

UKOTCF seminar on the UK Government's *UKOTs Biodiversity Strategy* (2009)

On 23 September 2010, UKOTCF organised a seminar at the Zoological Society of London on the UK Government's *UKOTs Biodiversity Strategy*, published in late 2009. The meeting was attended by representatives from UK Government Departments and agencies (Department of Culture, Media & Sport (DCMS), Department of Environment, Food & Rural Affairs (DEFRA), Department for International Development (DFID), Foreign & Commonwealth Office (FCO), Joint Nature Conservation Committee (JNCC)), a UKOT Government Representative, representatives of five UKOTCF Member/Associate organisations and other partners, and UKOTCF officers and Council members.

Dr John Cortés (Gibraltar Ornithological & Natural History Society) set the scene by summarising aspects of the UK Government's past approach to strategic planning and support for biodiversity conservation in the UKOTs, from an NGO perspective (see Box). Dr Chris Tydeman (UKOTCF Chairman) then provided an introductory assessment of the UK Government's *UKOTs Biodiversity Strategy* (2009), from a UKOTCF/NGO perspective, which he noted was intended to stimulate a robust and frank discussion, ultimately focused on identifying positive ways forward.

Chris Tydeman felt that the almost total lack of stakeholder engagement in the process of developing the *Strategy* had resulted in a feeling of "us and them" in the NGO community, despite the ministerial Foreword specifically noting the important role of NGOs and other stakeholders. Also, the document was not a strategy by usual standards, but more a statement of aspirations; rather than assisting in decision making, it seemed designed to constrain action, not least by focusing the overarching objective on meeting international obligations. Even then, the document failed to address a number of important international obligations (e.g. various aspects of the Convention on Biological Diversity (CBD) and the "wise use" provisions under the Ramsar Convention on Wetlands). Environment Charters were referred to in the document, but with no specific indication of how their implementation would be advanced.

There were few outputs and no outcomes in the document and there was an absence of clear targets (e.g. achievement of *Favourable Conservation Status*, as in the UK). In many respects, the wording of the *Strategy* was weaker than that of earlier policy documents, including the relevant 1999 and 2006 White Papers; the second of these, for example, committed FCO to "Improve the governance, environment and security of the Overseas Territories and encourage more diversified and sustainable economic development" and "Manage the impact of new international obligations affecting the Overseas Territories" and "Promote biodiversity conservation in the Overseas Territories with support for local livelihoods and sustainable development". Whilst noting that UKOT biodiversity issues were an important consideration across all relevant UK Government departments, the *Strategy* provided no indication (for example) of how the Department of Communities & Local Government might be engaged in relation to planning issues in the Territories, which were a major concern in relation to environmental management.

With a new UK Government recently in place, it could only be assumed that commitments to funding made in the document were now "on hold" until the results of the Comprehensive Spending Review were announced. However, with the new Government having stressed (under the *Big Society* banner) the importance that

it attached to the role of NGOs and wider civil society, it seemed likely that even more of the work necessary to meet the aspirations of the *Strategy* would fall to the kinds of bodies that had been excluded from its development. If the *Strategy* were to be converted into a meaningful (say) Action Plan, it would be essential for all stakeholders to be engaged in this process.

Discussions revealed that officials of UK Government departments perceived the function and value of the *Strategy* very differently from the NGO community. The document was seen primarily as a formal commitment by Defra, DFID and FCO to work together in addressing UKOT environmental issues; this represented a significant step forward, given that the previous lack of a "joined-up" approach had been heavily criticised. Had a more detailed document been produced, it would have been very difficult to secure cross-departmental ministerial approval, and the opportunity to secure a commitment to a more integrated approach across these three departments might have been lost. Instead, there was now a useful high-level, published document, which could be used to remind ministers of the commitment to a cross-departmental approach, of the importance of the UKOTs, and in arguing (for example) for the continuation of OTEP. The lack of NGO engagement reflected the fact that this was intended to be an inward-looking document, outlining how the UK Government was working and intended in future to work on UKOT environmental issues. Although it had been developed and agreed under the previous administration, there were indications that the new Government would honour the approach to which the *Strategy* committed them. The *Big Society* concept had come only with the new administration, and was not therefore a consideration when the *Strategy* was developed. Officials in Defra, DFID and FCO regarded the *Strategy* as the first step in a process, and were keen to see it built upon. Indeed, with a new Government still settling in, the interdepartmental officials group was currently the driving force behind this building process.

