

## Draft Joint Ministerial Council Communiqué 2014

The political leaders and representatives of the UK and the Overseas Territories met as the Joint Ministerial Council (JMC) at the Foreign and Commonwealth Office in London on 2 and 3 December. We welcomed the newly elected leader of the Government of Montserrat to his first Council.

The Joint Ministerial Council is the highest forum bringing together UK Ministers and elected leaders and representatives of the Overseas Territories for the purpose of providing leadership and delivering our shared vision for the Territories, as set out in the 2012 White Paper. The relationship between the UK and the Territories entails a balance of benefits and responsibilities. We have today agreed our priorities for mutual cooperation and collaboration in a number of important areas. We have also reflected on achievements delivered through previous Councils and committed to renew efforts to deliver outcomes that remain outstanding, taking into account the differing levels of capacity within the Territories for their implementation over time.

While the UK, the Overseas Territories and the Crown Dependencies form one undivided Realm under the Crown, each Territory is unique and has its own Constitution, its own form of government and its own laws. The peoples of all the Territories have the right of self-determination. For those Territories with permanent populations who wish it, the UK will continue to support requests for the removal of the Territory from the United Nations list of non-self-governing territories. Territory governments are politically accountable to their legislatures for the exercise of devolved areas of policy. We will continue to work together to develop governmental and democratic institutions so that Territories have the greatest self-government possible, compatible with the UK's obligations in respect of its sovereign responsibilities.

We affirm our commitment to building a strong and modern partnership across the public and private sectors and civil society. We welcome the increasing support of the UK Parliament for the Territories in continuing the partnership between us. We pledge to work together to deliver our shared vision for the Territories in the areas set out below.

### **Prosperity**

We will work together to ensure the Territories reach their full potential as open, dynamic and sustainable economies, delivering growth, prosperity and employment for their citizens, without hindrance from other nations. We affirm our commitment to strong and transparent public financial management, which supports economic and social development, ensures value for money from public funds and maintains sustainable debt levels. We renew our commitment to robust economic planning, setting out a clear vision for Territories' economies and the expertise and infrastructure needed to deliver that vision. We commit to sharing best practice on the formulation and communication of mid- to long-term economic plans, enhancing competitiveness and encouraging diversification within sectors.

We welcome the publication in several Territories of Investment Policies and commit to assist those Territories still developing their policies. We underline the important progress made since previous Councils in extending UKTI support to Territories seeking new investment and export opportunities, instrumental in securing a high value export deal from the Falkland Islands to Eastern Europe. We highlight the successful inclusion of the Territories in the UK GREAT campaign, including the participation of the British Virgin Islands in Miami Brit Week, and commit to further joint efforts to promote investment opportunities in the Overseas Territories internationally.

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We welcome recent investments in civil engineering and infrastructure projects in the Territories and the assistance offered by Infrastructure UK for Territories seeking sustainable financing for major projects. We renew our commitment to ensuring procurement processes in the Territories are open, transparent and deliver value for money, in line with international best practice.

The reasonable assistance needs of the Territories are a first call on the UK's international development budget. We welcome UK support for infrastructure projects in the Territories and reaffirm the commitment to work together to ensure other priority infrastructure needs, such as the harbour at Tristan da Cunha, continue to be monitored, addressed and supported where appropriate.

We commit to continue to work together in raising international standards to tackle money laundering, tax evasion, illicit finance and corruption, leading by example given the importance of our financial centres to the international financial system. We agree to meet again ahead of the G20 meeting of Finance Ministers and Central Bank Governors in February to agree a way forward on implementation of the G20 principles on beneficial ownership.

We reiterate our support for our strong educational links and the increasing number of Overseas Territory students coming to the UK to study. We will continue to build stronger links between UK higher education providers and the Territories and to improve access to vocational training for Overseas Territories' citizens.

### Security

We underline the UK's commitment to upholding the security and sovereignty of the Overseas Territories and their territorial waters. We welcome the support provided by the Royal Navy in combating drug trafficking and other illicit activity. The UK is committed to developing disaster response capacity in the Territories and providing assistance in the event of any natural disaster, demonstrated by HMS Argyll's readiness to assist Anguilla, Montserrat, the Turks and Caicos Islands and British Virgin Islands as Hurricane Gonzalo swept through the Caribbean in October and her deployment to Bermuda after the hurricane's direct hit.

