promote Environmental Charter principles within the TCI	<p>10.a.1 Fund one of the NGOs (CleanUpTCI or the Trust, for example) to carry out a large-scale, multi-year, nationwide awareness programme centred on the adult population.</p> <p>10.a.2 Use the Strategy for Action developed through the current process as the basis of Government's development/environment policy and make it widely known.</p> <p>10.a.3 Establish web site as means of disseminating information.</p>

Environment Charter commitment	Elements of commitment	Actions/programmes
set out above.		
	10.b. Create and promote publications which spread awareness of TCI's special environmental features	10.b.1 Encourage and support the further development of existing initiatives by the Trust, Museum, Tourist Board and others, including private individuals, to produce and use high-quality publications which spread awareness of the TCI's special environmental features.
	10.c. Develop and implement programmes to increase public awareness of the environment and related issues in the TCI	10.c.1 Recognising that ecotourism facilities are both an education tool and an economic engine, facilitate the securing of funding by NGOs (especially the Trust and the Museum) for the development of such facilities, so that staff time in seeking funding does not unduly impact the ability to carry out projects. 10.c.2 Educate tourists in conservation issues, as they are, in fact, the largest sector of our population
	10.d. Promote awareness of the Environmental Charter itself	10.d.1 Carry out high-profile launch to raise awareness of the Charter.
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 .	11.a. Abide by Rio Principles	<b>THIS ONE WAITS UNTIL THE REST OF STRATEGY IS DRAFTED, AND THEN WE CAN CHECK</b> Examine whether any aspect of the Rio Principles are not addressed within the framework of undertakings 1 – 10.
	11.b. Work towards meeting International Development Targets	Examine whether any aspect of the International Development Targets are not addressed within the framework of undertakings 1 – 10.

## Annex V. Environmental Charter Workshop #3, 29 April 2003 - Agenda

### Turks & Caicos Islands Environment Charter Project



A joint project of the Turks & Caicos Government and the UK Overseas Territories Conservation Forum

#### Wider Stakeholder Workshop

29 April 2003

National Environmental Centre, Providenciales

#### Agenda

9:15 Welcome – on behalf of Governor

Introduction to the Environment Charter and Review of activities to date & future activities – Michelle Fulford-Gardiner, Deputy Director DECR and Chair of Environment Charter Working Group  
Explanation of Workshop arrangements – Dr Mike Pienkowski, UKOTCF Facilitator

9:30 Session I

Charter Commitment 2 – Habitat and species protection - Introduced by Judith Garland Campbell (Director DECR) and Ethlyn Gibbs Williams (Executive Director, Turks & Caicos National Trust)

10:30 Session II

Charter Commitment 8 – Pollution and waste management – Introduced by Desmond Hall (Deputy Chief Environmental Health Officer)

11:30 Session III

Charter Commitments 9 and 10 – Public education/awareness – Introduced by Ethlyn Gibbs Williams (Executive Director, Turks & Caicos National Trust) and Jackie Garbarino Girotti (Clean-up TCI; Red Cross)

12:30 Lunch

1:30 Session IV

Charter Commitments 3a, 4 and 5 – Open and consultative decisionmaking, EIAs, etc – Introduced by Peter Poulsen (DEPS) and Clyde Robinson (Deputy Director of Planning)

2:30 Session V

Charter Commitment 7 – Baseline data – Introduced by Rob Wild (DECR Protected Areas Department)

3:30 Session VI

Charter Commitment 3b – Sustainable use – Introduced by Peter Poulsen (DEPS)

4:30 Finish

## Annex W. Shortened version of action items list and form for recording comments on screen in the workshop

### Session I – Habitat and Species Protection

**Charter Commitment 2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.**

*Desired Outcome: Key habitats, key species and landscape features are protected, and where necessary, restored.*

#### 2.a. Have in place **effective legislation** for protection of key habitats, species and landscape features

2.a.1 Use existing tools in Physical Planning Ordinance as mechanism for conserving specific features in privately owned land. Update section 4 of the Development Manual.	
2.a.2 Increase penalties for violation of all conservation orders	
2.a.3 Develop zoning strategy to set aside lands for conservation	
2.a.4. Amend National Parks Ordinance to increase public participation.	
2.a.5 Consider amendment of National Parks Ordinance to take in other kinds of sites of cultural importance.	
<b>Species:</b>	
Fisheries Ordinance: 2.a.6 Provide mechanism for regulating taking of turtles 2.a.7 Provide mechanism for conservation of other marine species, with particular emphasis on multi-species breeding aggregations, with Nassau Groupers as the flagship species.	
2.a.8 Wild Birds Protection Ordinance: extend special protection measures for rare and endangered species	

2.a.9 Develop and adopt new Wildlife Protection Ordinance to protect important, native, threatened, etc fauna such as iguanas, other endemic reptiles, lepidoptera, etc	
2.a.10 Plant Protection Ord: <ul style="list-style-type: none"> <li>○ a process for identifying species such as Turks Head cactus and local orchids for which protection is appropriate</li> <li>○ deal with invasive plant species,</li> <li>○ one Govt department should have lead responsibility for this</li> </ul>	

## 2.b. Develop Protected Areas Policy

2.b.1 <b>TOP PRIORITY FOR IMMEDIATE ACTION:</b> Lodge the boundaries of existing Protected Areas in the Governmental GIS system, Planning and Land Registry	
2.b.2 <b>TOP PRIORITY FOR IMMEDIATE ACTION:</b> develop Protected Areas Policy with agreement at highest level to ensure that there is no further erosion of the PAS through inappropriate development	
2.b.3 Review the need for amendments to the boundaries and/or the categorisation of existing Protected Areas, and the need for additional Protected Areas	
2.b.4 To implement the World Heritage Convention, take the appropriate measures necessary for the conservation and rehabilitation of the heritage of the TCI	

2.b.5 Complete and adopt Heritage Register of significant built and natural sites	
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## 2.c. Have in place **effective management structures** for protection of key habitats, species and landscape features

2.c.1 Set priorities for parts of PAS most urgently in need of management plans. 2.c.2 Develop management plans for every site in PAS in priority order	
2.c.3 Finalise, adopt and periodically update existing management plans; integrate with Planning where useful: <ul style="list-style-type: none"> <li>○ DECR/PAD management plans</li> <li>○ Trust's management plans for areas in PAS</li> <li>○ Trust's management plans/process for areas outside PAS</li> <li>○ Dept of Planning</li> <li>○ DECR Fisheries Management Plans</li> </ul>	
2.c.4 Identify other habitats/areas which may need some protection and develop strategy for protecting them	
2.c.5 In order to implement the Ramsar Convention, make wetlands a specific focus of protected areas protection	
2.c.6 Develop a policy and mechanisms for preservation of historic buildings	
2.c.7 Ensure that new management authority for the Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures.	
2.c.8 TCIG create means for developing and implementing agricultural	

policy	
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### Species protection:

2.c.9 Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for iguanas, turtles, whales, whistling ducks and other priority species.	
2.c.10 Carry out systematic evaluation of other species requiring conservation action and develop action plans to address these.	
2.c.11 Develop action plans to address problem pests such as mosquitoes which avoid adverse environmental impacts	
2.c.12 Develop and implement biological monitoring programme	
2.c.13 In order to implement the Convention on Migratory Species, establish Protected Areas for the Kirtland's Warbler and designate turtle nesting beaches	

### 2.d. Prevent new invasive species

2.d.1 Carry out major project to implement port environmental security	
2.d.2 List exotic flora and fauna which pose greatest potential problems to either environmental health or biodiversity conservation; enact legislation to prohibit entry	

### 2.e. Eradicate problem invasive species

2.e.1 Continue Feral Dogs Project and extend to other islands as	
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needed.	
2.e.2 Task the agencies for environmental health, environmental conservation, agriculture, etc, to monitor invasive species, identify problems, develop appropriate plans to eradicate or otherwise control and carry these out.	

## Session II Pollution/Waste Management

**Charter Commitment 8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.**

***Desired Outcome: Economic activity is carried out in a manner which does not pollute the environment and ensures that the developer or operator carries the costs rather than TCIG***

### **8.a. Polluter pays: establish effective legislation, policies.**

8.a.1 Water and Sewer Ordinance <ul style="list-style-type: none"> <li>o Amend Sec 106 (prohibiting discharge of pollution into all controlled waters) to provide strong penalties</li> <li>o Add explicit procedures and standards for decisions on how sewage is to be disposed of.</li> </ul>	
<b>8.a.2 Revoke or amend Sec 6(2) of the National Parks Ordinance which provides compensation to polluters</b>	
<b>8.a.3 Amend Physical Planning Ordinance to vest appeals of Enforcement Notices in an independent technical body or commission with expertise in planning, pollution and related issues, with process open to the public</b>	

### **8.b. Establish effective monitoring and enforcement of pollution controls**



8.b.1 Implement the Comprehensive Solid Waste Management Study	
8.b.2 Build on work of Provo Pollution Task Force, applying this successful model to other problem areas.	
8.b.3 Establish national laboratory to facilitate environmental monitoring	
8.b.4 Establish discharge standards which can be enacted as Regulations for appropriate Ordinances	
8.b.5 Establish mechanism for enforcement of polluting activities of cruise lines etc in international waters, including procedures regarding liability	
8.b.6 In order to implement the Cartagena Convention, take all appropriate measures to prevent, reduce and control marine pollution	
8.b.7 Establish monitoring programme for environmental impacts of major projects, including baseline studies and ongoing monitoring.	
8.b.8 Maintain and update the Oil Spill Contingency Plan and develop contingency plans for other types of pollution emergencies	
8.b.9 Designate an appropriate authority to issue permits for marine discharge; keep records and monitor the condition of the sea	
8.b.10 Ensure that pollution prevention methods do not transfer damage or pollution from one part of the environment to another.	
8.b.11 Cooperate with other Caribbean nations in scientific research, monitoring, and the exchange of data	

**8.c Additional: solid waste, litter control, liquid waste, disposal of toxic substances**

8.c.1 Build on programmes of “Clean Up TCI” to develop and extend public awareness regarding disposal of other categories of waste.	
8.c.2 Establish recycling programmes, including legislation, facilities and incentives	
8.c.3 Implement the Provo Liquid Waste Management Plan	
8.c.4 Establish programme for removal of large waste objects such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future.	

**Session III****Charter Commitments 9 and 10 – Public education/awareness**

**Charter Commitment 9 Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment.**

***Desired Outcome: Our children learn to value their natural and cultural heritage, and respect the TCI’s role in the global environment***

**Charter Commitment 10 Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.**

***Desired Outcome: Our citizenry values their natural and cultural heritage, and respects the TCI’s role in the global environment***

**9. Support and enhance environmental education in schools**

<p>9.3 Ensure that the publicly funded school system is adequately resourced to</p> <ul style="list-style-type: none"> <li>○ allow greater capacity on career guidance</li> <li>○ allow environmental study in the field as well as the classroom</li> <li>○ develop greater regional focus in the environmental curriculum.</li> </ul>	
<p>9.4 Ensure that the National Trust is adequately resourced to</p> <ul style="list-style-type: none"> <li>○ carry out environmental education programmes,</li> <li>○ develop and distribute educational materials,</li> <li>○ conduct programmes like summer camps and the Living Classrooms and</li> <li>○ take on work-experience students.</li> </ul> <p>Arrange for Government approval for the sites identified on each island and the resources to be made available to the National Trust for the Living Classrooms programme.</p>	

### **10.a. Promote Environmental Charter principles within the TCI**

<p>10.a.1 Fund one of the NGOs to carry out a large-scale, multi-year, nation-wide awareness programme centred on the adult population.</p>	
<p>10.a.2 Use the Strategy for Action developed through the current process as the basis of Government's development/environment policy and make it widely known.</p>	
<p>10.a.3 Establish web site as means of disseminating information.</p>	

### **10.b. Create and promote publications which spread awareness of TCI's special environmental features**

<p>10.b.1 Encourage and support the further development of existing initiatives by the Trust, Museum, Tourist Board and others, including private individuals, to produce and use high-quality publications which</p>	
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spread awareness of the TCI's special environmental features.	
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### **10.c. Develop and implement programmes to increase public awareness of the environment and related issues in the TCI**

10.c.1 Recognising that ecotourism facilities are both an education tool and an economic engine, facilitate the securing of funding by NGOs for the development of such facilities	
10.c.2 To implement the World Heritage Convention, develop the planned local environment- and eco-centres, and input environmental issues to schools and colleges	
10.c.3 Educate tourists in conservation issues, as they are, in fact, the largest sector of our population	
10.c.4 To implement the World Heritage Convention, further develop the current programmes to strengthen appreciation and respect of the TCI's cultural and natural heritage, and keep the public broadly informed of the dangers threatening this heritage	

### **10.d. Promote awareness of the Environmental Charter itself**

10.d.1 Carry out high-profile launch to raise awareness of the Charter.	
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## Session IV

### Charter Commitments 3a, 4 and 5 – Open and consultative decisionmaking, EIAs, etc

**Charter Commitment 3. Ensure that environmental considerations are integrated within social and economic planning processes...**

***Desired Outcome: Social and economic planning ensures a healthy environment***

**Charter Commitment 4. Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.**

***Desired Outcome: Growth and development have a minimal negative impact on both the environment and public health.***

**Charter Commitment 5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.**

**Desired Outcome: Decisions regarding growth and development are taken in open consultation with the community and reflect the shared values of the community**

#### **3.a. Integrate environmental considerations within social and economic planning processes**

3.a.1 Identify and use existing or potentially easily gatherable data sets which could, if tracked, give <u>meaningful</u> indication of quality of life parameters.	
3.a.2 Become familiar with, and contribute to, the international effort to develop meaningful measures of natural, human, social and financial capital.	
3.a.3. In order to maintain the competitiveness of the TCI in the global tourism market and enable us to attract high-value investment which improves life for the people of the TCI, complete and adopt the Sustainable Development Planning Initiative, begun in Grand Turk, and to be carried out in every inhabited island.	
3.a.4. Establish Sustainability Commission which reviews activities at	

<p>every level and involves local communities, creates the institutional structure to carry the SDPI forward, and to convert it to a cultural standard.</p>	
<p>3.a.5 Build on the Standard of Living study to go back to the original respondents and begin working on the practical implications of the issues they raised.</p>	
<p>3.a.6 Carry the interdepartmental approach used in this project further to involve decision-makers in the SDPI, with a mechanism to incorporate the monitoring of social, economic and physical planning processes and report them alongside the outcomes as measured by the quality of life indicators</p>	
<p>3.a.7 Design and carry out a project to empower local people so that all sectors of society can participate in informed democratic decision-making on matters which affect their future. Implement with laws, regulations as needed and with adequate funding to ensure continuity.</p>	
<p>3.a.8 Given that the National Physical Development Plan expired in 1997, and pending the completion of the SDPI (3.a.3) and the National Strategic Development Policy (3.a.9), consider a variety of possible interventions, a moratorium on major built development being one of them.</p>	
<p>3.a.9 Develop a National Strategic Development Policy with clear criteria against which to assess proposals and guidelines to aid Ministerial decisions. Decisions should be published with reasons explained against these criteria.</p>	
<p>3.a.10 Enforcement of laws and standards</p> <ul style="list-style-type: none"> <li>○ develop a culture amongst the authorities that they must enforce the laws</li> <li>○ make sure that Government action must also fall within the law</li> </ul>	

