

Joint Ministerial Council 2015

Communiqué

Preamble

1. The political leaders and representatives of the UK and the Overseas Territories met as the Joint Ministerial Council (JMC) at Lancaster House in London on 1 and 2 December. We welcomed the Premier of Bermuda and the newly elected Chief Minister of Anguilla to their first Council and congratulated the Premier of BVI and the Chief Minister of Gibraltar on their recent re-election.
2. The Joint Ministerial Council is the highest political forum under the 2012 White Paper, bringing together UK Ministers, elected Leaders and Representatives of the Overseas Territories for the purpose of providing leadership and shared vision for the Territories. Its mandate is to monitor and drive forward collective priorities for action in the spirit of partnership.
3. Leaders of the Overseas Territories are democratically elected by the people of the Territories and are accountable to them. We welcomed the presence of UK Government Ministers at the Joint Ministerial Council, and the greater engagement of UK government departments in areas where there were identified needs, both giving legitimacy to a relationship of real partnership
4. The UK and the Territories commit to ensure the political, economic, social and educational advancement of the people of the Territories and their just treatment and protection from abuses. The principle of equal rights and self-determination of peoples, as enshrined in the UN Charter, applies to the peoples of the Overseas Territories.
5. We affirmed the importance of promoting the right of the peoples of the Territories to self-determination, a collective responsibility of all parts of the UK Government. We committed to explore ways in which the Overseas Territories can maintain international support in countering hostile sovereignty claims. We agreed that the fundamental structure of our constitutional relationships was the right one - powers were devolved to the elected governments of the Territories to the maximum extent possible consistent with the UK retaining those powers necessary to discharge its sovereign responsibilities - while agreeing the need to review the effectiveness of constitutional arrangements over time.

Prosperity and Economic Development

6. We reiterated our shared vision to 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.
7. We affirmed that all Territories are unique and diverse in their economic development. Collectively they play a distinctive and valuable part in the global economy. We recognised that some Territories faced challenges as a result of the small size of their economies, vulnerability to natural disasters, difficulties with access to telecommunications and remoteness.
8. We highlighted the importance of citizens and businesses of the Overseas Territories having access to merchant and correspondent banking services, the lack of which can have a damaging effect on economic growth. The UK government agreed to support the Overseas Territories in liaising with UK banks to ensure that Territories have full access to banking services. We agreed to work together - to maintain viable banking and financial sectors. We welcomed in this respect the creation of Gibraltar International Bank.
9. We welcomed steps taken by the Overseas Territories to meet global standards in a range of areas, noting for example, the European Commission's recent decision to declare Bermuda's commercial insurance regime fully equivalent to the Solvency II standard and the BVI's rating of 'largely compliant' on information exchange for tax purposes by the OECD Global Forum this year.

Development Assistance and Infrastructure

10. We reaffirmed that the reasonable assistance needs of the Overseas Territories are a first call on the UK's international development budget. The UK Government committed to expediting infrastructure development in the Territories to facilitate improved transportation, communications, commerce and provision of social and community development within agreed timelines. We welcomed 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 reaffirmed the commitment to work together to ensure that priority infrastructure needs, such as the harbour at Tristan da Cunha, continue to be monitored, addressed and supported where appropriate.
11. We committed to seeking relevant financing solutions to improve infrastructure within the Territories, which may include public-private partnerships and developmental aid where appropriate. We renewed our commitment to ensuring procurement processes in the Territories were open, transparent and delivered value for money, in line with international best practice.

Tax and Transparency

12. We noted that the Overseas Territories were responsible for their own tax rates and generating the revenue necessary for the provision of essential public services. It is not appropriate to refer to British Territories as 'tax havens'.
13. All Overseas Territories with financial services confirmed their full commitment to international co-operation in tax matters, and to the fight against money laundering, tax evasion, illicit finances and corruption. This was reflected not only in adherence to bilateral and multilateral agreements, but also in implementing the FATF standards and enforcing legal instruments in everyday practice.
14. We underlined the active participation of Territories with financial services sectors in the OECD Global Forum on Transparency and Exchange of Information for Tax Purposes and welcomed the commitment of those Territories to be early adopters of the new OECD global standard on tax transparency, with first exchange of data taking place in 2017.
15. We committed to sustaining successful international centres that contribute to the prosperity and development of our societies, recognising the importance of transparency, effective legal systems and good governance in achieving this. We acknowledged the importance of bilateral engagement on matters affecting Territories' financial services sectors.