We share a commitment to tackling serious and organised crime, including through implementation of the Memorandum of Understanding between Territory Police Commissioners and the UK National Crime Agency. We will work to deepen effective mutual cooperation, including exploring options for legislative provision in the Territories for lawful intercept and the sharing of information across jurisdictions. We welcome progress made towards extending the 2003 UK Extradition Act to the Territories and commit to prioritise work to finalise this process.

The Territories are committed to playing their part in the global effort to tackle bribery, fraud and money laundering. We welcome the extension to a number of Territories of key international treaties on tackling corruption, bribery and the financing of terrorism and of organised crime<sup>1</sup>. We will prioritise further work to complete this process where needed.

We underline the progress made in the Territories to reduce reoffending and harm to local communities through the development of modern and effective prison and probation services, including work in several Territories to develop restorative justice programmes and improve supervisory regimes for prisoners subject to conditional release. We welcome the establishment of a collaborative independent prison inspection system among Caribbean Territories to ensure

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<sup>1</sup> The UN Convention Against Corruption; the OECD Anti Bribery Convention; the UN Convention on Suppression of Financing of Terrorism; and the UN Convention on Transnational Organised Crime

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compliance with international standards. We will continue collaborative work to deliver a strategic approach to prison management, including through local criminal justice boards where relevant. We will promote greater sharing of information and best practice between the Territories and the UK, including through UK advisory visits to Territory prisons and inward secondments to the UK.

We highlight the importance of aviation and maritime safety and security in the Territories and welcome the policy agreement on Overseas Territories establishing and running off-shore aircraft registers. We note the new regulatory approach for aviation security, which will be assumed by Air Safety Support International (ASSI) from April 2015. The UK Government will continue to provide support to enable Territory governments to deliver an effective aviation security regime.

We welcome the UK-Overseas Territory high-level dialogue on Border Security and Immigration that took place in Miami in October. We will continue to ensure that Territory migration policies meet international standards, including on rights for those settling in the Overseas Territories. We welcome the proposal to establish Territory led working groups, supported by the UK, on border security management, combating immigration abuse and irregular migration. The UK will work with the Territories to put in place effective arrangements for the issuing of British Overseas Territories Citizen passports during the centralisation programme in order to avoid delays and ensure people and businesses in the Territories receive a high level of service from the Passport Office. The UK will work jointly with the Territories to develop an online visa issuing system that meets their needs.

### Environment

We acknowledge the important steps taken by Overseas Territories to protect their rich and internationally important biodiversity and to raise awareness of the economic benefits of sound environmental management. We welcome the contribution made by the UK Darwin+ funding stream to support environmental projects in the Territories. Territory governments welcome the UK's continued provision of this critical source of funding for environmental projects in the Territories.

Territory governments are committed to implementing robust environmental protection legislation, where not yet in place. We welcome the publication by Overseas Territories' governments of roadmaps setting out plans to deliver their environmental commitments and renew the commitment for Territories to develop these roadmaps where they are outstanding. The UK will continue to support environmental protection in the Territories, including through provision of technical advice, expertise and support for Territories in identifying and accessing EU funding streams for environmental projects. We will also support Territories, through the Waste & Resources Action Programme, to develop waste management strategies, where these are not already in place.

We commit to work together to support the Overseas Territories in taking further steps to provide legal protection for endemic species and, where applicable, to join the UK's ratification of Multilateral Environmental Agreements such as the Convention on Biological Diversity. Where such agreements are already in place we commit to work together to ensure the requirements are met.

We welcome progress made in those Territories with emerging industries towards establishing sustainable fishing industries and recognise the success of others in meeting international standards of compliance. We renew our commitment to ensuring that robust legislation and sustainable practices underpin fisheries management regimes in the Territories.