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| <ul style="list-style-type: none"> <li>○ adequately resource Government departments to enable them to carry out enforcement activities</li> <li>○ raise public awareness of the purpose and value of laws which protect our environment</li> </ul> |  |
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**4. Ensure that environmental and environmental health impacts are considered when approving major projects [within growth management strategy as dealt with in Commitment #3.]**

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| <p>4.6 Amend laws and procedures so that the EIA is carried out that earliest possible stage in the application process, so that it can inform critical early decisions rather than coming at the end of the process</p> <p>Encouragement of Development Ordinance:</p> <ul style="list-style-type: none"> <li>○ Create a new preliminary procedure to agree a general outline of the project contemplated and allow Director of Planning to determine whether and at what point an EIA will be required</li> <li>○ Change process so that public notice and input is incorporated before Development Orders are agreed.</li> </ul> <p>Physical Planning Ordinance:</p> <ul style="list-style-type: none"> <li>○ Repeal sec 31, the Certificate of Approval process, because it conveys the idea that the project is approved before any review whatever can be carried out</li> <li>○ Amend Sec 32 to give Director of Planning full control over EIAs: <ul style="list-style-type: none"> <li>➢ scoping, screening and methodology agreed by the dept before any field work is carried out,</li> <li>➢ appointing, contracting and paying the consultants (funding supplied by the Developer, but paid through the Planning Dept),</li> </ul> </li> </ul> |  |
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<ul style="list-style-type: none"> <li>➤ identifying issues to be addressed, level of detail, qualitative indicators to be used to permit cost/benefit analysis</li> <li>➤ ensuring that all field reports are submitted to Planning unchanged from the form submitted by the consultant.</li> </ul> <ul style="list-style-type: none"> <li>○ Specify in Sec 32 that all EIAs must describe existing conditions, identify potential impacts of the project and propose mitigation strategies, and must address cultural impacts and potential impacts on the marine environment in addition to any other elements the Director may require.</li> </ul>	
<p>4.7 Take forward commitments in Country Strategic Plan (j) to incorporate a Strategic Environment Assessment approach and the SDPI-developed zoning scheme (see 3.a.3) into EIA procedures</p>	
<p>4.8 Develop policies and practice to ensure that conditions attached to development permission adequately require that total costs, including damage to primary resources, are built into development, rather than being picked up by TCIG later.</p>	
<p>4.9 Ensure code compliance with regard to all aspects of development and resource management</p>	
<p>4.5 Adopt appropriate international certification requirements for architects, surveyors, etc to ensure professional standards and facilitate local practitioners seeking international certification.</p>	

### **5.a. Ensure open and consultative decision making process on proposed development and plans**

<p>5.a.1 Amend Physical Planning Ordinance and relevant Regulations to establish procedures which</p> <ul style="list-style-type: none"> <li>○ ensure public notice for all projects,</li> </ul>	
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<ul style="list-style-type: none"> <li>○ ability for public review of plans for proposed projects,</li> <li>○ meaningful opportunity for input before decisions made and</li> <li>○ any planning decision by the Board or the Minister is considered against the Development Policy criteria (see 3.a.6) with advice from technical officers, and reasons (relating to those criteria) are published with the decision.</li> </ul>	
<p>5.a.2 Carry out public information campaign about the broader positive &amp; negative effects of development projects, and the needs for and benefits of effective EIAs.</p>	
<p>5.a.3 Adopt appropriate international certification requirements for practitioners who develop plans and EIAs. Facilitate local practitioners seeking international certification.</p>	
<p>5.a.4 Develop means for open review as projects are carried forward as to whether EIA was accurate, using this as feedback both to that development and to future EIAs.</p>	

### **5.b. Environmental impact assessments include consultation with stakeholders.**

<p>5.b.1 Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which:</p> <ul style="list-style-type: none"> <li>○ Make EIA subject to both public review and peer review by scientific bodies, and in major projects, make the scoping process also subject to public review</li> <li>○ Create deadlines in Planning Regulations which allow adequate time for public review and input</li> </ul>	
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**Session V – Baseline Data**

**Charter Commitment 7. Review the range, quality and availability of baseline data for natural resources and biodiversity.**

***Desired Outcome: Good scientific and technical information is available to ensure good decisions***

7.1 Establish computer-based biological records system to allow effective use of for conservation and planning of observations from many potential observers	
7.2 Develop meta-database of information held by many agencies, including dissertations, scientific studies, EIAs, etc, leading to progressively increasing accessibility of all this material.	
7.3 Implement progressive integration of databases to provide baseline and potentially monitoring information on natural resources, including ground-truthed satellite imagery of marine systems, terrestrial ecosystems, built environment	
7.4 Keep under review the range and quality of information, once collected, and identify further needs.	
7.5 Ensure that ongoing projects are carried out and that logical successor projects follow on: <ul style="list-style-type: none"> <li>○ TCNT Herbarium</li> <li>○ Museum's wet land core samples for pollen and seed analysis</li> <li>○ Individually developed study collections</li> </ul> Further development of biodiversity studies in the Caicos Islands	

**Session VI – Sustainable use****Charter Commitment 3.b. Promote sustainable patterns of production and consumption**

*Desired Outcome: Production and consumption are carried on in a sustainable manner.*

<p>3.b.1 Identify policies which affect use of resources -- water, fisheries, land, agriculture, quarrying, sand mining, construction methods, touristic development. Evaluate in terms of sustainability and make recommendations for policy development accordingly.</p>	
<p>3.b.2 As land is the most non-renewable resource, assess accurately the Crown lands which remain available for potential alienation without jeopardising those Crown lands which are identified to support other aspects of the future development of the country. This includes the Protected Areas System and other lands which underpin the high value tourist industry as well as the quality of life for Turks Islanders.</p>	
<p>3.b.3 Develop and follow a policy for the allocation of Crown lands both to Belongers and inward investors in a sustainable manner, recognising that the land supply is finite.</p>	
<p>3.b.4 Develop population policy consistent with the National Development Strategy (3.a.9) based on carrying-capacity analysis, the spread of required skills between Belongers and incomers, and reasonable treatment of those contributing to the country's development, whether Belongers or incomers.</p>	
<p>3.b.5 Enable participatory budgeting by adapting the Governmental decision process for capital projects, with a view to ensuring that publicly funded projects contribute to environmental, social and financial sustainability</p>	

3.b.6 Develop and implement Coastal Zone Management Policy to deal with coastal works, flooding and disaster management and wise allocation of valuable and very limited supply of coastal land.	
3.b.7 Develop mariculture/aquaculture projects to produce food animals such as conch and lobster to supply the tourism industry in a sustainable way, without depleting wild stock. Equally, develop nurseries to grow valued local plants such as the Turks Head cactus, but strictly control how any operations collect from the wild.	
3.b.8 The tourism industry sign up for Green Globe 21 project to promote sustainability in this growing industry.	

Element of Commitment	Actions/Programmes	Lead agency(ies)
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**Annex X. Proposed Strategy for Action to implement TCI Government’s commitments under the Environment Charter**

**TCIG Charter Commitment 1. Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor’s office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action.**

Desired Outcome: Environmental considerations are integrated into all policies and plans, public and private, ensuring that the quality of the environment is maintained in the TCI.

<p>1. Develop strategic plan for action</p>	<p>1.1 Complete this Strategy for Action, and ensure that its post-adoption version is cross-referenced, eg by subject area, government department, ordinance, etc to maximise utility.</p> <p>1.2 Establish Environment Charter Working Group with ongoing responsibility for implementation of the Strategy, including making recommendations on priority projects for funding. ECWG’s primary responsibility is to ensure that the comprehensive view of environmental planning established in this Strategy continues to drive decision-making. Also responsible for monitoring sustainability impacts of policies and practices in any economic sector. (see 3.b.1 and Convention on Biological Diversity. )</p> <p>1.3 Establish Secretariat in the Chief Minister’s office which oversees ongoing implementation of the Environment Charter and the evolution of this Strategy as elements are completed.</p> <p>1.4 Allocate a block of funding from the next budget cycle to ensure that the top priority projects identified through this process can start as soon as possible</p> <p>1.5 Ensure incorporation of project into Departments’ recurrent budgets, both to provide staff to participate in the Charter implementation and to fund priority projects</p> <p>1.6 Continue integration into Strategic Country Plan Process</p>	<p>1.1 Facilitators /ECWG</p> <p>1.2 Ministry/ Exco</p> <p>1.3 Ministry</p> <p>1.4 DEPS/ExCo</p> <p>1.5DEPS/All Depts</p> <p>1.6 All Depts with HMG</p>
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**TCIG Charter Commitment 2. Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.**

Desired outcome: Key habitats, key species and landscape features are protected, and where necessary, restored.

<p>2.a. Have in place effective legislation for protection of key habitats, species</p>	<p style="text-align: center;"><b>Habitat/Landscape</b></p> <p>2.a.1 Use Conservation Areas, Building Protection Orders, Plant Preservation Orders in Physical Planning Ordinance as mechanism for conservation of specific features, including biodiversity, landscape, amenity, etc, in areas of privately owned land. Update Sec 4 of the Development Manual, “Special Provisions Relating to Conservation” and ensure that it is being followed, for example, in requiring thorough EIAs before any development in salina areas.</p>	<p>2.a.1 Planning</p>
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Element of Commitment	Actions/Programmes	Lead agency(ies)
and landscape features	<p>2.a.2 Amend Physical Planning Ordinance sec 88 to include penalties for violation of Conservation Area Orders, and to increase penalties for violation of all conservation orders, including, in appropriate cases, confiscation of land.</p> <p>2.a.3 Develop zoning strategy to set aside lands for conservation as part of SDPI, and transfer into conservation ownership. [This project shown as part of 3.a.5 in Priority Projects document.]</p> <p>2.a.4. Amend National Parks Ordinance to:</p> <ul style="list-style-type: none"> <li>○ incorporate opportunities for public notice and input re the designation, changing designation or de-designation of areas protected under the ordinance;</li> <li>○ clarify the purposes for each category of Protected Area to include conservation of high-value scenic amenity as well as biodiversity, history and other purposes</li> <li>○ review carefully the types of development permitted in National Parks, to ensure that permitted development does not compromise individual parks</li> <li>○ formalise the Protected Areas Advisory Committee and develop a mechanism that groups included community groups may manage protected areas or parts of protected areas, as well as other means of public participation in the park</li> <li>○ establish the role of management plans within the National Protected Area System</li> <li>○ provide improved descriptions of existing protected areas</li> <li>○ recommend the identification and correction of gaps, including specific sites and habitats and inclusion of further protected areas including Wades Green and Little Ambergris Cay, and extensions to Lake Catherine Nature Reserve and the Middle, North and East Caicos Nature Reserve.</li> </ul> <p>2.a.5 To implement the World Heritage Convention, consider amendment of National Parks Ordinance to broaden the purposes of Areas of Historic Interest beyond “protecting an object of historic interest” to take in other kinds of sites of cultural importance.</p> <p><b>Species:</b></p> <p>2.a.6 Amend Fisheries Protection Ordinance to provide mechanism for regulating taking of turtles, to enable conservation of the populations. [Implements Convention on Migratory Species]</p> <p>2.a.7 Review Fisheries Ordinance to ensure proper conservation of other marine species, with particular emphasis on multi-species breeding aggregations, with Nassau Groupers as the flagship species.</p> <p>2.a.8 Develop and adopt a new Wildlife Protection Ordinance to protect important, native, threatened, etc fauna such as iguanas, other endemic reptiles, butterflies, etc, which:</p> <ul style="list-style-type: none"> <li>○ creates a process for identifying species for which protection is appropriate</li> <li>○ creates appropriate management authority and criminal provisions</li> <li>○ creates means to identify exotic animal species which could become invasive</li> <li>○ creates means to prohibit import of such species</li> <li>○ creates ability to identify and extirpate harmful invasive species already here.</li> </ul>	<p>2.a.2 Planning/ AG’s Chambers</p> <p>2.a.3 Ministry/ Planning</p> <p>2.a.4 DECR/ AG’s Chambers</p> <p>2.a.5 DECR/ AG’s Chambers</p> <p>2.a.6 DECR/ AG’s Chambers</p> <p>2.a.7 DECR/ AG’s Chambers</p> <p>2.a.8 DECR/ AG’s Chambers</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<ul style="list-style-type: none"> <li>○ incorporates Wild Birds Protection Ordinance into the new law</li> <li>○ extends special protection measures for rare and endangered species to Kirtland's Warbler, West Indian Whistling Ducks and other vulnerable and/or geographically restricted populations</li> </ul> <p>2.a.9 Amend Plant Protection Ordinance to:</p> <ul style="list-style-type: none"> <li>○ Put in place a process for identifying species such as Turks Head cactus and local orchids for which protection is appropriate and establish appropriate management authority and criminal provisions</li> <li>○ Deal with invasive plant species, both the identification of species for which import should be banned and the ability to identify problem species already here and eliminate them.</li> <li>○ Create the means to prohibit import of such species</li> <li>○ One Government department should have lead responsibility for this, whether it be DECR, Environmental Health or a new Dept of Agriculture.</li> </ul>	<p>2.a.9 DECR/DEH/ AG's Chambers</p>
<p>2.b. Develop Protected Areas Policy [Implements Cartagena Convention]</p>	<p>2.b.1 Lodge the boundaries of existing Protected Areas in the Governmental GIS system, Planning and Land Registry by resourcing translation where digitised boundaries are already available and digitising of remaining boundaries.</p> <p>2.b.2 To ensure that there is no further erosion of the PAS through inappropriate development, use the National Trust Ordinance to put the Protected Areas System into inalienable conservation ownership, in trust for the future of the country.</p> <p>2.b.3. Develop a Protected Areas Policy with agreement at the highest level. Where appropriate policy must be embedded in the legislation to make it binding. The following will be included in the policy.</p> <ul style="list-style-type: none"> <li>○ Policies related to objectives of the protected areas system, the use of a strategic plan, annual report, institutions managing the protected area and their roles, the use of management plans</li> <li>○ Policies related to the safeguarding of terrestrial protected areas through land banking and using the National Trust mechanism for safeguarding land for the nation.</li> <li>○ Policies related to planning, island and area master plans, environmental impact statements</li> <li>○ Public Participation and the establishment of the Protected Areas Advisory Committee</li> <li>○ Policies related to the distribution and management of the Conservation Fund</li> <li>○ Core Values of the Protected Area system</li> <li>○ Land management outside protected areas the development of support zones and corridors linking protected areas</li> <li>○ Policies regarding public awareness and publicising the Protected Areas and their boundaries</li> <li>○ Human resource development and succession planning policies</li> </ul> <p>2.b.4 Continue revitalising our National Parks system and extend management throughout all protected Areas. Set aside additional areas for the creation of more Protected Areas. Review the needs for amendments to the boundaries and/or the categorisation of existing Protected Areas, and the need for additional Protected Areas (or for Prohibited Areas under the Fisheries Ordinance) in the light of new information, especially regarding habitat of migratory species, and in light of habitat value and threat status. Facilitators have initiated process by collating the recommendations already supplied by National Trust and others. Recommendations to be processed where sufficient information exists and information needs identified in other cases. Enact regulations accordingly, as cases reach the appropriate</p>	<p>2.b.1 Min Nat Res/ DECR/Land Registry/Lands Surveys/ Planning 2.b.2 DECR PAD 2.b.3 MinNatRes/ DECR PAD/ TCNT  2.b.4 – DECR PAD</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>stage. [Implements Convention on Migratory Species.] Review should include recommendations regarding designating the Mouchoir Banks as a Protected Area.</p> <p>2.b.5 To implement the World Heritage Convention, take the appropriate legal, scientific, technical, administrative and financial measures necessary for the identification, protection, conservation, presentation and rehabilitation of the heritage of the TCI</p> <p>2.b.6 National Trust work with Museum and TCIG to complete and adopt Heritage Register of significant built and natural sites required by National Trust Ordinance, building on 1988 UN study. Review this list for potential nominations to World Heritage Sites status before 2004/6. [Implements World Heritage Convention]</p>	<p>2.b.5 Env Chrt Working Group</p> <p>2.b.6 TCNT/ Museum/DECR PAD</p>
<p>2.c. Have in place effective management structures for protection of key habitats, species and landscape features</p>	<p>2.c.1 Develop and implement a five-year rolling strategic plan for the management of the Protected Areas System, including the setting of priorities for parts of PAS most urgently in need of management plans.</p> <p>2.c.2 Develop management plans for every site in PAS in priority order [Implements World Heritage Convention]</p> <p>2.c.3 Finalise, adopt and periodically update existing management plans; integrate with Planning where useful:</p> <p>DECR/PAD management plans</p> <ul style="list-style-type: none"> <li>Princess Alexandra Land and Sea National Park</li> <li>West Caicos Marine National Park</li> <li>Northwest Point Marine National Park</li> <li>Pigeon Pond and Frenchman’s Creek Nature Reserve</li> <li>West Caicos Master Plan</li> </ul> <p>Trust’s management plans</p> <ul style="list-style-type: none"> <li>North, Middle &amp; East Caicos Nature Reserve (International Ramsar Site) (inc. Vine Point, Man O’War Bush &amp; Ocean Hole) Nature Res. To implement the Ramsar Convention, this Ramsar site must be monitored and managed in such a way as to ensure biological conservation, using the Darwin Initiative Management Plan as the basis</li> <li>Conch Bar Caves National Park</li> <li>Princess Alexandra Nature Reserve – Little Water Cay; plans needed for Donna and Mangrove Cays</li> <li>Boiling Hole AHI</li> <li>Cheshire Hall AHI</li> </ul> <p>Trust’s management plans/process for areas outside PAS:</p> <ul style="list-style-type: none"> <li>Wade’s Green</li> <li>Woodland between Lorimers &amp; Bambarra including Haulover Plantation, Nanny &amp; Garden Ponds</li> <li>Crossing Place Trail and Fish Ponds, Middle Caicos</li> <li>Indian Cave, Middle Caicos</li> <li>Little Ambergris Cay</li> <li>Old Govt House, Salt Cay</li> <li>Bird Rock Point, Providenciales, linking in with adjacent Princess Alexandra NR</li> </ul>	<p>2.c.1 DECR PAD</p> <p>2.c.2 DECR PAD</p> <p>2.c.3 DECR PAD</p> <p>TCNT</p> <p>TCNT</p>



Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>Dept of Planning: Northwest Point Master Plan</p> <p>2.c.4 Develop fisheries policy including the review of the Fisheries Management Plans in order to develop the fisheries sector of the economy while ensuring protection of the target and non-target species on which both the fishing and tourism industries are based.</p> <p>2.c.5 Identify habitats/areas which may need some protection, but are not appropriate for inclusion in PAS and develop strategy for protecting them, using the Conservation Area and other provisions of the Physical Planning Ordinance.</p> <p>2.c.6 Ensure the proper protection of our coastal resources. Develop and implement Coastal Zone Management Policy to deal with coastal works, flooding and disaster management and wise allocation of valuable and very limited supply of coastal land. This policy should recognise the value of natural features such as coral reefs, beaches, mangroves, and sea grass beds as natural defences and the utility of soft engineering approaches to encourage such natural systems.</p> <p>2.c.7 In order to implement the Ramsar Convention, wetlands must be a specific focus of protected areas protection:</p> <ul style="list-style-type: none"> <li>○ Use the SDPI to ensure environmentally sustainable wise use of all wetlands in the TCI</li> <li>○ For those areas already parts of the PAS which comprise wetlands, ensure proper management and wardening</li> <li>○ Identify and designate other valuable wetlands as Nature Reserves or Sanctuaries and provide adequate wardening</li> <li>○ Identify and designate suitable additional wetlands for inclusion in the List of Wetlands of International Importance</li> <li>○ Develop biological records system to enable research and exchange of data</li> <li>○ Train personnel in the fields of wetlands research, management and wardening</li> </ul> <p>2.c.8 Recognising the importance of the Salinas (constructed salt pans) of Grand Turk, Salt Cay and South Caicos to both wildlife and cultural heritage, drainage and storm protections, as well as the proximity of these features to centres of population, and in keeping with the Dept of Planning Advisory:</p> <ul style="list-style-type: none"> <li>○ Give protected status to the Salinas of Grand Turk and Salt Cay, as they exceed the standards for Ramsar Wetlands of International Importance and Important Bird Areas. Enforce Development Manual requirement that any development in a Salina requires an EIA.</li> <li>○ Implement management of the Salinas in all three Islands and in particular, restore tidal flow in the South Caicos Salinas.</li> <li>○ Integrate the Salinas into the TCI tourism product, both to demonstrate the economic history of the islands and to take advantage of the extraordinary birdwatching opportunities they provide.</li> </ul> <p>2.c.9 Identify degraded areas in all islands which will benefit from reforestation or other restoration, determine the optimal restoration approach for each, ensuring that only native plants are used, and carry out restoration works.</p> <p>2.c.10 TCIG develop (with National Trust) a policy for preservation of historic buildings, appropriate legislation and funding; amend sec 34 of the Public and Environmental Health Ordinance to afford protection to historic structures</p>	<p>Planning</p> <p>2.c.4 DECR</p> <p>2.c.5 Planning/ DECR/TCNT</p> <p>2.c.6 Planning/ DECR/TCNT</p> <p>2.c.7 DECR/Planning/ TCNT</p> <p>2.c.8 DECR/ TCNT/PWD</p> <p>2.c.9 DECR</p> <p>2.c.10 DECR/TCNT/ DEH/Museum</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>To implement the World Heritage Convention:</p> <ul style="list-style-type: none"> <li>o extend review of cultural sites and extend detailed specification and protection needs to all new sites identified, natural or cultural.</li> <li>o incorporate into SDPI effective and active measures for the protection, conservation and presentation of the cultural and natural heritage</li> </ul> <p>2.c.11 Ensure proper management of the Conservation Fund, including ensuring that management authority for the Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures.</p> <p>2.c.12 Develop and implement an Agriculture Policy, and establish and staff an Agriculture Department, ensuring that environmental considerations are fully integrated into both policy and practice. Develop means of assistance to local farmers and increase the amount of home-grown produce in supermarkets and the hospitality sector.</p> <p>2.c.13 Using tools and resources developed under Commitment 7, develop and implement biological monitoring programme which</p> <ul style="list-style-type: none"> <li>o ensures <u>regular</u> ongoing monitoring of high-value coral reef systems,</li> <li>o monitors wetlands in accordance with Ramsar Convention requirements;</li> <li>o monitors dry lands, especially in relation to the impacts of built development, and</li> <li>o monitors Protected Areas in relation to the objectives of their protection</li> </ul> <p>2.c.14 Implement the TCI Rock Iguana Conservation and Management Plan. Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for turtles, whales, whistling ducks and other priority species.</p> <p>2.c.15 Carry out systematic evaluation of other species requiring conservation action and develop action plans to address these.</p> <p>2.c.16 Ensure the proper control of mosquitoes and other disease-carrying insects and animals using programmes which:</p> <ul style="list-style-type: none"> <li>o avoid adverse impacts on other species</li> <li>o effectively address the problem</li> <li>o affect target species proportionately</li> </ul> <p>2.c.17 In order to implement the Convention on Migratory Species, establish Protected Areas for the Kirtland's Warbler in the Caicos Islands and designate turtle nesting beaches throughout the TCI as Nature Reserves or Sanctuaries.</p>	<p>2.c.11 Ministries of Nat Res and Finance</p> <p>2.c.12 Min Nat Res</p> <p>2.c.13 DECR/DEH</p> <p>2.c.14 DECR w/ NGOs</p> <p>2.c.15 DECR/TCNT</p> <p>2.c.16 Dept Env Hlth/DECR</p> <p>2.c.17 DECR PAD</p>
<p>2.d. Prevent new invasive species</p>	<p>2.d.1 To control invasive species and for other environmental health reasons, carry out a major project to implement port environmental security including:</p> <ul style="list-style-type: none"> <li>o Restricting ports of entry</li> <li>o Stronger legislation</li> <li>o Establishment of quarantine facilities for both plants and animals</li> <li>o Technical training for customs and other officials, starting with CITES training in 2003</li> </ul> <p>2.d.2 Review and list exotic flora and fauna which pose greatest potential problems to either environmental health or biodiversity conservation; enact legislation to prohibit entry</p>	<p>2.d.1 Dept Env Hlth/Customs</p> <p>2.d.2 Dept Env Hlth/DECR</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
2.e. Eradicate problem invasive species	2.e.1 Continue Feral Dogs Project and extend to other islands as needed. 2.e.2 Task the agencies for environmental health, environmental conservation, agriculture, etc, to monitor invasive species, identify problems, develop appropriate plans to eradicate or otherwise control and carry these out.	2.e.1 TCSPCA/ DEH 2.e.2 Dept Env Hlth/DECR/Min Nat Res

**TCIG Charter Commitment 3. Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.**

Desired Outcomes: Social and economic planning ensures a healthy environment; production and consumption are carried on in a sustainable manner

3.a. Integrate environmental considerations within social and economic planning processes	<p><b>Establish development policies which take into account poverty, unemployment and inequality, in order to create real economic development.</b></p> <p>3.a.1 Identify existing or potentially easily gatherable data sets which could, if tracked, give <u>meaningful</u> indication of quality of life parameters. Use these to institute a system of indicators, ideally with annual reporting. The indicators should relate to health, literacy, pollution levels, natural resources, natural and cultural heritage, social stability and other real indicators of the effects of development decisions. Integrate with ongoing efforts to develop domestic GDP capacity to integrate sustainable measures of GDP. Some of these data sets will come from other organisations, but Government, too, needs to develop a more integrated approach to collation of statistics.</p> <p>3.a.2 Become familiar with, and contribute to, the international effort to develop meaningful measures of natural, human, social and financial capital. (Note that this is a new and rapidly developing field and the TCI is in no way behind in this new approach.)</p> <p>3.a.3 Build on the Standard of Living study to go back to the original respondents and begin working on the practical implications of the issues they raised.</p> <p><b>Prepare a Ten-Year Comprehensive Development Plan which builds on current initiatives such as the SDPI and which encompasses transport, education, land development, procurement of goods, provision of services and growth models. Elements of the Plan identified through the Environment Charter process include:</b></p> <p>3.a.4. The development of growth scenarios which plainly illustrate the impacts of different levels and rates of development on such future factors as the composition of the population of the TCI, the relative economic power of Belongers versus incomers, and other quality of life factors.</p> <p>3.a.5 The Sustainable Development Planning Initiative, which is to be the new National Development Plan. This was begun in Grand Turk, and is to be carried out in every inhabited island. Key SDPI goals to be met include:</p> <ul style="list-style-type: none"> <li>○ Protection of environmental resources by establishing target growth capacity that sustains quality of ecosystems, human health and economic prosperity</li> <li>○ Improvement of quality of life by providing for a diverse economy which balances foreign investment and local enterprise enabling a lasting prosperity</li> </ul>	3.a.1 DEPS/Planning/TCInvest/Tourist Bd  3.a.2 DEPS  3.a.3 DEPS  3.a.4 DEPS/Planning  3.a.5 Planning/DEPS
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<ul style="list-style-type: none"> <li>○ Strengthen the community by involving them in the decisions which affect their quality of life.</li> <li>○ Develop a zoning scheme which provides the framework for individual decisions; good zoning should reduce the costs of proper EIAs</li> <li>○ Develop zoning strategy to set aside lands for conservation. (2.a.3)</li> </ul> <p>3.a.6. a National Strategic Development Policy with clear criteria against which to assess proposals and guidelines to aid Ministerial decisions. Decisions should be published with reasons explained against these criteria. Policy should lay out which kinds of development are good for the country and why. Each Development Agreement made by TCInvest should also lay out how the proposed development fits with the National Strategic Development Policy.</p> <p>3.a.7 A Crown lands policy for our most non-renewable resource</p> <ul style="list-style-type: none"> <li>□ Assess accurately the Crown lands which remain available for potential alienation without jeopardising those Crown lands which are identified to support other aspects of the future development of the country. This includes the Protected Areas System and other lands which underpin the high value tourist industry as well as the quality of life for Turks and Caicos Islanders.</li> <li>□ Review existing land policies to develop a framework for allocation of Crown lands both to Belongers and inward investors in a sustainable manner, recognising that the land supply is finite: <ul style="list-style-type: none"> <li>○ The policy needs to look beyond the point when there is no longer appropriate Crown land to alienate, and a sustainable approach requires that this Policy is developed well before reaching that point.</li> <li>○ To ensure consistency with land use plans, Planning Department should have input on decisions regarding allocation of Crown Land.</li> <li>○ Ensure proper planning of new settlements: rather than allocating one plot at a time, take account of consultative exercises such as the SDPI to allocate land in a manner which will create viable communities with public facilities, greenspace, etc</li> <li>○ The policy must include an assessment of the percentage of the reserve that can be released at any time, and a process for exceeding that percentage.</li> <li>○ Develop clear policy for capital reserve derived from land sales to ensure sustainability of Government's budgets. Revenue from the disposal of Crown Lands should be used to expand the Reserve Fund and never for recurrent expenditure.</li> <li>○ Review existing land policies to improve institutional arrangements and efficiency.</li> <li>○ Adopt a policy of long-leases rather than outright sale of Crown lands.</li> <li>○ Change regulations and policies to allow more efficient use of land for residential use, including clustered development, small lot sizes where appropriate, and further subdividing of lots which have previously been subdivided. When Crown land is allocated for Belonger housing, consider smaller lot sizes, more related to the</li> </ul> </li> </ul>	<p>3.a.6 DEPS/ Immigration</p> <p>3.a.7 Chief Min's Office/DEPS/Pla nning</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p style="text-align: center;">space needs of the housing to be built.</p> <p>3.a.8. A population policy based on carrying-capacity analysis, the spread of required skills between Belongers and incomers, and reasonable treatment of those contributing to the country’s development, whether Belongers or incomers.</p> <p>3.a.9. A re-evaluation of the tourism industry, placing greater emphasis on the socio-economic and environmental effects of tourism on our country and undertake measures to ensure that the negative impact is minimised.</p> <p>3.a.10. A biodiversity country study, building on the Habitat Mapping project (7.1), the Biodiversity Management Project for Middle and North Caicos, DECR marine studies, UK Conservation Forum Important Bird Areas analysis, and using the proposed Biological Records System (7..2).</p> <p>3.a.11 Increase transparency and public accountability. Ministers must make choices on the merits when carrying out the business of the public. Once policies are set, they should be administered by technical staff and not by Ministers.</p> <p><b>Make all laws and policies effective by enforcing them</b></p> <p>3.a.12 In every area covered by the Charter, develop a culture amongst the authorities that they must enforce the laws and to make sure that Government action must also fall within the law, adequately resource Government departments to enable them to carry out enforcement activities, and raise public awareness of the purpose and value of laws which protect our environment</p>	<p>3.a.8 DEPS/ Immigration</p> <p>3.a.9 Tourist Board/DEPS</p> <p>3.a.10 DECR/Planning</p> <p>3.a.11 Chief Minister</p> <p>3.a.12 All TCIG</p>
<p>3.b. Promote sustainable patterns of production and consumption</p>	<p><b>Ensure that the benefits of development are spread equally and sustainably to Turks and Caicos Islanders.</b></p> <p>3.b.1 In order to ensure diversity of economic opportunity, high quality of life and sustainability of prosperity for Belongers, urgently need to develop commercial activities which promote Belonger prosperity other than the construction business. Through the SDPI, identify opportunities on each Island appropriate to that Island, and develop low-interest loans to enable Belongers to develop their own businesses. In order to ensure that tourism-led development is spread across the entire country, establish a Hotel Development Corporation to take the initial risk of building hotels in the less developed islands. Establish Hotel Training School to ensure Belongers have skills to compete for best jobs. Establish categories of businesses available only to Belongers. Provide duty concessions to Belongers to build small inns and hotels. Ensure that adequate infrastructure is provided evenly throughout the islands as a necessary condition for sustainable economic and social development.</p> <p>3.b.2 As part of the expansion of the agriculture and fishing sectors, develop mariculture/aquaculture projects to produce food animals such as conch and lobster to supply the tourism industry in a sustainable way, without depleting wild stock. Equally, develop nurseries to grow valued local plants such as the Turks Head cactus, but strictly control how any operations collect from the wild.</p> <p>3.b.3 Ongoing task for the Environment Charter Working Group, beyond the present project: Identify policies which affect use of resources - energy, water, fisheries, transport, land, agriculture, quarrying, sand mining, construction methods, touristic development. Evaluate in terms of sustainability and make recommendations for policy development accordingly. This should address incentives/disincentives created by public policy to ensure that policies in all sectors promote sustainable use. In this process, take account of the likely effects of climate change, which will put additional stress on natural systems and services on which local livelihoods depend for natural resources, coastal protection and water resources; it will therefore be even more important to avoid other impacts on these features (see NRI/Tyndall Centre report to DFID 2001).</p>	<p>3.b.1 Chief Min/Min Finance/DEPS</p> <p>3.b.2 DECR</p> <p>3.b.3 ECWG</p>





Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>4.3 Take forward commitments in Country Strategic Plan (j) to incorporate a Strategic Environment Assessment approach and the SDPI-developed zoning scheme (see 3.a.5) into EIA procedures</p> <p>4.4 Develop policies and practice to ensure that conditions attached to development permission adequately require that total costs, including damage to primary resources, are built into development, rather than being picked up by TCIG later. Develop statistical framework, including a set of ratios which allow calculation of total costs of developments of various sizes. Develop process for monitoring and enforcing agreed payments/projects by developers. Note that these can be non-physical, such as commitment to enhance educational advancement.</p> <p>4.5 Ensure code compliance with regard to all aspects of development and resource management</p> <p>4.6 Adopt appropriate international certification requirements for architects, surveyors, etc to ensure professional standards and facilitate local practitioners seeking international certification.</p>	<p>TCInvest/Phys Planning Board/ DEPS</p> <p>4.4 Planning</p> <p>4.5 Planning</p> <p>4.6 Planning</p>

**TCIG Charter Commitment 5. Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.**

Desired Outcome: Decisions regarding growth and development are taken in open consultation with the community and reflect the shared values of the community.

<p>5.a. Ensure open and consultative decision making process on proposed development and plans</p>	<p>5.a.1 Amend Physical Planning Ordinance and relevant Regulations to establish procedures which ensure public notice for <u>all</u> projects and meaningful opportunity for input before decisions made. These amendments should ensure:</p> <ul style="list-style-type: none"> <li>○ advocacy takes in broader issues, rather than focusing only on narrow legal procedural points</li> <li>○ all members of the public, including associations and NGOs, have standing to make representations</li> <li>○ representations are either made at a hearing or are fully conveyed to decision-makers</li> <li>○ any planning decision by the Board or the Minister is considered against the Development Policy criteria (see 3.a.6) with advice from technical officers, and reasons (relating to those criteria) are published with the decision</li> <li>○ Advertising should be required for all major projects; replace or revise Schedule 2 of the Planning Regulations and sec 2.7.5 of the Development Manual to require this</li> </ul> <p>5.a.2 Design and carry out a project to initiate the regular informing of different sectors of society to empower local people so that they can participate in informed democratic decision-making on matters which affect their future. Reintroduce District Boards to give local people a voice. Essential that people’s right to be informed is honoured in this process. Important, also, because an informed electorate can support difficult political decisions. Implement with laws, regulations as needed and with adequate funding to ensure continuity. Should encourage NGO and private sector involvement.</p> <p>5.a.3 Enable participatory budgeting by reviewing and adapting the Governmental decision process for capital projects, with a view to ensuring that publicly funded projects contribute to environmental, social and financial sustainability. Process must include consultation with an informed public who understand that there are choices to be made between priorities and that there are trade-offs inherent in capital</p>	<p>5.a.1 Planning/AG’s Chambers</p> <p>5.a.2 DEPS/ Planning</p> <p>5.a.3 Planning/ DECR</p>
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>development decisions.</p> <p>5.a.4 As part of implementing Strategic Country Plan (k) carry out public information campaign (as part of SDPI?) about the broader positive &amp; negative effects of development projects, and the needs for and benefits of effective EIAs. Develop resources to facilitate NGOs and other less-enfranchised groups’ participation in the planning process. Educate developers on the benefits of using EIA’s to guide the conceptual planning of a project.</p> <p>5.a.5 Adopt appropriate international certification requirements for practitioners who develop plans and EIAs. Facilitate local practitioners seeking international certification. Include training component by DFID, World Bank or similar, and registration, for example by the Institute of Ecology and Environmental Management (IEEM).</p> <p>5.a.6 Develop means for open review as projects are carried forward as to whether EIA was accurate, using this as feedback both to that development and to future EIAs. Set out proper notification process for feedback, resulting in advisories which go directly to ExCo .</p>	5.a.4 Planning/ DECR
5.b. Environmental impact assessments include consultation with stakeholders.	<p>5.b.1 Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which:</p> <ul style="list-style-type: none"> <li>○ Make EIA subject to both public review and peer review by scientific bodies, and in major projects, make the scoping process also subject to public review</li> <li>○ Create deadlines in Planning Regulations which allow adequate time for public review and input</li> </ul>	5.b.1 Planning/AG’s Chambers

**TCIG Charter Commitment 6. Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.**

Desired Outcome: The TCI implements its shared responsibilities to the world environment.

6.a-d Implement MEAS extended to TCI	<p>a. Cartagena Convention –Main Convention and Oil Spill Protocol</p> <p>b. Convention on Migratory Species</p> <p>c. London Convention</p> <p>d. Ramsar Convention on Wetlands</p> <p>e. World Heritage Convention</p> <p>Action items needed to implement the conventions already extended to the TCI are integrated into main text and annotated</p>	
6.f. Assess the needs for joining other relevant	<p><b>Key Issue: Ensure that UK Government maintains full consultation with TCIG before extending its ratification of treaties to include</b></p> <p style="text-align: center;"><b>TCI.</b></p> <p style="text-align: center;"><b>CITES</b></p>	



Element of Commitment	Actions/Programmes	Lead agency(ies)
<p>MEAs:                      CITES (see Annex 19)                      CBD (see Annex 17)                      MARPOL (see Annex22)</p>	<p>6.f.1 Request UK Government to add TCI to its ratification of CITES</p> <p>6.f.2 Adopt lists from Appendices I and II (complete) in the Customs Order and update as they are amended</p> <p>6.f.3 Enact legislation which penalises possession of listed species</p> <p style="text-align: center;"><b>CONVENTION ON BIOLOGICAL DIVERSITY</b></p> <p>6.f.4 Request UK Government to add TCI to its ratification of CBD, and consider inclusion also in Cartagena Protocol on Biosafety</p> <p>6.f.5 Use the continuation of the current project, the SDPI and other measures to establish much higher level of awareness of the need to ensure incorporation of conservation of biodiversity into all other activities as normal practice</p> <p>6.f.6 Further identify components of biological diversity important for its conservation and sustainable use, by development of the approaches of the Darwin Initiative project and CRMP.</p> <p>6.f.7 Develop and implement biological records system and biological monitoring programme</p> <p>6.f.8 Expand the Protected Areas system by further designations or other protection mechanisms in the light of the review initiated in this project, and develop and implement management plans</p> <p>6.f.9 Use SDPI, Darwin Initiative plan and planning procedures to manage biological resources important for the conservation of biological diversity whether within or outside protected areas, with a view to ensuring their conservation and sustainable use, and to promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas</p> <p>6.f.10 Use and further develop species-based plans, including fisheries management plans, to promote the protection of ecosystems, natural habitats and the maintenance of viable populations of species in natural surroundings</p> <p>6.f.11 Use the approaches outlined in section 2.d and 2.e of this plan to prevent the introduction of, control or eradicate those alien species which threaten ecosystems, habitats or species, and include the provisions needed regarding biosafety required by the Cartagena Protocol to the CBD, if the TCI decides that extension of that Protocol to the TCI is appropriate</p> <p>6.f.12 Provide the conditions needed for compatibility between present uses and the conservation of biological diversity and the sustainable use of its components, and respect, preserve and maintain knowledge, innovations and practices of local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices, such as in the approach used in the Darwin Initiative management plan</p> <p>6.f.13 Enact and implement protection legislation for turtles, iguanas and black coral, amongst others</p> <p>6.f.14 Where appropriate for the purpose of complementing <i>in-situ</i> conservation measures, adopt measures for the <i>ex-situ</i> conservation of components of biological diversity</p> <p>6.f.15 Integrate consideration of the conservation and sustainable use of biological resources into national decision-making, protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation or</p>	<p>6.f.1-3 Min Nat Res/Governor’s Office/ AG’s Chambers</p> <p>6.f.4 Min Nat Res/Governor’s Office/ AG’s Chambers</p> <p>6.f.5 Env Chtr Wkg Grp</p> <p>6.f.6 DECR/TCNT</p> <p>6.f.7 DECR/TCNT/ Env Chrt Wkg Grp</p> <p>6.f.8 DECR PAD</p> <p>6.f.9 Planning/DEPS</p> <p>6.f.10 DECR/TCNT</p> <p>6.f.11 Dept Env Hlth/DECR</p> <p>6.f.12 Env Chrtr Wkg Grp</p> <p>6.f.13 DECR/AG’s Chambers</p> <p>6.f.14 DECR/TCNT</p> <p>6.f.15 Env Chrtr</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>sustainable use requirements, and encourage cooperation between governmental authorities and private sector in developing methods for sustainable use of biological resources, using the continuation of the current project, SDPI, EIA, SEA and other appropriate measures</p> <p>6.f.16 Adopt economically and socially sound measures that act as incentives for the conservation and sustainable use of components of biological diversity</p> <p>6.f.17 Implement measures under Commitments 9 &amp; 10 of the Environment Charter to promote and encourage understanding of the importance of, and the measures required for, the conservation of biological diversity</p> <p>6.f.18 Implement measures under Commitments 4 &amp; 5 of the Environment Charter to introduce appropriate procedures requiring environmental impact assessment of its proposed projects that are likely to have significant adverse effects on biological diversity with a view to avoiding or minimising such effects and, where appropriate, allow for public participation in such procedures; and introduce appropriate arrangements to ensure that the environmental consequences of its programmes and policies that are likely to have significant adverse impacts on biological diversity are duly taken into account</p> <p>6.f.19 Facilitate the exchange of information, from all publicly available sources, relevant to the conservation and sustainable use of biological diversity, and promote international technical and scientific cooperation in these subjects</p> <p>6.f.20 Input to UK regular report to the Conference of the Parties to CBD</p> <p style="text-align: center;"><b>MarPol Convention</b></p> <p>6.f.21 Establish procedures for detection and reporting of oil spills, using all appropriate and practicable measures of detection and environmental monitoring, adequate procedures for reporting and accumulation of evidence. Appoint an agency to carry these out.</p> <p>6.f.22 Report to the IMO on laws, procedures, etc, for dealing with this Convention including a description of all reception facilities for sewage, garbage, etc.</p> <p>6.f.23 Whenever traces of oil are observed near or in the wake of a vessel, carry out an immediate investigation and report.</p> <p>6.f.24 Provide reception facilities for sewage, garbage and any other substances required under the Convention for any port used by cargo or passenger vessels.</p>	<p>Wkg Grp/ DEPS/Planning</p> <p>6.f.16 DEPS</p> <p>6.f.17 Dept Education/ Tourist Board/ NGOs/GIS</p> <p>6.f.18 Planning/ TCInvest</p> <p>6.f.19 All TCIG Depts</p> <p>6.f.20 DECR</p> <p>6.f.21 Disaster Managmt/Dept Pub Hlth/ Maritime Dept</p> <p>6.f.22 Dept Env Hlth</p> <p>6.f.23 Maritime Dept</p> <p>6.f.24 Dept Env Hlth</p>

**TCIG Charter Commitment 7. Review the range, quality and availability of baseline data for natural resources and biodiversity.**

Desired Outcome: Good scientific and technical information is available to ensure well-informed, sustainable, reasonable decisions consistent with international standards.