Chris Tydeman re-iterated concerns that the cross-departmental approach, whilst very welcome, did not currently engage all of the relevant departments. If support were needed in persuading UK Government to draw (for example) the Department of Communities & Local Government into the process with respect to planning issues, this was something with which NGOs would be very keen to assist. It was noted that planning was an area where there had long been difficulty in securing support and encouragement from UK Government to UKOTs, except in very specific cases such as the Sombrero Island rocket launch site proposal in Anguilla in the late 1990s.

In terms of specific development of the *Strategy* into (say) an Action Plan, JNCC (who had drafted the *Strategy* on behalf of UK Government) indicated that staff were now working on more detailed ideas concerned with implementation and action, although there was currently no clear timescale for this. Despite the stated overarching goal of the *Strategy* focusing exclusively on international commitments, the forward process was not seen as being limited to these, and would instead be guided by local UKOT conservation priorities. These had already been considered when drafting the *Strategy*, based on an assessment of local priorities undertaken by JNCC. The meeting discussions suggested that this had sought input principally from UKOT Governments, and that government priorities (whether UK or UKOT) were invariably more narrowly focused than those recognised by the NGO community. Conservation NGOs could all too often be seen by

Box: Setting the scene – a brief historical perspective on previous approaches by UK governments to strategic planning for biodiversity in the UKOTs (The context for HMG’s involvement in strategic planning for biodiversity in the UKOTs/CDs)

A variety of HMG departments have relevant responsibilities:

- FCO – overall policy lead on UKOTs
- DEFRA - Multilateral Environmental Agreements
- DFID – sustainable development issues
- DCMS - World Heritage Convention
- Ministry of Justice - relations with CDs
- Ministry of Defence – interests in Gibraltar, Cyprus SBAs, Falklands, Ascension, BIOT (and previously others)

Historically, this fragmentation of responsibility has been a barrier to strategic approaches, as have HMG’s occasional attempts to evade responsibility for environmental protection in the UKOTs altogether; as the Environmental Audit Committee put it in their report on the *Millennium Ecosystem Assessment*, in January 2007: ‘Considering the UKOTs’ lack of capacity, both financial and human, we find it distasteful that FCO and DFID stated that if UKOTs are “sufficiently committed” they should support environmental positions “from their own resources”.’

The challenge for HMG has been (and remains) to provide leadership and encouragement in environmental protection in the UKOTs (consistent with UK’s international responsibilities), and support to UKOTs in overcoming resourcing constraints, without impinging on the authority of UKOT governments or the wishes of local people, including civil society organisations such as environmental NGOs. HMG’s attempts to meet this challenge have included the following:

Late 1980s-2008 HMG/UKOTCF Joint Meetings

Following the formation of UKOTCF in 1987, these 6-monthly meetings brought together officials of relevant HMG departments, representatives of UK- and UKOT-based NGOs (under the UKOTCF umbrella), and UK representatives of UKOT governments, to address a range of Territory-specific and cross-Territory environmental issues.

1999 White Paper (Partnership for Progress & Prosperity – Britain and the Overseas Territories)

HMG had not originally intended to include significant coverage of environmental matters in the 1999 White Paper, but encouragement from UKOTCF and FCO officials of the time led to inclusion of a relevant chapter. This outlined HMG’s intention to develop jointly with UKOT Governments a set of Environment Charters, based on ideas earlier advanced by UKOTCF. This was explored further at the 1999 *Breath of Fresh Air* conference in London, organised by FCO with UKOTCF help.

2000-2009 Conferences

Following on from *Breath of Fresh Air*, HMG provided substantial support to conferences organised by UKOTCF in 2000 (Gibraltar), 2003 (Bermuda), 2006 (Jersey) and 2009 (Cayman), which provided rare opportunities for stakeholders (governmental and NGO) from across the Territories to meet face-to-face and exchange ideas and experiences.

2001 Environment Charters

Signed in 2001, the Charters outlined a set of Guiding Principles, alongside more specific Commitments on the part of HMG and each UKOT Government. As such, they provided a framework for developing strategic approaches to natural resource management in each Territory. (BAT, Gibraltar and the Cyprus SBAs are the only UKOTs without Charters of this type; the CDs were not included in the Charter process, but some, plus Gibraltar, have developed their own, broadly equivalent documents).