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The Territories are prioritising work to mitigate and adapt to the effects of climate change. We recognise progress made in several Territories to reduce reliance on fossil fuels, including wind farm construction on the Falkland Islands, the solar farm on St Helena and the commitment made by the Turks and Caicos Islands and British Virgin Islands to the Carbon War Rooms initiative. We welcome the workshops offered by the UK Department for Energy and Climate Change in November to assist Territory governments' renewable energy programmes. We commit to link the Overseas Territories more closely to our shared ambitions for low carbon economies and to explore with international partners, such as the International Renewable Energy Agency (IRENA), how the Territories can access technical and policy support to introduce renewable energy sources.

### **Governance**

We reaffirm the Territories' strong commitment to promote human rights and ensure compliance with international obligations. We join our international partners in commemorating the 25<sup>th</sup> anniversary of the UN Convention on the Rights of the Child. We renew our commitment to work together to extend the core UN human rights conventions to the Territories where these have not been extended already.<sup>2</sup> The UK Government acknowledges the efforts made by several Territories to prepare for the extension of the Convention on the Elimination of all forms of Discrimination against Women and will continue work to ensure that extension can be achieved without delay.

We reiterate the importance of developing talent and expertise in Territories' public services and welcome work to give Territory civil servants the possibility of accessing UK tools for training and the advertisement of public sector jobs and secondments. We welcome the success of work to strengthen audit bodies, including progress of the National Audit Office review of best practice.

The Territories are robust and vibrant democracies. We welcome the exemplary conduct of the recent Montserrat elections, endorsed as free and fair by independent observers. We will continue to work together to strengthen democratic systems in the Territories, including in the pursuit of the highest standards of integrity in public life. We reiterate the importance of Territory Governors upholding the core values of the UK Civil Service and agree to give priority to establishing codes of conduct for Territory ministers and politicians, where these are not already established. The UK will continue to support the rule of law in the Territories, including through early engagement with Territories on UK legislation that could affect them and the provision of drafting and technical support for Territories' local legislation where needed.

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<sup>2</sup> As referenced in the 2012 White Paper 'The Overseas Territories: Security, Success and Sustainability' the core Conventions include the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of all forms of Racial Discrimination; the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment; the Convention on the Rights of the Child; and the Convention on the Elimination of all forms of Discrimination against Women.

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### Communities

We share a vision for the Territories as strong and diverse communities, underpinned by modern and effective health, educational and social services. The UK Government will work in partnership to help the Territories overcome the unique challenges they face due to their small size and isolation.

The UK will continue to support the Territories in developing effective health systems. We welcome the launch of the vaccine procurement pilot which will see St Helena working with Public Health England to help address the unique problems of the smallest and remotest Territories in respect of medicine and vaccine procurement. We also welcome the UK offer of advice and expertise to support the Territories' work on preparedness against Ebola. The UK will renew efforts to deliver previous commitments, including support for Territories in the procurement of medicines and vaccines, better access for Territories' health staff to vocational and professional training and a review of existing NHS quota arrangements. We will work together to support implementation in the Territories of World Health Organization international health regulations and to enable the revalidation by the General Medical Council of licensed doctors serving in the Territories.

We welcome the commitment from the Department of Work and Pensions to provide support and advice to the Territories on a range of policy areas including welfare and pensions reform.

We are committed to improving and safeguarding the rights of children and welcome joint work that has already taken place in some Territories to improve child safeguarding practices. We agree to work together through a new child safeguarding group to share expertise and improve capacity in child safeguarding and for all Overseas Territories who have not already done so to consider undertaking child safeguarding reviews. We will make achieving zero tolerance of all forms of child abuse a reality.

We congratulate the teams from the Territories who contributed to the success of this year's Commonwealth Games. We will consider further options to support capacity building in the Overseas Territories and encourage their participation in amateur and professional sports.

### International

We underline our shared commitment for Territory governments to play an active role in building productive links with the wider world, recognising that the Territories are active in many different international fora, including the UN Small Islands and Developing States conference.