7. Review baseline data for natural resources and	<p>7.1 Establish programmes and progressive integration of databases to provide baseline and monitoring information on natural resources, including:</p> <ul style="list-style-type: none"> <li>o ground-truthed satellite imagery of terrestrial and wetland ecosystems, built environment and habitat mapping for all islands,</li> </ul>	7.1 Min Nat Res/Env Chrtr Wkg Grp
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Element of Commitment	Actions/Programmes	Lead agency(ies)
biodiversity	<p>extending and developing the mapping of Middle and North Caicos done by the TCNT and UK Overseas Territories Conservation Forum, under the Darwin Initiative project, to so that planners and decision makers can readily identify areas of important flora, fauna, historic, cultural and archaeological value</p> <ul style="list-style-type: none"> <li>○ make available for integration into the GIS system the DFID-funded marine habitat mapping</li> <li>○ integrate land parcel and other related information with these</li> </ul> <p>7.2 In order to follow best international practice in securing survey and monitoring information in a cost-effective manner, establish computer-based biological records system. This will allow collation, checking, input, handling and recovery of observations from many potential observers, both formal and informal, and make this data available for conservation and planning as noted in 3.a.10.</p> <p>7.3 In order to access the extensive studies already undertaken but not easily available, develop meta-database (and where practicable link into biological records system) of information held by many agencies, including dissertations done on topics relating to conditions here in the TCI, scientific studies, EIAs, and other “grey literature”.</p> <p>7.4 Keep under review the range and quality of information, once collected, and identify further needs.</p> <p>7.5 Ensure that ongoing projects are carried out and that logical successor projects follow on:</p> <ul style="list-style-type: none"> <li>○ TCNT Herbarium</li> <li>○ Museum’s wet land core samples for pollen and seed analysis</li> <li>○ Individually developed study collections</li> <li>○ Further development of biodiversity studies in the Caicos Islands</li> </ul>	<p>7.2 DECR/TCNT</p> <p>7.3 Env Chrtr Wkg Grp by separate project</p> <p>7.4 DECR</p> <p>7.5 TCNT Museum Various TCNT</p>

**TCIG Charter Commitment 8. Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanism.**

Desired Outcome: Economic activity is carried out in a manner which does not pollute the environment and ensures that the developer or operator carries the costs, rather than TCIG.

8.a. Polluter pays: establish effective legislation, policies. Implementing “polluter-pays” principles required under the “London” Convention	<p>8.a.1 Water and Sewer Ordinance</p> <ul style="list-style-type: none"> <li>○ Amend Sec 106 (prohibiting discharge of pollution into all controlled waters) to provide strong penalties with a range appropriate to individuals, businesses and international shipping, and also the power to compel mitigation. (Penalties should be comparable with the largest of those of neighbouring states to avoid TCI waters becoming a bargain dumping zone.) [Implements London Convention]</li> <li>○ Add explicit procedures and standards for decisions on how sewage is to be disposed of.</li> </ul> <p>8.a.2 Revoke or amend Sec 6(2) of the National Parks Ordinance which provides compensation to polluters [Implements</p>	<p>8.a.1 Dept Env Hlth/PWD/ AG’s Chambers</p> <p>8.a.2 DECR PAD/ AG’s Chambers</p>
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p>London Convention] [This item shown as part of 2.a.4 in Priority Projects]</p> <p>8.a.3 Amend Secs 45, 46, 51 and 82 of the Physical Planning Ordinance to vest Enforcement Notices and other appeals from decisions of the Physical Planning Board in an independent technical body, commission or inspectorate with expertise in planning, pollution and related issues, with process open to the public</p>	<p>8.a.3 Planning/AG’s Chambers</p>
<p>8.b. Establish effective monitoring and enforcement of pollution controls</p>	<p>8.b.1 Produce and implement a proper solid waste collection and disposal plan, including incinerator systems for the proper disposal of waste throughout the TCI</p> <p>8.b.2 To deal with chronic problems of litter and trash:</p> <ul style="list-style-type: none"> <li>o Invest more money in cleaning up our streets and public areas</li> <li>o Build on programmes of “Clean Up TCI” to develop and extend public awareness regarding disposal of other categories of waste.</li> <li>o Create ticketing system for littering and residential violations of the Public and Environmental Health Ordinance and enact stiffer penalties for littering.</li> <li>o Amend Road Traffic Law to require trucks to cover their cargoes or loads.</li> <li>o Require all landlords to provide animal-safe facilities for trash disposal and collection at all premises</li> </ul> <p>8.b.3 Establish recycling programmes, including legislation, facilities and incentives, using Sec 51 of the Public and Environmental Health Ordinance, if appropriate.</p> <p>8.b.4 Establish programme for removal of large waste objects such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future. [programme about to be started.]</p> <p>8.b.5 Implement the Provo Liquid Waste Management Plan which will require centralised sewage disposal in Providenciales</p> <p>8.b.6 Build on work of Provo Pollution Task Force, applying this successful model to other problem areas.</p> <p>8.b.7 Deal with illegal immigration and substandard housing as they have enormous negative environmental impacts:</p> <ul style="list-style-type: none"> <li>o consider this as a project for the Provo Pollution Task Force</li> <li>o consider changes to regulations to allow alternative sanitation solutions such as high-tech composting toilets</li> <li>o reactivate the initiative on “Informal Housing” by recirculating the report and reactivating the task force</li> </ul> <p>8.b.8 Establish national laboratory to facilitate environmental monitoring [Implements London Convention]</p> <p>8.b.9 Establish discharge standards which can be enacted as Regulations for appropriate Ordinances</p> <p>8.b.10 In order to implement the London Convention, establish mechanism for enforcement of polluting activities of cruise lines etc in international waters, including procedures regarding liability arising from the dumping or incineration at sea of wastes or other matter. [Also implements Cartagena Convention]</p> <p>8.b.11 In order to implement the Cartagena Convention, take all appropriate measures to prevent, reduce and control pollution:</p>	<p>8.b.1 Dept Env Hlth</p> <p>8.b.2 Dept Env Hlth/ NGOs/Police/ AGs Chambers</p> <p>8.b.3 Dept Env Hlth/NGOs</p> <p>8.b.4 Dept Env Hlth</p> <p>8.b.5 Dept Env Hlth</p> <p>8.b.6 PPTF/Dept Env Hlth</p> <p>8.b.7 PPTF/ Dept Env Hlth/ Immigration [coordinate with DEPS Population Policy Project]</p> <p>8.b.8 Dept Env Hlth</p> <p>8.b.9 Dept Env Hlth/PWD</p> <p>8.b.10 Dept Env Hlth/DECR/AG’s Chambers</p> <p>8.b.11 Dept Env Hlth/DECR/AG’s</p>

Element of Commitment	Actions/Programmes	Lead agency(ies)
	<ul style="list-style-type: none"> <li>o caused by discharges from ships</li> <li>o caused by dumping of wastes and other matter at sea from ships, aircraft or manmade structures at sea</li> <li>o caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources on their territories.</li> <li>o resulting directly or indirectly from exploration and exploitation of the sea-bed and its subsoil.</li> <li>o resulting from discharges into the atmosphere from activities under their jurisdiction.</li> </ul> <p>8.b.12 Establish monitoring programme for environmental impacts of major projects, including baseline studies and ongoing monitoring.</p> <p>8.b.13 Maintain and update the Oil Spill Contingency Plan and develop contingency plans for other types of pollution emergencies [Implements Cartagena Convention]</p> <p>8.b.14 In order to implement the London Convention, designate an appropriate authority to issue permits in accordance with this Protocol; keep records of the nature and quantities of all wastes for which dumping permits have been issued; monitor the condition of the sea for the purposes of this Protocol; and report to the IMO.</p> <p>8.b.15 In order to implement the London Convention, ensure that pollution prevention methods do not transfer damage or pollution from one part of the environment to another.</p> <p>8.b.16 Cooperate with other Caribbean nations in scientific research, monitoring, and the exchange of data and other scientific information; co-ordinate research and monitoring programmes; participate in international arrangements for pollution research and monitoring. [Implements Cartagena Convention]</p>	<p>Chambers</p> <p>8.b.12 Dept Env Hlth/ DECR</p> <p>8.b.13 Disaster Mgmt</p> <p>8.b.14 Ministry Health</p> <p>8.b.15 Dept Env Hlth/ DECR</p> <p>8.b.16 Dept Env Hlth/ DECR</p>

**TCIG Charter Commitment 9. Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment**

Desired Outcome: Our children learn to value their natural and cultural heritage, and respect the TCI’s role in the global environment

<p>9. Support and enhance environmental education in schools</p>	<p>9.1 Ensure that the publicly funded school system is adequately resourced and sufficiently encouraged to:</p> <ul style="list-style-type: none"> <li>o promote environmental health and safety</li> <li>o allow greater capacity in career guidance</li> <li>o allow environmental study in the field as well as the classroom</li> <li>o to develop greater regional focus in the environmental curriculum</li> <li>o continue developing and expanding environmental curriculum</li> <li>o develop science education to draw more students to that as a career option</li> <li>o enable schools to join the National Trust and for teachers to access Trust and Tourist Board educational resources year-round</li> <li>o raise awareness of the Environment Charter in all schools, and related to all relevant subjects</li> </ul>	<p>9.1 Dept Education</p>
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<ul style="list-style-type: none"> <li>○ work with local NGOs and regional bodies to develop ongoing, regular teacher training in environmental issues</li> <li>○ Increase the number of Belongers who choose teaching for a career.</li> </ul> <p>[implements the World Heritage Convention]</p> <p>9.2 Ensure that the National Trust is adequately resourced [including by the Conservation fund] to:</p> <ul style="list-style-type: none"> <li>○ carry out environmental education programmes</li> <li>○ develop and distribute educational materials</li> <li>○ conduct programmes like summer camps and the Living Classrooms</li> <li>○ take on work-experience students</li> <li>○ extend good working relationship with primary schools to secondary and tertiary levels</li> <li>○ develop teachers workshops at the conclusion of every successful project in order to maximise value and maintain the ongoing relationship with teachers</li> </ul> <p>Arrange for Government approval for the sites identified on each island and the resources to be made available to the National Trust for the Living Classrooms programme.</p> <p>9.3 Build on successful TCIG education programmes such as the Junior Warden Programme which works at secondary level</p> <p>9.4 Encourage the development and/or revival of other NGOs such as PRIDE to offer high-quality environmental educational opportunities which will encourage children towards careers in conservation. Ensure greater access for more students to the resources and facilities of the School for Field Studies.</p>	<p>9.2 Min Nat Res/NPEAC/TC NT/DEPS/ Tourist Board</p> <p>9.3 NGOs</p> <p>9.4 NGOs/ TCIG</p>

**TCIG Charter Commitment 10. Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.**

Desired Outcome: Our citizenry values their natural and cultural heritage, and respects the TCI’s role in the global environment

<p>10.a. Promote Environmental Charter principles within the TCI by developing and implementing programmes to increase public awareness</p>	<p>10.a.1 Fund one of the NGOs (CleanUpTCI or the Trust, for example) to carry out a large-scale, multi-year, nation-wide awareness programme centred on the adult population. Use the RARE model which carried out the successful iguana campaign and the Feral Dogs Project as models of how to change public attitudes.</p> <p>10.a.2 Use the Strategy for Action developed through the current process as the basis of Government’s development/ environment policy and make it widely known.</p> <p>10.a.3 Establish web site as means of disseminating information.</p> <p>10.a.4 Recognising that ecotourism facilities are both an education tool and an economic engine, facilitate the securing of funding by NGOs (especially the Trust and the Museum) for the development of such facilities, so that staff time in seeking funding does not unduly impact the ability to carry out projects. Use these facilities as one means to integrate local culture into tourism product. [implements the World Heritage</p>	<p>10.a.1 Env Charter Wkg Grp/NGOs</p> <p>10.a.2 Env Chtr Wkg Group</p> <p>10.a.3 DECR</p> <p>10.a.4 DEPS/ Min Nat Res/ Tourist Board/ NPEAC/ NGOs</p>
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p><b>Convention]</b></p> <p>10.a.5 Educate tourists in conservation issues, as they are, in fact, the largest sector of our population</p> <p>10.a.6 Work with commercial interests such as hotels and beer distributors to develop and implement their environmental policies and programmes</p> <p>10.a.7 To implement the World Heritage Convention, further develop the current programmes of the Tourist Board’s Cultural Officer, the Education Dept, the National Trust, the National Museum, DECR and other educational and information programmes, to strengthen appreciation and respect of the cultural and natural heritage, and keep the public broadly informed of the dangers threatening this heritage</p>	<p>10.a.5 Tourist Board</p> <p>10.a.6 DECR/ Tourist Board</p> <p>10.a.7 listed agencies</p>
<p>10.b. Create and promote publications which spread awareness of TCI’s special environmental features</p>	<p>10.b.1 Encourage and support the further development of existing initiatives by the Trust, Museum, Tourist Board and others, including private individuals, to produce and use high-quality publications which spread awareness of the TCI’s special environmental features.</p>	<p>10.b.1 Tourist Board/NPEAC/ NGOs and bodies listed</p>
<p>10.c. Promote awareness of the Environmental Charter itself</p>	<p>10.c.1 Carry out high-profile launch to raise awareness of the Charter.</p>	<p>10.c.1 Env Chrtr Wkg Grp</p>

**TCIG Charter Commitment 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 .**

Desired Outcome: The choices made by our government are informed by an understanding of their impact on the environment, both local and global, now and in the future.

<p>11.a. Abide by Rio Principles</p>	<p><b>Principles of the Rio Declaration Most Relevant to the TCI Environment Charter</b></p> <p><i>If this Strategy is implemented, these principles will be met.</i></p> <p><b>1</b> Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.</p> <p><b>3</b> The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.</p> <p><b>4</b> In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.</p>	
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Element of Commitment	Actions/Programmes	Lead agency(ies)
	<p><b>5</b> All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.</p> <p><b>8</b> To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.</p> <p><b>10</b> Environmental issues are best handled with the participation of all concerned citizens. States shall facilitate and encourage public awareness and participation by making information widely available.</p> <p><b>11</b> States shall enact effective environmental legislation.</p> <p><b>13</b> States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage.</p> <p><b>16</b> National authorities should endeavour to promote the internalisation of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest.</p> <p><b>17</b> Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.</p> <p><b>21</b> The creativity, ideals and courage of the youth of the world should be mobilised to forge a global partnership in order to achieve sustainable development and ensure a better future for all.</p>	
<p>11.b. Work towards meeting International Development Targets</p>	<p><b>The International development target for the environment:</b></p> <p><i>If this Strategy is accepted and implementation is in progress by 2005, the target will be met</i></p> <p>There should be a current national strategy for sustainable development in the process of implementation, in every country by 2005, so as to ensure that current trends in the loss of environmental resources are effectively reversed at both global and national levels by 2015.</p>	



## Annex Y. Strategy for Action: Initial Priority Projects

### Turks and Caicos Environment Charter Project Strategy for Action v 1.3: Initial Priority Projects

This document is drawn from the “Strategy for Action to Implement the Environment Charter for the Turks and Caicos Islands – Draft for Ministers’ Review” and comprises the elements of that Strategy proposed to be of first priority. [Note: Agencies in brackets are suggested lead agencies]

**Environment Charter Commitment 2** *Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.*

Desired outcome: Key habitats, key species and landscape features are protected, and where necessary, restored.