UKOT strategies for Charter implementation / National Biodiversity Strategies & Action Plans

Some Territories have strategic plans for Environment Charter implementation, such as those facilitated by UKOTCF (with some FCO support) in TCI (in 2002/3) and St Helena (in 2004/5). Enthusiasm for the development of these strategic plans appeared to wane with the reduction in environmental posts in FCO. However, in a number of Territories, a National Biodiversity Strategy & Action Plan (or similar document) has been developed, guided by the Charter principles. However, work remains to be done in many cases to refine local strategies so that Charter principles and commitments can be turned into action, and support is required locally (in particular) in resourcing the implementation of these strategies. Such points were noted in a review of the Charters, commissioned by FCO from the International Institute of Environment & Development, which reported in 2007. Progress in Environment Charter implementation has been reviewed by UKOTCF (reports published in 2007 and 2009), initially at the request of a range of stakeholders including HMG.

Financial support to biodiversity project work in (or related to) the UKOTs

Established in 1999 by FCO, the Environmental Fund for the Overseas Territories (EFOT) provided a desperately needed small projects grant scheme. However, it was nearly lost in 2002, before strength of feeling expressed at the Bermuda conference in early 2003 resulted in its retrieval. In late 2003, funding from DFID (originally announced in 1999 but delayed) became available and was combined with the FCO funding, to become a joint FCO/DFID fund, the Overseas Territories Environment Programme (OTEP).

At the end of 2003, DEFRA commissioned UKOTCF to undertake a review (published in 2005) of existing and potential Ramsar sites in the UKOTs/CDs. (This broadly complemented an earlier review of CBD implementation in the Territories, undertaken by UKOTCF with funding from WWF-UK and published in 1998).

From its inception, DEFRA’s Darwin Initiative has also supported biodiversity projects in (or related to) the UKOTs. One of the earliest examples was a grant enabling UKOTCF, in consultation with UKOT bodies, to produce *UK Dependent Territories: a Conservation Review* (published in 1996). Since then, Darwin has supported some excellent projects across the Territories. However, it was only in 2009 that an element of Darwin was explicitly earmarked for UKOT projects, and a UKOTs Challenge Fund was introduced to assist in development of Darwin projects.

Recent steps towards “Joined-Up” Government and a lead role for DEFRA

Following repeated criticism from parliamentary select committees over its approach to environmental management in the UKOTs, HMG has recently taken a number of positive steps. These include moves towards a more “joined-up” approach, initially through an inter-departmental ministerial group, and then a more focussed officials group. Following some years of declining environmental capacity in FCO, a welcome development was the announcement (in June 2009) that DEFRA would take an explicit lead role for HMG on biodiversity matters in the UKOTs.

At the end of 2009, HMG’s *UK Overseas Territories Biodiversity Strategy* was published. Much of this reiterates ideas laid down in earlier strategic and policy documents, including the 1999 White Paper and the Environment Charters.

In addition to the points raised, the recent increasing engagement of the EU in environmental issues in Overseas Countries and Territories was noted.

governmental bodies simply as part of a delivery mechanism, and needed to be included in development of policy if civil society was to have any sense of ownership. In addition, any development of the *Strategy* needed to adopt an approach that was more clearly driven by objectives rather than process, if its success were to be meaningfully assessed. Officials stated that UKOTCF would be invited to the next meeting of the interdepartmental officials group, in November, where discussions would involve aspects of the forward process; indeed, it was seen as “essential” by the group that UKOTCF be engaged [although this invitation was not, in the event, forthcoming]. Officials indicated that the group was open to input from other stakeholders, and had previously invited FERA and RSPB to address specific issues. In relation to the need for clear objectives and targets, Iain Orr (UKOTCF, formerly FCO) noted that UK Government had already had successes through its support for a number of important biodiversity conservation projects across the Territories. These would have been easier to present as successes, and as “good news stories”, had it been possible to relate them back to specific UK Government targets. Amongst current activities, the St Helena air access project would be considered much more transparent (and its success in terms of sustainability would be much easier to assess) if clear short- and long-term targets in relation to environmental and other impacts were in place. Dr Colin Hindmarch (British Ecological Society) noted that DFID’s approach focused on assisting UKOTs to meet targets in relation to sustainable development (rather than, say, meeting obligations under Multilateral Environmental Agreements which provided the ostensible focus of the *Strategy*). In doing so, DFID typically drew on a wide range of external expertise, including of NGOs. Participants welcomed a focus on sustainable development, and emphasised the need to link the aspirations of the *Strategy* more clearly to wider policy, including (for example) the EU Sustainable Development Strategy, which concentrated on underlying issues such as spatial planning as a means to address drivers of biodiversity loss and environmental change. In relation to the air access project specifically, it was noted that St Helena had a sound 2008 policy on planning, but only limited local capacity to apply this. Capacity constraints applied in governmental and NGO bodies. The challenges faced by the St Helena National Trust were exacerbated by the broad remit of that organisation, covering both natural and built heritage. Many UKOT-based NGOs had broad remits of this kind, and this needed to be recognised, not just in relation to resource and capacity constraints, but in the need for biodiversity-focused documents (like the *Strategy*) to link to policies dealing with overarching and cross-sectoral issues such as sustainable development and tourism.