Beneficial Ownership

16. We agreed to hold beneficial ownership information in our respective jurisdictions via central registers or similarly effective systems. We discussed the details of how these systems should be implemented, including through technical dialogue between the Overseas Territories and UK law enforcement authorities on further developing a timely, safe and secure information exchange process to increase our collective effectiveness for the purposes of law enforcement. We agreed that addressing this issue would be given the highest priority and that progress on implementation would be kept under continuous and close review.

Governance

17. We reflected on the marking this year of the 800th Anniversary of the Magna Carta and noted the number of commemorative events that had taken place in the Overseas Territories recognizing the benefits of democracy and the rule of law as key building blocks for secure and prosperous states. The Overseas Territories have proud traditions of democracy and respect for human rights. We welcomed the election that had taken place the previous week in Gibraltar. We also welcomed the recent elections in Anguilla and BVI, endorsed as free and fair by independent observers from the Commonwealth Parliamentary Association. We committed to further joint work to extend the core UN Human Rights Conventions to the Territories, where these have not been extended already. The UK Government undertook to ensure that pending requests from the Territories are taken forward as soon as possible.

18. We welcomed the meetings this year of Territory Heads of Public Service, Attorneys General and Directors of Human Resources as furthering our cooperation in the field of good governance, rule of law and public service reform. Recognising the capacity limitations of some Overseas Territories, we committed to work in partnership as appropriate to support capacity building and the development of expertise in the following core areas:

- i. Public financial management and economic planning: maintaining sound public finances, building economic resilience and ensuring value for money in use of public funds, including through effective use of audit.
- ii. Standards in public life: creating a meaningful culture of ethics, integrity and transparency, including through Codes of Conduct for Ministers and civil servants where these are not already in place.
- iii. Public service reform: building capacity and supporting an effective, professional and transparent service that acts in the interests of all the people of the Territories.
- iv. Human rights, democracy and the rule of law: building strong and effective institutions that promote democracy, human rights, the rule of law and deliver access to justice.
- v. Security and anti-corruption: upholding Territories' security and enhancing their reputation as sound jurisdictions for business, including through continued support for international efforts against bribery and corruption and fraud.

Security

19. We welcomed the UK's commitment to upholding the security and sovereignty of the Overseas Territories and their territorial waters, as set out in the UK National Security Strategy and 2015 Strategic Defence and Security Review. We welcomed the continued support provided by the Royal Navy in combating any threat to the Territories, as well as in the fight against drug trafficking, Illegal Unreported and Unregulated fishing and other illicit activity and the investment made in building capacity in the Caribbean Territories through the UK's Conflict Security and Stability Fund. We underlined the UK's commitment to developing disaster response capacity in the Territories and providing assistance in the event of any natural disaster. We reiterated our shared commitment to tackling serious and organized crime and reducing reoffending in the Territories, including through conferences this year of Territory Commissioners and Chiefs of Police and Superintendents of Territory Prisons. We commit to work together to update and simplify extradition processes between the OTs and the UK and between the OTs and third countries.

International

20. We reiterated the UK's role in representing the Territories in international forums. The UK Government committed to working together with those Overseas Territories where they represent their own interests at international fora. We acknowledged the interest of the Overseas Territories' Governments in the forthcoming EU Referendum and recognized the important and strong relationships between the Overseas Territories and the EU (noting Gibraltar's status within the EU). We agreed to continue to consult in order for the views of Overseas Territory Governments on reform to be taken into account. We acknowledged the importance of cooperation between the EU and the Overseas Territories and agreed to continue to work together to realize the full benefits of the Overseas Association Decision.

Communities

21. We upheld the vision set out in the 2012 White Paper for the Territories to have strong and flourishing communities, proudly retaining aspects of British identity and generating wider opportunities for their people. We acknowledged the Sustainable Development Goals and set out our ambition to achieve the highest possible educational opportunities and quality of life for the people of the Territories.