#### 2 Protect, manage, improve and extend the Protected Areas System created under the National Parks Ordinance

2.b.1 Lodge the boundaries of existing Protected Areas in the Governmental GIS system, Planning and Land Registry by resourcing translation where digitised boundaries are already available and digitising of remaining boundaries. [Chief Min Office]

2.b.2 To ensure that there is no further erosion of the PAS through inappropriate development, use the National Trust Ordinance to put the Protected Areas System into inalienable conservation ownership, in trust for the future of the country. [Chief Min Office]

2.b.3 Complete development of a Protected Areas Policy with agreement at highest level. Where appropriate, policy must be embedded in the legislation to make it binding. [DECR PAD/TCNT]

2.b.4 Continue revitalising our National Parks system and extend management throughout all Protected Areas. Set aside additional areas for the creation of more Protected Areas. Review the needs for amendments to the boundaries and/or the categorisation of existing Protected Areas, and the need for additional Protected Areas (or for Prohibited Areas under the Fisheries Ordinance) in the light of new information, especially regarding habitat of migratory species, and in light of habitat value and threat status. Facilitators have initiated process by collating the recommendations already supplied by National Trust and others. Recommendations to be processed where sufficient information exists and information needs identified in other cases. Enact regulations accordingly, as cases reach the appropriate stage. [Implements Convention on Migratory Species.] Review should include recommendations regarding designating the Mouchoir Banks as a Protected Area. [DECR PAD/TCNT]

2.c.1 - 3 Develop and implement a five-year rolling strategic plan for the management of the Protected Areas System, including the setting of priorities for parts of PAS most urgently in need of management plans. Develop management plans for every site in PAS in priority order [Implements World Heritage Convention] Finalise, adopt and periodically update existing management plans. [DECR PAD/ TCNT for their sites]

2.a.4. Amend National Parks Ordinance to:

- incorporate opportunities for public notice and input re the designation, changing designation or de-designation of areas protected under the ordinance;

- clarify the purposes for each category of Protected Area to include conservation of high-value scenic amenity as well as biodiversity, history and other purposes
- review carefully the types of development permitted in National Parks, to ensure that permitted development does not compromise individual parks
- formalise the Protected Areas Advisory Committee and develop a mechanism that groups, including community groups, may manage protected areas or parts of protected areas, as well as other means of public participation in the park
- establish the role of management plans within the National Protected Area System
- provide improved descriptions of existing protected areas
- recommend the identification and correction of gaps, including specific sites and habitats and inclusion of further protected areas including Wades Green and Little Ambergris Cay and extensions to Lake Catherine Nature Reserve and the Middle, North and East Caicos Nature Reserve.

[DECR PAD/AG's Chambers]

2.c.11 Ensure proper management of the Conservation Fund, including ensuring that management authority for the Conservation Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures. [Chief Minister/Finance]

## **2 II Protect and where necessary, restore key habitat such as coastal areas, wetlands, the Salinas and woodlands**

2.c.6 Ensure the proper protection of our coastal resources. Develop and implement Coastal Zone Management Policy to deal with coastal works, flooding and disaster management and wise allocation of valuable and very limited supply of coastal land. This policy should recognise the value of natural features such as coral reefs, beaches, mangroves, and sea grass beds as natural defences and the utility of soft engineering approaches to encourage such natural systems.

[Planning/DECR]

2.c.7 In order to implement the Ramsar Convention, wetlands must be a specific focus of protected areas protection:

- Use the SDPI to ensure environmentally sustainable wise use of all wetlands in the TCI
- For those areas already parts of the PAS which comprise wetlands, ensure proper management and wardening
- Identify and designate other valuable wetlands as Nature Reserves or Sanctuaries and provide adequate wardening
- Identify and designate suitable additional wetlands for inclusion in the List of Wetlands of International Importance
- Develop biological records system to enable research and exchange of data
- Train personnel in the fields of wetlands research, management and wardening

[Planning/DECR PAD/TCNT]

2.c.8 Recognising the importance of the Salinas (constructed salt pans) of Grand Turk, Salt Cay and South Caicos to both wildlife and cultural heritage, drainage and storm protections, as well as the proximity of these features to centres of population, and in keeping with the Dept of Planning Advisory:

- Give protected status to the Salinas of Grand Turk and Salt Cay, as they exceed the standards for Ramsar Wetlands of International Importance and Important Bird Areas. Enforce Development Manual requirement that any development in a Salina requires an EIA.

- Implement management of the Salinas in all three Islands and in particular, restore tidal flow in the South Caicos Salinas.
- Integrate the Salinas into the TCI tourism product, both to demonstrate the economic history of the islands and to take advantage of the extraordinary birdwatching opportunities they provide.

[DECR /PWD/TCNT]

2.c.9 Identify degraded areas in all islands which will benefit from reforestation or other restoration, determine the optimal restoration approach for each, ensuring that only native plants are used, and carry out restoration works. [DECR ]

2.c.12 Develop and implement an Agriculture Policy, and establish and staff an Agriculture Department, ensuring that environmental considerations are fully integrated into both policy and practice. Develop means of assistance to local farmers and increase the amount of home-grown produce in supermarkets and the hospitality sector. [Chief Min Office]

## 2 III Protect Important Species

2.c.4 Develop fisheries policy including the review of the Fisheries Management Plans in order to develop the fisheries sector of the economy while ensuring protection of the target and non-target species on which both the fishing and tourism industries are based. [DECR]

2.a.6/7 Review and amend Fisheries Protection Ordinance to:

- provide a mechanism for regulating taking of turtles, to enable conservation of the populations
- ensure proper conservation of other marine species, with particular emphasis on multi-species breeding aggregations, with Nassau Groupers as the flagship species.

[DECR/AG's Chambers]

2.a.8 Develop and adopt a new Wildlife Protection Ordinance to protect important, native, threatened, etc fauna such as iguanas, other endemic reptiles, butterflies, etc, which:

- creates a process for identifying species for which protection is appropriate
- creates appropriate management authority and criminal provisions
- creates means to identify exotic animal species which could become invasive
- creates means to prohibit import of such species
- creates ability to identify and extirpate harmful invasive species already here.
- incorporates Wild Birds Protection Ordinance into the new law
- extends special protection measures for rare and endangered species to Kirtland's Warbler, West Indian Whistling Ducks and other vulnerable and/or geographically restricted populations

[DECR/AG's Chambers]

2.a.9 Amend the Plant Protection Ordinance to:

- Put in place a process for identifying species such as the Turks Head cactus and local orchids for which protection is appropriate and establish appropriate management authority and criminal provisions
- deal with invasive plant species, both the identification of species for which import should be banned and the ability to identify problem species already here and eliminate them.
- Create the means to prohibit import of such species
- One Government department should have lead responsibility for this, whether it be DECR, Environmental Health or a new Dept of Agriculture.

[DECR/DEH/AG's Chambers]

2.c.14 Implement the TCI Rock Iguana Conservation and Management Plan. Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for turtles, whales, whistling ducks and other priority species. [DECR/TCNT]

2.d.1 To control invasive species and for other environmental health reasons, carry out a major project to implement port environmental security including:

- o Restricting ports of entry
- o Necessary legislation in addition to the Wildlife and Plant Protection Ordinances (above)
- o Establishment of quarantine facilities for both plants and animals
- o Technical training for Customs and other officials, starting with CITES training in 2003

[DEH/Customs]

2.c.16 Ensure the proper control of mosquitoes and other disease-carrying insects and animals using programmes which:

- o avoid adverse impacts on other species
- o effectively address the problem
- o affect target species proportionately

[DEH]

### ***Environment Charter Commitment 3*** *Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.*

Desired Outcomes: Social and economic planning ensures a healthy environment; production and consumption are carried on in a sustainable manner.

#### **3 I Establish development policies which take into account poverty, unemployment and inequality, in order to create real economic development.**

3.a.1 Identify existing or potentially easily gatherable data sets which could, if tracked, give meaningful indication of quality of life parameters. Use these to institute a system of indicators, ideally with annual reporting. The indicators should relate to health, literacy, pollution levels, natural resources, natural and cultural heritage, social stability and other real indicators of the effects of development decisions. Integrate with ongoing efforts to develop domestic GDP capacity to integrate sustainable measures of GDP. Some of these data sets will come from other organisations, but Government, too, needs to develop a more integrated approach to collation of statistics.

3.a.2 Become familiar with, and contribute to, the international effort to develop meaningful measures of natural, human, social and financial capital. (Note that this is a new and rapidly developing field and the TCI is in no way behind in this new approach.)

3.a.3 Build on the Standard of Living study to go back to the original respondents and begin working on the practical implications of the issues they raised.

**3 II Prepare a Ten-Year Comprehensive Development Plan which builds on current initiatives such as the SDPI and which encompasses transport, education, land development, procurement of goods, provision of services, growth models and conservation of the natural environment and cultural heritage. Elements of the Plan identified through the Environment Charter process include:**

3.a.4. The development of growth scenarios which plainly illustrate the impacts of different levels and rates of development on such future factors as the composition of the population of the TCI, the relative economic power of Belongers versus incomers, and quality of life factors.

3.a.5 The Sustainable Development Planning Initiative, which is to be the new National Development Plan. This was begun in Grand Turk, and is to be carried out in every inhabited island. Key SDPI goals to be met include:

- Protection of environmental resources by establishing target growth capacity that sustains quality of ecosystems, human health and economic prosperity
- Improvement of quality of life by providing for a diverse economy which balances foreign investment and local enterprise enabling a lasting prosperity
- Strengthen the community by involving them in the decisions which affect their quality of life.
- Develop a zoning scheme which provides the framework for individual decisions; good zoning should reduce the costs of proper EIAs
- Develop zoning strategy to set aside lands for conservation. (2.a.3) [Planning/DEPS]

3.a.6. a National Strategic Development Policy with clear criteria against which to assess proposals and guidelines to aid Ministerial decisions. Decisions should be published with reasons explained against these criteria. Policy should lay out which kinds of development are good for the country and why. Each Development Agreement made by TCInvest should also lay out how the proposed development fits with the National Strategic Development Policy. [DEPS]

3.a.7 A Crown lands policy for our most non-renewable resource

- Assess accurately the Crown lands which remain available for potential alienation without jeopardising those Crown lands which are identified to support other aspects of the future development of the country. This includes the Protected Areas System and other lands which underpin the high value tourist industry as well as the quality of life for Turks and Caicos Islanders.
- Review existing land policies to develop a framework for allocation of Crown lands both to Belongers and inward investors in a sustainable manner, recognising that the land supply is finite:
  - The policy needs to look beyond the point when there is no longer appropriate Crown land to alienate, and a sustainable approach requires that this Policy is developed well before reaching that point.
  - To ensure consistency with land use plans, Planning Department should have input on decisions regarding allocation of Crown Land.
  - Ensure proper planning of new settlements: rather than allocating one plot at a time, take account of consultative exercises such as the SDPI to allocate land in a manner which will create viable communities with public facilities, greenspace, etc
  - The policy must include an assessment of the percentage of the reserve that can be released at any time, and a process for exceeding that percentage.
  - Develop clear policy for capital reserve derived from land sales to ensure sustainability of Government's budgets. Revenue from the disposal of Crown Lands should be used to expand the Reserve Fund and never for recurrent expenditure.
  - Review existing land policies to improve institutional arrangements and efficiency.
  - Adopt a policy of long-leases rather than outright sale of Crown lands.

- Change regulations and policies to allow more efficient use of land for residential use, including clustered development, small lot sizes where appropriate, and further subdividing of lots which have previously been subdivided. When Crown land is allocated for Belonger housing, consider smaller lot sizes, more related to the space needs of the housing to be built. [Chief Minister/Planning/DEPS]

3.a.8. A population policy based on carrying-capacity analysis, the spread of required skills between Belongers and incomers, and reasonable treatment of those contributing to the country's development, whether Belongers or incomers. [DEPS/Immigration]

3.a.9. A re-evaluation of the tourism industry, placing greater emphasis on the socio-economic and environmental effects of tourism on our country and undertake measures to ensure that the negative impact is minimised. [Tourist Board/DEPS]

3.a.10. A biodiversity country study, building on the Habitat Mapping project (7.1), the Biodiversity Management Project for Middle and North Caicos, DECR marine studies, UK Conservation Forum Important Bird Areas analysis, and using the proposed Biological Records System (7.2). [Planning/DECR]

### **3 III Carry out genuine “good government” practices and make all laws and policies effective by enforcing them**

3.a.11 Increase transparency and public accountability. Ministers must make choices on the merits when carrying out the business of the public. Once policies are set, they should be administered by technical staff and not by Ministers.

3.a.12 In every area covered by the Charter, develop a culture amongst the authorities that they must enforce the laws and to make sure that Government action must also fall within the law, adequately resource Government departments to enable them to carry out enforcement activities, and raise public awareness of the purpose and value of laws which protect our environment [All TCIG]

### **3 IV Ensure that the benefits of development are spread equally and sustainably to Turks and Caicos Islanders.**

3.b.1 In order to ensure diversity of economic opportunity, high quality of life and sustainability of prosperity for Belongers, urgently need to develop commercial activities which promote Belonger prosperity other than the construction business. Through the SDPI, identify opportunities on each Island appropriate to that Island, and develop low-interest loans to enable Belongers to develop their own businesses. In order to ensure that tourism-led development is spread across the entire country, establish a Hotel Development Corporation to take the initial risk of building hotels in the less developed islands. Establish Hotel Training School to ensure Belongers have skills to compete for best jobs. Establish categories of businesses available only to Belongers. Provide duty concessions to Belongers to build small inns and hotels. Ensure that adequate infrastructure is provided evenly throughout the islands as a necessary condition for sustainable economic and social development. [DEPS/Planning/TCInvest/Tourist Board]

3.b.2 As part of the expansion of the agriculture and fishing sectors, develop mariculture/aquaculture projects to produce food animals such as conch and lobster to supply the tourism industry in a sustainable way, without depleting wild stock. Equally, develop nurseries to grow valued local plants such as the Turks Head cactus, but strictly control how any operations collect from the wild. [DECR]



## **Environment Charter Commitment 4** *Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.*

Desired Outcome: Growth and development have a minimal negative impact on both the environment and public health.