In the context of those Government Departments (as well as NGOs) not included in the *Strategy* development, William Marsden (Chagos Conservation Trust) noted, in respect of the World Heritage Convention, the internationally agreed need to increase the number of Natural and Mixed (i.e. Natural and Cultural) sites, as well as the need to increase numbers of sites outside Europe. Both aspects should enhance the prospect of UKOT sites achieving World Heritage status. The current DCMS revision of the UK Tentative List was outlined, noting that proposals for this had now closed and would be considered by an independent panel which was to be appointed shortly. However, DCMS anticipated that the new Tentative List might be quite short and include few UKOT/CD sites because of the Convention’s request that European states

such as UK limit their nominations to less than one per year. Dr Mike Pienkowski (UKOTCF) noted that the proposals for the new Tentative List were now on the DCMS web-site, although this did not indicate whether each was Natural, Cultural or Mixed. He recalled the request from earlier joint UKOTCF/UK Government meetings that DCMS explore with the World Heritage Convention a recognition that, while obviously needing to be nominated by UK, UKOT sites were actually in the locations that the Convention wished to encourage, rather than geographically in Europe. The meeting noted that this had not been pursued.

It was agreed that it was unfortunate that very different perceptions of the *Strategy* had clearly arisen. UKOTCF acknowledged the value of the document in providing leverage within UK Government for a joined-up approach, and for keeping UKOTs biodiversity on the political agenda, as was now being stressed by officials. However, the document itself implied (including in the ministerial Foreword) that it represented much more than this. It appeared to advance a framework for biodiversity conservation in the UKOTs, although it was clearly inadequate for this purpose, and seemed to say to other stakeholders including NGOs “this is UK Government’s solution, now you can join in”. Reflecting on the very different perceptions of the *Strategy* from inside and outside UK Government, Dr Cortés questioned whether these would have arisen if the regular, joint meetings between UK Government and UKOTCF (noted in his scene-setting, and once found very valuable on both sides for “joining-up” the approaches of UK Government and the NGO community) had not been discontinued. Dr Tydeman welcomed the invitation to UKOTCF to participate in the forthcoming meeting of the cross-departmental officials group, but noted that this was a “one-off” – it would be more useful to re-establish a mechanism for regular meetings between UK Government departments and other stakeholders. These would benefit Government departments as well as NGOs, for example, in ensuring that future NGO submissions to Select Committee inquiries were most effectively targeted. Improved communications could bring other benefits, including UKOTCF contributions to briefings ahead of ministerial visits to UKOTs, or new Governors taking up posts in the Territories. In this regard, it was announced that officials were intending to organise a broad stakeholders meeting on UKOT environmental issues in the spring of 2011; it was possible that this would become a regular, annual meeting. The 2011 meeting might focus particularly on marine issues. Dr Tydeman noted that UKOTCF itself intended to continue to organise at least one meeting per year which brought together NGOs, UKOT representatives and UK Government officials, following on from the current meeting and that held in 2009 on Environment Charters. A possible meeting on aspects of Multilateral Environmental Agreements as they applied to UKOTs was already being discussed for 2011, including involvement of the UK Environmental Law Association.

In closing, Mr Eric Blencowe (DEFRA) welcomed the candid views that had been expressed in relation to the *Strategy*, and Dr Tydeman welcomed the clarification of how the document was perceived by UK Government departments. He looked forward to cooperative and complementary efforts between UK Government and UKOTCF in advancing biodiversity conservation in the UKOTs, which would be ever more important as resources became increasingly constrained.