Child Safeguarding

22. We reiterated our commitment to delivering a zero tolerance approach to child abuse in all of its forms, and committed to doing all we can to prevent harm, support victims and bring offenders to justice. We agreed that our governments should lead a national response, demonstrating clear leadership and accountability, to ensure a child-centred and coordinated approach to safeguarding based on multi-agency working, information sharing and robust risk assessment.
23. We set out a shared intention to strive towards best practice in protecting all children within our jurisdictions and agreed to work together towards a Territory-led road map and memorandum of understanding, proposed by the Falkland Islands. We stressed our determination to put children's needs at the heart of the safeguarding system and create environments in which all children have an equal opportunity to flourish. We committed to Child Safeguarding Reviews in all of the inhabited Overseas Territories by the end of 2016, noting that some of these had already been held while others were being planned.
24. We underlined our shared international human rights obligations and committed to working together to realize the progressive implementation of the UN Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination Against Women. These will be fundamental to meeting the new Sustainable Development Goals.

Health

25. We welcomed the decision by the Overseas Territories to explore options for health financing, in order to ensure the continued well-being of their people. We valued the NHS quota system that provided critical support for citizens of some Territories and agreed to jointly explore how we could make the system work as effectively as possible. We committed to exploring inter-Territory healthcare in regional centres of excellence and to supporting the development and implementation of common monitoring systems for audit and review of healthcare across the Territories to improve the quality of care.
26. We agreed to explore greater use of telemedicine and other distance support arrangements in the UK to improve healthcare provision in the Territories. We agreed to promote and enable up-skilling of healthcare clinicians in the Territories to UK level qualifications through the local delivery of tertiary-level distance learning courses in partnership with recognized UK academic institutions, supplemented with UK-based clinical placements during the course.
27. We looked forward to the result of the pilot programme on the inclusion of the OTs in the procurement of medicines and vaccines. We urged a strong commitment from Health UK that all Territories will be included in the procurement of vaccines.

Pensions

28. We welcomed the commitment from the Department for Work and Pensions to provide support and advice to the Territories on a range of policy areas including welfare and pensions reform. The Overseas Territories asked the UK Government to consider establishing parity of treatment between all of the Territories on the uprating of pensions for UK state pension holders residing in the Overseas Territories.

Sport

29. We celebrated the success of British sportsmen and women from the Overseas Territories in competing for Team GB, including Shara Proctor and Zharnel Hughes from Anguilla, Delano Williams from Turks and Caicos and Georgina Cassar from Gibraltar. We also welcomed the success of Territory athletes in other international competitions. We welcomed the participation of young athletes from some Territories in the 2015 School Games in Manchester. We welcomed the creation of an Overseas Territories Sports Council to forge greater links, encourage athletics in the Territories, assist with accessing funding sources, assist with the development of sporting facilities, and promote access to training opportunities so OT athletes can compete in international sporting events. Together we support greater engagement with the International Olympic Committee and other international sporting bodies, so all Territories can compete in their own right.

Environment

30. We agreed to work together to improve environmental governance and protection as a basis for a healthy community and sustainable economy. We welcomed the creation of an Overseas Territories' Environment Ministers Council to enhance dialogue amongst all Territories in real time and encourage them to meet annually to drive the environmental agenda in the wider context of small states and islands. We encouraged the sharing of information between environmental scientists and officials, allowing access to expert reports and assessments across Territories and providing a platform for further joint working and partnerships.
31. We acknowledged that the Territories are vulnerable to climate change. Climate change has consequences, including coastal erosion, severe weather events and flooding, which have negative impacts on Territories' ecosystems, public infrastructure, food security, resilience, health and welfare. Consequently we recognised the urgent need to promote and facilitate renewable energy and energy efficiency, and to address the challenges of energy security and climate change mitigation. We supported the development of innovative sustainable energy solutions adapted to local conditions and an enabling regulatory framework for rapid deployment of such projects. We agreed to work with UK agencies to better understand the risks posed by climate change to our environment, communities and economies and develop long-term adaptation programmes to minimize these risks.
32. We acknowledged the importance of the marine environment, especially to island communities, and the role of marine resources in economic development. We recognised that long term sustainable use of marine resources is a key element of overall marine conservation strategy for the Overseas Territories. Together we will strive to enhance the management of the marine ecosystem alongside local traditions and sustainable marine usage across the Overseas Territories. We affirmed that such enhancements must be based on the best available scientific research, must deliver clear objectives agreed by the elected representatives of the relevant Territory, and must be appropriately resourced to enable effective management and enforcement.