### **4 I Ensure that environmental issues are considered before key approvals are made**

4.1 Ensure that all major development projects are subjected to proper Environmental Impact Assessments, carried out with the input of stakeholders. Amend procedures and laws to ensure that environmental scrutiny is carried out that earliest possible stage in the application process, so that it can inform critical early decisions rather than coming at the end of the process, when it can be used to correct only fairly minor aspects.

- o TCInvest should be the main focal point through which all major project proposals are initially considered. The agency should ensure that environmental review, as well as any other reviews, are carried out before any presentation of the project proposal is made to Ministers, so that Ministers have the benefit of technical advice on environmental aspects.
- o Amend Sec 3 of the Encouragement of Development Ordinance to add a requirement that a Strategic EIA be submitted as a part of the application for a Development Order in any project meeting threshold criteria on size, location, potential impact, etc. Dept of Planning to develop: (a) the threshold criteria, and (b) guidelines for the preparation of Strategic EIAs, which are intended to place proposed developments in context. The Strategic EIA would become a part of any subsequent Development Agreement.
- o At each stage of permission, all documents from the TCIG must contain strong and evident language indicating that the project is not “approved” until all steps have been taken and permissions granted. In this context, review the role of the Minister’s Certificate of Approval; if the procedure is to be maintained, it should be re-named “Permission to Apply.”
- o Development Agreement provisions must be enforced – the developer should lose tax concessions if the agreement is violated.

[Planning/TCInvest/AG’s Chambers]

### **4 II Ensure that EIAs give complete and unbiased information to aid decision makers**

4.2 Follow international best practice in respect of EIA procedures:

- o Director of Planning maintains full control over EIAs, including scoping, screening and methodology agreed by the dept before any field work is carried out, appointing, contracting and paying the consultants (funding supplied by the Developer, but paid through the Planning Dept), identifying issues to be addressed, level of detail, qualitative indicators to be used to permit cost/benefit analysis, and ensuring that all field reports are submitted to Planning unchanged from the form submitted by the field consultant sub-contractor. [Implements Cartagena Convention]
- o Specify in Sec 32 of the Physical Planning Ordinance that all EIAs must describe existing conditions, identify potential impacts of the project and propose mitigation strategies, and must address cultural impacts in addition to any other elements the Director may require. Potential impacts on the marine environment must be addressed in any development in coastal areas. [Implements Cartagena Convention]
- o Provide environmental inspectors who can monitor development as it occurs and ensure that conditions are being followed and adverse impacts being monitored and mitigated

[Planning/DEPS]

4.4 Develop policies and practice to ensure that conditions attached to development permission adequately require that total costs, including damage to primary resources, are built into development, rather than being picked up by TCIG later. Develop statistical framework, including a set of ratios which allow calculation of total costs of developments of various sizes. Develop process for monitoring and enforcing agreed payments/projects by developers. Note that these can be non-physical, such as commitment to enhance educational advancement. [Planning]

***Environment Charter Commitment 5*** *Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.*

Desired Outcome: Decisions regarding growth and development are taken in open consultation with the community and reflect the shared values of the community.

**5** **I Ensure that the public has meaningful opportunities to review and comment on proposals before decisions are made.**

5.a.1 Amend Physical Planning Ordinance and relevant Regulations to establish procedures which ensure public notice for all projects and meaningful opportunity for input before decisions made. These amendments should ensure:

- advocacy takes in broader issues, rather than focusing only on narrow legal procedural points
- all members of the public, including associations and NGOs, have standing to make representations
- representations are either made at a hearing or are fully conveyed to decision-makers
- any planning decision by the Board or the Minister is considered against the Development Policy criteria (see 3.a.6) with advice from technical officers, and reasons (relating to those criteria) are published with the decision
- Advertising should be required for all major projects; replace or revise Schedule 2 of the Planning Regulations and sec 2.7.5 of the Development Manual to require this

[Planning/AG's Chambers]

5.a.2 Design and carry out a project to initiate the regular informing of different sectors of society to empower local people so that they can participate in informed democratic decision-making on matters which affect their future. Reintroduce District Boards to give local people a voice. Essential that people's right to be informed is honoured in this process. Important, also, because an informed electorate can support difficult political decisions. Implement with laws, regulations as needed and with adequate funding to ensure continuity. Should encourage NGO and private sector involvement.

5.b.1 Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which:

- Make EIA subject to both public review and peer review by scientific bodies, and in major projects, make the scoping process also subject to public review
- Create deadlines in Planning Regulations which allow adequate time for public review and input

[Planning/AG's Chambers]



**Environment Charter Commitment 6** *Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.*

Desired Outcome: The TCI implements its shared responsibilities to the world environment.

[Note that action items necessary to carry out MEAs which have already been extended to the TCI are integrated throughout the Strategy]

6.f.1 Request UK Government to add TCI to its ratification of CITES

6.f.4 Request UK Government to add TCI to its ratification of CBD, and consider whether the Cartagena Protocol to the CBD regarding biosafety should also be extended to the TCI.

[Min Nat Res/Governor's Office/AGs Chambers]

**Environment Charter Commitment 7** *Review the range, quality and availability of baseline data for natural resources and biodiversity.*

Desired Outcome: Good scientific and technical information is available to ensure well-informed, sustainable, reasonable decisions consistent with international standards.

**7 | Bring all the information we have on our terrestrial, wetland and marine systems into the GIS system so that land managers, planners and decision makers have ready access.**

7.6 Establish programmes and progressive integration of databases to provide baseline and monitoring information on natural resources, including:

- ground-truthed satellite imagery of terrestrial and wetland ecosystems, built environment and habitat mapping for all islands, extending and developing the mapping of Middle and North Caicos done by the TCNT and UK Overseas Territories Conservation Forum, under the Darwin Initiative project, to so that planners and decision makers can readily identify areas of important flora, fauna, historic, cultural and archaeological value
- make available for integration into the GIS system the DFID-funded marine habitat mapping
- integrate land parcel and other related information with these

[Min Nat Res/ Env Charter Working Group]

7.7 In order to follow best international practice in securing survey and monitoring information in a cost-effective manner, establish computer-based biological records system. This will allow collation, checking, input, handling and recovery of observations from many potential observers, both formal and informal, and make this data available for conservation and planning as noted in 3.a.10.

[DECR/TCNT]

**Environment Charter Commitment 8** *Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanisms.*

Desired Outcome: Economic activity is carried out in a manner which does not pollute the environment and ensures that the developer or operator carries the costs, rather than TCIG.

**8 | Deal with the urgent issues of waste disposal, litter and trash**

8.b.1 Produce and implement a proper solid waste collection and disposal plan, including incinerator systems for the proper disposal of waste throughout the TCI

[DEH]

8.b.2 To deal with chronic problems of litter and trash:

- Invest more money in cleaning up our streets and public areas
- Build on programmes of “Clean Up TCI” to develop and extend public awareness regarding disposal of other categories of waste.
- Create ticketing system and increase penalties for littering and residential violations of the Public and Environmental Health Ordinance
- Amend Road Traffic Law to require trucks to cover their cargoes or loads.
- Require all landlords to provide animal-safe facilities for trash disposal and collection at all premises

[DEH/NGOs/Police/AG's Chambers]

8.b.4 Establish programme for removal of large waste objects such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future. [DEH]

## **8 II Enhance public health and a healthy environment by giving Government departments and task forces the tools and authority they need to monitor and prevent pollution**

8.b.6 Build on work of Provo Pollution Task Force, applying this successful model to other problem areas. [PPTF/DEH]

8.b.7 Deal with illegal immigration and substandard housing as they have enormous negative environmental impacts:

- consider this as a project for the Provo Pollution Task Force
- consider changes to regulations to allow alternative sanitation solutions such as high-tech composting toilets
- reactivate the initiative on “Informal Housing” by recirculating the report and reactivating the task force

[PPTF/DEH/Immigration/ Coordinate with DEPS Population Policy Project]

8.b.8 Establish national laboratory to facilitate environmental monitoring [DEH]

8.b.9 Establish discharge standards which can be enacted as Regulations for appropriate Ordinances [DEH/PWD]

8.b.12 Establish monitoring programme for environmental impacts of major projects, including baseline studies and ongoing monitoring. [DEH/DECR]

## **8 III Give Government departments and task forces the tools they need to enforce pollution laws**

8.a.1 Water and Sewer Ordinance

- Amend Sec 106 (prohibiting discharge of pollution into all controlled waters) to provide strong penalties with a range appropriate to individuals, businesses and international shipping, and also the power to compel mitigation. (Penalties should be comparable with the largest of those of neighbouring states to avoid TCI waters becoming a bargain dumping zone.)
- Add explicit procedures and standards for decisions on how sewage is to be disposed of.

[DEH/PWD/AGs Chambers]

8.a.3 Amend Secs 45, 46, 51 and 82 of the Physical Planning Ordinance to vest Enforcement Notices and other appeals from decisions of the Physical Planning Board in an independent technical body,

commission or inspectorate with expertise in planning, pollution and related issues, with process open to the public [Planning/AGs Chambers]

### **Environment Charter Commitment 9** *Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment*

Desired Outcome: Our children learn to value their natural and cultural heritage, and respect the TCI's role in the global environment

**Begin a campaign in the schools to promote environmental conservation in order that we may save our environment and ecosystems.**

9.5 Ensure that the publicly funded school system is adequately resourced and sufficiently encouraged to:

- o promote environmental health and safety
- o allow greater capacity in career guidance
- o allow environmental study in the field as well as the classroom
- o to develop greater regional focus in the environmental curriculum
- o continue developing and expanding environmental curriculum
- o develop science education to draw more students to that as a career option
- o enable schools to join the National Trust and for teachers to access Trust and Tourist Board educational resources year-round
- o raise awareness of the Environment Charter in all schools, and related to all relevant subjects
- o work with local NGOs and regional bodies to develop ongoing, regular teacher training in environmental issues
- o Increase the number of Belongers who choose teaching for a career.

[Dept of Education]

9.6 Ensure that the National Trust is adequately resourced [including by the Conservation Fund] to:

- o carry out environmental education programmes
- o develop and distribute educational materials
- o conduct programmes like summer camps and the Living Classrooms
- o take on work-experience students
- o extend good working relationship with primary schools to secondary and tertiary levels
- o develop teachers workshops at the conclusion of every successful project in order to maximise value and maintain the ongoing relationship with teachers

Arrange for Government approval for the sites identified on each island and the resources to be made available to the National Trust for the Living Classrooms programme. [Min Nat Res/NPEAC/TCNT/DEPS/Tourist Board]

### **Environment Charter Commitment 10** *Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.*

**Desired Outcome:** Our citizenry values their natural and cultural heritage, and respects the TCI's role in the global environment

10.a.1 Fund one of the NGOs (CleanUpTCI or the Trust, for example) to carry out a large-scale, multi-year, nation-wide awareness programme centred on the adult population. Use the RARE model which carried out the successful iguana campaign and the Feral Dogs Project as models of how to change public attitudes. [Env Charter Working Group/NGOs]

10.a.4 Recognising that ecotourism facilities are both an education tool and an economic engine, facilitate the securing of funding by NGOs (especially the Trust and the Museum) for the development of such facilities, so that staff time in seeking funding does not unduly impact the ability to carry out projects. Use these facilities as one means to integrate local culture into tourism product. [DEPS/Min Nat Res/Tourist Board/NPEAC/NGOs]

10.b.1 Encourage and support the further development of existing initiatives by the Trust, Museum, Tourist Board and others, including private individuals, to produce and use high-quality publications which spread awareness of the TCI's special environmental features. [Tourist Board/NPEAC/listed organisations]

10.c.1 Carry out high-profile launch to raise awareness of the Charter. [Env Charter Working Grp]

***Environment Charter Commitment 1*** *Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action.*

- 1.1 Complete this Strategy for Action, and ensure that its post-adoption version is cross-referenced, eg by subject area, government department, ordinance, etc to maximise utility.
- 1.2 Establish Environment Charter Working Group with ongoing responsibility for implementation of the Strategy, including making recommendations on priority projects for funding. ECWG's primary responsibility is to ensure that the comprehensive view of environmental planning established in this Strategy continues to drive decisionmaking. Also responsible for monitoring sustainability impacts of policies and practices in any economic sector. (see 3.b.1 and Convention on Biological Diversity. )
- 1.3 Establish Secretariat in the Chief Minister's office which oversees ongoing implementation of the Environment Charter and the evolution of this Strategy as elements are completed.
- 1.4 Allocate a block of funding from the next budget cycle to ensure that the top priority projects identified through this process can start as soon as possible
- 1.5 Ensure incorporation of project into Departments' recurrent budgets, both to provide staff to participate in the Charter implementation and to fund priority projects.
- 1.6 Continue integration into Strategic Country Plan Process [Env Charter Working Grp]

22 November 2003

## **Annex Z. Document for TCI Executive Council, consisted of:**

**Background and description of process** (below)

**An executive summary of the Initial Priorities for Action** (below)

**A fuller description of the draft Initial Priority Projects from the Strategy**  
(Annex Y)

**The full proposed Strategy for Action to implement TCIG's commitments under the Environment** (Annex X)

### **I Purpose**

On 26 Sept 2001, the UKOTs and HMG signed Environmental Charters which include statements of principles and undertakings by both parties in respect of integrating environmental conservation into all sectors of policy planning and implementation. TCIG's first commitment under the Charter was to formulate a detailed strategy for action to implement the Charter. Over the last year, senior government officials, along with representatives of NGOs and the private sector, have been meeting to develop such a strategy. This paper proposes that ExCo adopt this Strategy for Action as governmental policy, thereby fulfilling TCIG's first Commitment under the Environment Charter.

### **II Background**

As noted above, all Overseas Territories signed Environmental Charters in September 2001. A year later, informal feedback from the Territories both to the FCO and the UK Overseas Territories Conservation Forum indicated that for almost all the UKOTs, the first need was for facilitation in developing these strategies for action. Following discussions between the Forum and the FCO, it was agreed that the Forum would carry out a facilitation exercise for a first example UKOT, to serve as a model to others.

Consultations facilitated in 2002 by H.E. the Governor of Turks & Caicos Islands and the Hon. Minister for Natural Resources resulted in approval by the Executive Council of TCI that the TCI should be the pilot, and confirmed the facilitators as Dr Mike Pienkowski and Mrs Dace Ground of UKOTCF (who have wide experience of working in both official and NGO situations), working with a local Working Group, chaired by Michelle Fulford-Gardiner, Deputy Director DECR.

### **IIA Description of process to date**

The facilitation exercise comprised a series of activities covering 2-3 week periods in TCI, between which the facilitators analysed the results of consultations and discussions, clarified points as necessary with TCI colleagues, and prepared for the next round of consultations.