We emphasise the importance of continuing European Union support for Overseas Territories. We welcome the collaborative work between the UK, Territory governments and the UK Overseas Territories Association (UKOTA) on the new EU Overseas Association Decision, which came into force this year and set out a new relationship between the Territories and the EU. We also welcome the European Council's decision this year to allow British Overseas Territory Citizens visa free access to the Schengen Area, enabling Territory citizens to travel freely to the EU. We look forward to the delivery of projects under the European Development Fund and other EU instruments.

We recognise the contribution to international security made by the Overseas Territories through the prompt and effective implementation of EU and UN sanctions measures. We will continue to work together to respond effectively to pressing international issues through implementation in the Territories of targeted measures as appropriate.

We welcome the deepening of cooperation between the Territories and the Commonwealth, including the invitation to the Overseas Territories to attend the Commonwealth Small States

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meeting and their participation in the Commonwealth Finance Ministers, Sports Ministers and Law Officers Meetings. We welcome the Overseas Territories' representation at other international events and organisations, for example the June summit on Preventing Sexual Violence in Conflict. The UK Government will explore associate membership for the Overseas Territories in the Commonwealth, recognising the value that the Overseas Territories can bring to these discussions.

We thank the Minister for the Armed Forces, the Financial Secretary to the Treasury and the Minister for Science and the Natural Environment for their attendance at, and contribution to, our debate at the Council. We express the hope that other Ministers will be able to attend our discussions in the future, including on the priority issues of pension uprating and passports.

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### 2014-2015 Roadmap

**To meet the commitments in the Communiqué we agree to prioritise work in the following areas over the next year:**

1. Joint work to share best practice on the formulation and communication of mid- to long-term economic plans, including enhancing competitiveness and increasing diversification across and within sectors.
2. Overseas Territories governments in those Territories that have not already done so to develop and publish Territory investment plans or sector specific plans as appropriate, with UK support.
3. Joint work to raise international standards to tackle money laundering, tax evasion, illicit finance and corruption, leading by example given the importance of our financial centres to the international financial system. We agree to meet again ahead of the G20 meeting of Finance Ministers and Central Bank Governors in February to agree a way forward on implementation of the G20 principles on beneficial ownership.
4. Joint work to deepen cooperation in tackling organised crime, including exploring options for legislative provision in the Territories for lawful intercept where such provision doesn't already exist and improved sharing of information across jurisdictions.
5. Joint work to deliver a strategic approach to prison management and to promote greater sharing of information and best practice between the Territories and the UK, including through UK advisory visits to Territory prisons and inward secondments to the UK.
6. Joint work to establish Territory led working groups, supported by the UK, to share best practice in border security management, combating immigration abuse and irregular migration. The UK will work in partnership with the Territories to ensure effective arrangements are in place for the issuing of British Overseas Territories Citizen passports during the centralisation programme.
7. Overseas Territories to produce environmental road maps by May 2015 where they have not already done so, setting out plans to implement environmental commitments agreed at the JMC
8. Joint work to ratify multilateral environmental agreements such as the Convention on Biological Diversity where these are of benefit to the Territories. Where multilateral environmental agreements are already in place we commit to work together to ensure that implementation standards are robust.
9. The UK government to explore with international partners such as the International Renewable Energy Agency (IRENA) how the Territories can engage directly to commission technical and policy support to introduce renewable energy sources.
10. Joint work to extend to the core UN Human Rights Conventions to the Territories, where these have not been extended already. UK Government to ensure that pending requests from the Territories are taken forward as soon as possible.
11. Overseas Territories governments to work to develop Overseas Territories' codes of conduct for Ministers, parliamentarians and public servants, where these are not already in place, with support from the UK where appropriate.
12. UK to provide support for the rule of law in the Overseas Territories, including advice and practical help in the drafting of legislation and assistance to prosecutors' offices.
13. UK to work with Territories to develop measures to support implementation of the World Health Organization International Health Regulations, review existing NHS quota arrangements and to continue work on the procurement of medicines and vaccines and education and training.
14. Joint work to improve child safeguarding, with UK support for Territories to consider undertaking child safeguarding reviews where these are not already in place, and the establishment of a child safeguarding group to improve coordination, enhance capacity and exploit existing frameworks for best practice.
15. UK to work with the Commonwealth to explore associate membership for the Overseas Territories.