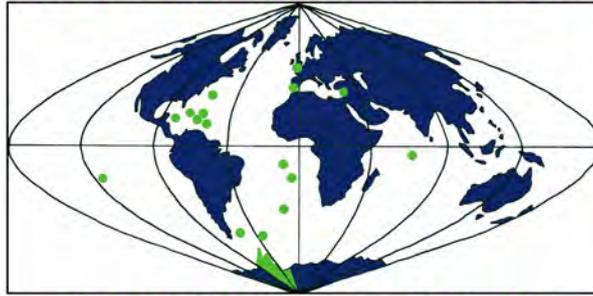


UK OVERSEAS TERRITORIES



CONSERVATION FORUM

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

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

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## CONTEXT AND BACKGROUND

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

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

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

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

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

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

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

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

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

## **SUMMARY OF PROCEEDINGS**

### **1a. Welcome and Opening Statement**

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

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

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

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

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

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

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

The Forum recommends that:

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

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

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

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

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

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

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

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

## **2a. The Environment Charters**

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

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

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

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

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

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

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

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

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

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

## **2b. JNCC: project management and mainstreaming**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notes from the full discussion are at page 43.

### **National Lottery Funding for the UKOTs**

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

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

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

### **EU Funding**

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

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

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

### **RSPB positions and projects**

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

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

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

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

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

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

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

## **Environment Charters**

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

## **UKOTCF/HMG relations**

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

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

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

## **Environmental Audit Committee**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **Grant and Funding Location & Access**

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

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

#### **Project Management Guidance and Partnership**

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

#### **International Networking**

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

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

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

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

Sharing and learning:

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

– triennial UKOTCF Conferences:

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

### **How has UKOTCF helped TCI?**

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

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

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

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

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

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

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

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

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

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

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

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

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

Summary (full discussion at page 71)

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

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

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

A colleague in St Helena felt that many of the values of mainstreaming according to FCO are human values and do not mention the intrinsic values such as cultural, biodiversity, support of ecological process that have no recognised value – pollination, catchment protection, etc.

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

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

## **Funding issues**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **Conclusions**

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

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

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

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

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