In October/November 2002, the emphasis of work was on (a) analysis of the Environmental Charter documents to produce a structure for planning; (b) undertaking interviews with stakeholders in order to identify current activities which contribute to Environmental Charter commitments and any perceived gaps; (c) a workshop of key stakeholders to verify the approach, check and further collate the information on current relevant activities, and start formally to identify gaps, both substantive and of information.

During January/February 2003, the emphasis was on (a) filling the major information gaps identified in the first round, particularly undertaking major work on legislative aspects and multilateral environmental agreements, (b) using a workshop-centred approach to develop headline action points from a matrix

developed in the previous round, and (c) presenting the approach to Executive Council and agreeing the proposed timetable of the stages involving ExCo.

During the April/May 2003 period, a workshop open to wider participation was held on 29<sup>th</sup> April at the National Environment Centre in Providenciales. The main purpose was to take the initial strategy for action produced as a result of the previous workshops, and begin to assign priorities within this, resulting in the attached document "Strategy for Action: Initial Priority Projects".

It had originally been intended that during the August 2003 visit, the Working Group would report to ExCo on the Strategy. However, the timing of by-elections made that infeasible, so facilitators worked on evolving the documents, detailing the elements of each priority project and meeting with local officials to bring the project forward. In October, working with the Core Committee of the Working Group, the facilitators integrated the publicly articulated policies of the new Government into the Strategy, so that it now reflects the priorities of this Government.

Also in October, a delegation from HMG met with the Working Group to discuss the new funding programme, the Overseas Territories Environment Programme, which will fund projects to implement the Charter in each UKOT, and the Working Group identified the top priority projects for which we should be seeking funding through the OTEP.

#### **IIB How the documents relate to each other:**

The full *Strategy for Action*, the *Initial Priority Projects* and the *Executive Summary* are essentially "nested" documents. The *Strategy* was the first document created, and it lays out all the projects and activities which have been identified as needed for full implementation of the Charter. The next step was to set priorities amongst these projects; these are shown in the *Strategy* in green, and the *Initial Priority Projects* is simply a compilation of those projects, with the non-priority projects dropped out. The *Executive Summary* summarises the priority projects to give an easy overview of all the elements of implementation being recommended as priorities; as one reads through the *Summary*, if more information on any element is wanted, one simply refers to the same reference number in *Initial Priority Projects*.

#### **III Matter to be decided**

Executive Council is requested to indicate its general support for the Strategy subject to any comments that it wishes to make, and to adopt it as Government's policy on the environment. This would not, of course, constitute approval for any specific action. Those actions within the Strategy which require Executive Council decisions would, in due course, become the subjects of individual papers put to Executive Council by the relevant Ministries for detailed consideration. At this point we are seeking the approval of this Strategy, with any direction ExCo wishes to make for amendments to it, so that the document can be amended accordingly and then be made public for wider discussion.

#### **IV Recommendations**

[added separately]

## Turks and Caicos Environment Charter Project Strategy for Action v 1.3: Initial Priority Projects Executive Summary for Ministers' Consideration

***Environment Charter Commitment 2 Ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.***

### **2 I Protect, manage, improve and extend the Protected Areas System created under the National Parks Ordinance**

2.b.1 **Lodge the boundaries** of existing Protected Areas in the Governmental GIS system, Planning and Land Registry.

2.b.2 To ensure that there is no further erosion of the PAS through inappropriate development, use the National Trust Ordinance to **put the Protected Areas System into inalienable conservation ownership**, in trust for the future of the country.

2.b.3 Complete development of a **Protected Areas Policy** with agreement at highest level.

2.b.4 Continue **revitalising our National Parks system** and extend management throughout all Protected Areas. Set aside additional areas for **the creation of more Protected Areas**. Review the needs for amendments to the boundaries and/or the categorisation of existing Protected Areas, and the need for additional Protected Areas

2.c.1-3 **Management plans:** Develop and implement a five-year rolling strategic plan for the management of the Protected Areas System, including the setting of priorities for parts of PAS most urgently in need of management plans. Develop management plans for every site in the PAS in priority order and finalise, adopt and periodically update existing management plans

2.a.4. Review and amend **National Parks Ordinance** to bring it up to date in light of experience and new information.

2.c.11 **Ensure proper management of the Conservation Fund**, including ensuring that the management authority for the Fund is representative of both governmental and non-governmental stakeholders and has transparent procedures.

### **2 II Protect and where necessary, restore key habitat such as coastal areas, wetlands, the Salinas and woodlands**

2.c.6 **Ensure the proper protection of our coastal resources.** Develop and implement Coastal Zone Management Policy to deal with coastal works, flooding and disaster management and wise allocation of our valuable and very limited supply of coastal land.

2.c.7 **Protect vital wetlands:** Make wetlands a specific focus of protected areas protection, including zoning for sustainable wise use, proper management and wardening.

2.c.8 **Protect, manage and restore Salinas in all three of the Salt Islands.**

2.c.9 Identify **degraded areas in all islands which will benefit from reforestation or other restoration**, determine the optimal restoration approach for each, ensuring that only native plants are used, and carry out restoration works.

2.c.12 Develop and implement an **Agriculture Policy**, and establish and staff an Agriculture Department, ensuring that environmental considerations are fully integrated into both policy and



practice. Develop means of assistance to local farmers and **increase the amount of home-grown produce in supermarkets and the hospitality sector.**

## 2 III Protect Important Species

2.c.4 and 2.a.6/7 Develop **fisheries policy** to develop the fisheries sector of the economy while ensuring protection of the target and non-target species on which both the fishing and tourism industries are based. Review and amend Fisheries Protection Ordinance to update protection of sea turtles and other key species.

2.a.8 Develop and adopt a **new Wildlife Protection Ordinance** to protect important fauna such as iguanas, other endemic reptiles, rare butterflies etc.

2.c.14 Implement the **TCI Rock Iguana Conservation** and Management Plan. Ensure that ongoing species-specific conservation programmes are carried out and that logical successor projects follow on for turtles, whales, whistling ducks and other priority species.

2.a.9 Amend the **Plant Protection Ordinance** to protect important native plant species such as the Turks Head cactus, and deal with invasive species.

2.d.1 To control invasive species and for other environmental health reasons, carry out a major project to implement **port environmental security.**

2.c.16 Ensure the **proper control of mosquitoes** and other disease-carrying insects and animals using programmes which avoid adverse impacts on other species.

***Environment Charter Commitment 3 Ensure that environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.***

## 3 I Carry out planning processes which integrate environmental, social and economic needs

3.a.1-3 Establish **development policies which take into account poverty, unemployment and inequality**, in order to create real economic development by developing better ways to measure quality of life, and building on previous work such as the Standard of Living Assessment.

**Prepare a Ten-Year Comprehensive Development Plan. Elements of the Plan identified through the Environment Charter process include:**

3.a.4. The development of **growth scenarios** which plainly illustrate the impacts of different levels and rates of development on such future factors as the composition of the population of the TCI, the relative economic power of Belongers versus incomers, and other quality of life factors.

3.a.5 The Sustainable Development Planning Initiative, which is to be the new National Development Plan.

3.a.6. a **National Strategic Development Policy** with clear criteria against which to assess proposals and guidelines to aid Ministerial decisions.

3.a.7 A **Crown lands policy for our most non-renewable resource**, based on an accurate assessment of the Crown lands which remain available for potential alienation without jeopardising those Crown lands which are identified to support other aspects of the future development of the country.



Review existing land policies to develop a framework for allocation of Crown lands both to Belongers and inward investors in a sustainable manner.

- o Ensure proper planning of new settlements.
- o Change regulations and policies to allow more efficient use of land for residential use
- o Adopt a policy of long-leases rather than outright sale of Crown lands.

3.a.8. A **population policy** based on carrying-capacity analysis and the spread of required skills between Belongers and incomers.

3.a.9. A **re-evaluation of the tourism industry**, placing greater emphasis on the socio-economic and environmental effects of tourism on our country.

3.a.10. A **biodiversity country study**, building on the Habitat Mapping project (7.1), the Biodiversity Management Project for Middle and North Caicos, DECR marine studies, UK Conservation Forum Important Bird Areas analysis, and using the proposed Biological Records System (7.2).

### 3 II Make all laws and policies effective by enforcing them

3.a.9 Foster a culture amongst the authorities that **they must enforce the laws** and provide resources to Government departments to enable them to carry out enforcement activities.

### 3 III Enact genuine “good government” policies

3.a.11 Increase transparency and public accountability. Ministers must make choices on the merits when carrying out the business of the public. Once policies are set, they should be administered by technical staff and not by Ministers.

### 3 IV Ensure that the benefits of development are spread equally and sustainably to Turks and Caicos Islanders.

3.b.1 **In order to ensure diversity of economic opportunity, high quality of life and sustainability of prosperity for Belongers, urgently need to develop commercial activities which promote real Belonger prosperity other than the construction business.**

3.b.2 As part of the expansion of the agriculture and fishing sectors, **develop mariculture/aquaculture projects** to produce food animals such as conch and lobster to supply the tourism industry in a sustainable way, and develop nurseries to grow valued local plants such as the Turks Head cactus.

***Environment Charter Commitment 4 Ensure that environmental and environmental health impact assessments are undertaken before approving major projects and while developing our growth management strategy.***

### 4. I Ensure that environmental issues are considered before key approvals are made

4.1 Amend laws and procedures so that **environmental review is carried out at the earliest possible stage in the application process**, so that it can inform critical early decisions rather than coming at the end of the process, when it can only be used to correct fairly minor aspects.

#### 4 II Ensure that EIAs give complete and unbiased information to aid decision makers

4.2 Follow international best practice by ensuring that the **Director of Planning maintains control over all aspects of EIAs**, and make EIAs subject to both public review and peer review by scientific bodies.

4.4 Develop policies and practice to ensure that conditions attached to development permission adequately require that **total costs are built into development**, rather than being picked up by TCIG later.

*Environment Charter Commitment 5 Commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.*

**5 I Ensure that the public has meaningful opportunities to review and comment on proposals before decisions are made.**

5.a.1 Amend Physical Planning Ordinance and relevant Regulations to **establish procedures which ensure public notice for all projects** and **meaningful opportunity for input before decisions made.**

5.a.2 Design and carry out a project to initiate the regular informing of different sectors of society to **empower local people so that they can participate in informed democratic decision-making** on matters which affect their future. **Reintroduce District Boards** to give local people a voice.

5.b.1 Amend Physical Planning Ordinance and relevant Regulations to establish EIA procedures which **make EIAs subject to both public review and peer review** by scientific bodies.

*Environment Charter Commitment 6 Implement effectively obligations under the Multilateral Environmental Agreements already extended to the Turks and Caicos Islands and work towards extension of other relevant agreements.*

[Note that action items necessary to carry out MEAs which have already been extended to the TCI are integrated throughout the Strategy]

6.f.1 Request UK Government to add TCI to its ratification of **CITES and the Convention on Biological Diversity**

*Environment Charter Commitment 7 Review the range, quality and availability of baseline data for natural resources and biodiversity.*

**7 I Develop systems to use more effectively the information we have and means to acquire the information we need for good environmental management practice.**

7.1 **Bring all the information we have on our terrestrial, wetland and marine systems into the GIS system** so that land managers, planners and decision makers have ready access

7.2 Establish a **biological records system** to make effective use of observations from various sources.

***Environment Charter Commitment 8 Ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies: establish effective monitoring and enforcement mechanisms.***

### **8 I Deal with the urgent issues of waste disposal, litter and trash**

8.b.1 Produce and implement a **proper solid waste collection and disposal plan**, including incinerator systems for the proper disposal of waste throughout the TCI

8.b.2 To deal with chronic problems of litter and trash, develop and extend public awareness, **create ticketing system for littering and residential violations of the Public and Environmental Health Ordinance**, amend Road Traffic Law to require trucks to cover their cargoes or loads and require all landlords to provide animal-safe facilities for trash disposal and collection at all premises

8.b.4 Establish programme for **removal of large waste objects** such as cars, construction equipment; develop incentives to ensure proper disposal of such objects in future.

### **8 II Enhance public health and a healthy environment by giving Government departments and task forces the tools and authority they need to monitor and prevent pollution**

8.b.7 **Deal with illegal immigration and substandard housing** as they have enormous negative environmental impacts

8.b.8 Establish **national laboratory** to facilitate environmental monitoring

8.b.9 Establish **discharge standards** which can be enacted as Regulations for appropriate Ordinances

8.b.12 Establish **monitoring programme for environmental impacts of major projects**, including baseline studies and ongoing monitoring.

### **8 III Give Government departments and task forces the tools they need to enforce pollution laws**

8.a.1 Amend Sec 106 of the Water and Sewer Ordinance to provide strong penalties and the power to compel mitigation. Add explicit procedures and standards for decisions on how sewage is to be disposed of.

8.a.3 Amend the Physical Planning Ordinance to **vest Enforcement Notices and other appeals from decisions of the Physical Planning Board in an independent technical body**, commission or inspectorate with expertise in planning, pollution and related issues, with process open to the public

***Environment Charter Commitment 9 Encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the regional and global environment***

9.1 Ensure that the publicly funded school system is adequately resourced and sufficiently encouraged to continue **developing and expanding the environmental and scientific curriculum**, develop ongoing, regular **teacher training** in environmental issues and draw on the resources of NGOs to achieve these.

- 9.2 **Ensure that the National Trust is adequately resourced** to carry out its extensive environmental education programmes, and arrange for Government approval for the sites identified on each island and the resources to be made available to the Trust for the Living Classrooms programme.

***Environment Charter Commitment 10 Promote publications that spread awareness of the special features of the environment in the Turks and Caicos Islands; promote within the Turks and Caicos Islands the guiding principles set out above.***

- 10.a.1 Fund one of the NGOs to carry out a **large-scale, multi-year, nation-wide awareness programme** centred on the adult population.
- 10.a.4 Facilitate the securing of funding by NGOs for the **development of ecotourism facilities**. Use these as one means to **integrate local culture into the tourist product**.
- 10.b.1 Encourage and support the further development of **high-quality publications which spread awareness of the TCI's special environmental features**.
- 10.c.1 Carry out **high-profile launch** to raise awareness of the Charter.

***Environment Charter Commitment 1 Bring together government departments, representatives of local industry and commerce, environment and heritage organisations, the Governor's office, individual environmental champions and other community representatives in a forum to formulate a detailed strategy for action.***

- 1.3 **Complete, adopt, implement and report regularly** on this Strategy for Action.

## Annex AA

### Environment Charter Strategy for Action

#### Literature/Reports

Title	
Author	
Date	
Sponsoring institution	
Contact details	
Locations – physical	
Location – electronic	
If published, ISBN or other reference and name of publisher	
Nature of document	
Area of the TCI to which it relates	
Number of pages	
List any useful maps, datasets, etc contained	
Any notes to amplify the content	