



UKOTA Annual Report to Political Council

30 JANUARY 2023

Prepared by the Association

Chair: Tracy Knight

Turks and Caicos Islands Government Office, 25 North Row, Mayfair London W1K 6DJ

UKOTA Secretariat: secretariat@ukota.org

Anguilla • Ascension Island • Bermuda • British Virgin Islands • Cayman Islands • Falkland Islands • Gibraltar • Montserrat • Pitcairn • St Helena • Tristan Da Cunha • Turks & Caicos Islands

Annual Report to Political Council 30 January 2023

Introduction

The United Kingdom Overseas Association (UKOTA) was founded in 1994 and exists to promote both the interests of the Territories and cooperation between them, whilst also working to ensure good collective and individual relationships between Territories and the United Kingdom Government. The Association's work is governed by regular meetings of the Representatives of the Overseas Territories who are based in the United Kingdom.

The head of the Government of the Chair of the Association is the President of the Political Council and the President of the Association. With the appointment of Turks and Caicos Islands as Chair, The Hon. Charles Washington Misick, Premier is the President of the Political Council. The Political Council is the highest body of the Association, consisting of the individual representatives of each Member Government, which sets the policies of the Association and approves the decisions requiring its approval. All prerogatives necessary to the achievement of the Association's aims are vested in the Political Council.

Full Members are represented in the bodies of the Association by individuals duly appointed by their Governments to represent their interest in the United Kingdom, referred to as UK Representatives.

Mission Statement

The Association exists to advance the interests of the United Kingdom Overseas Territories, facilitate co-operation between them and promote solidarity. The Association demonstrates the collective partnership between the Territories and HM Government of the United Kingdom.

The Annual General Meeting and Secretariat

UKOTA's Annual General Meeting was held on Thursday 10 February 2022

Chairman: Tracy Knight, UK Representative for the Government of Turks and Caicos Islands

Honorary Secretary: Janice Panton, MBE, UK Representative for the Government of Montserrat

Hon. Treasurer: Kedell Worboys, MBE, UK Representative for the Government of St Helena

Secretariat: Karen Mentiplay

Treasurer's Report:

Income received totalled £30,000 but £3k of the increase was due to one Territory paying its 2023 subscription in advance.

Expenditure totalled £24,657.03 and was mainly on Secretariat services of £16k. £2.6k was provided for travel costs of the OT delegates at COP27, and abortive Political Council costs of £2k were incurred after HMG's postponement of the November JMC.

At 31 December 2022 UKOTA's bank balance was £24,615.19.

The Work of UKOTA

Financial Services Sub-Committee:

The financial services sub-committee is open to all members of UKOTA with Kimberley Durrant UK Representative for the Government of Bermuda selected to chair the committee following the Annual General Meeting. This year discussions on international financial regulatory matters were held by the respective technical officials in the Territories. UKOTA highlighted the priority issues impacting all Territories with financial centres through the Association's response to the EU Scrutiny Committee.

The greatest impact on Territories' financial services sectors post-Brexit is the UK's lack of representation within the EU Code of Conduct (Business Taxation) Group to advocate and clarify financial standing in regulatory and tax matters on behalf of UKOTs.

Despite no longer being in consultation with the UK Government, the EU Code of Conduct Group continues to assess the tax measures of the UKOTs and imposes domestic policy measures which are deemed to be 'good tax governance principles' by the EU but in some instances exceed agreed international standards. This also holds true in relation to economic substance and Anti-Money Laundering issues.

The implications of failing to meet these strict policy measures, often without consideration for available financial resources, is that Territories are placed on the EU list of non-cooperative jurisdictions in relation to tax purposes, with such inclusion generating reputational risk to their financial services industry.

Territories are left unable to defend our interests against the EU trading bloc without the advocacy of the UK Government. As a direct result, some NGOs have seized this opportunity to dominate the conversation in the EU Parliament and present inaccurate information on the known and tested global measures of financial transparency of the UKOTs.

It was agreed by UKOTA to continue dialogue with His Majesty's Treasury in the margins of the Joint Ministerial Council at a technical level rather than through plenary discussions amongst Leaders. However, following the postponement of the JMC this did not occur.

The collective priority areas are as follows:

- Russian Sanctions
- EU Code of Conduct Group
- Implementation of Public Registers
- OECD Pillar 1 (new taxing rights on the approximately top 100 MNEs in the world, i.e. MNEs with global annual revenue of \$20 billion or above), and Pillar 2 i.e. the global minimum tax of 15% on corporate profits. The discussion should include the notion of the UK providing technical assistance on aspects of compliance should any OT request technical assistance. (this may be delicate in order to prevent the UK strategizing to make such technical assistance mandatory).
- UK implementation of BEPS

Environment Sub-Committee:

The Environment sub-committee is open to all members of UKOTA with Kedell Worboys UK Representative for St Helena Government selected to chair the committee following the Annual General Meeting.

Virtual meetings were held throughout the year.

Joe Wells, Communication Lead for the Blue Belt Programme at CEFAS, attended one meeting to provide an update on the plans for the Blue Belt event to be held on World Oceans Day – 8 June 2022.

UKOTA hosted a stand at the Blue Belt event. Territories provided material on their actions and achievements in relation to marine conservation which were uploaded to the UKOTA website. Participants attending the event were able to access these via a QR code or by visiting the website.

Work continued with DEFRA including two Roundtables related to Darwin Plus funding, OT environmental priorities and the Overseas Territories Biodiversity Strategy.

The three tier Darwin Plus funding for OTs was confirmed:

- Darwin Plus Main
- Darwin Plus Strategic - for transformational projects costing between £1-3m
- Darwin Plus Local – for projects costing up to £100,000, only OT based organisations can apply

The 11th round of Darwin Plus Main was launched in May 2022 with successful projects advised in December. Darwin Local was launched in January 2023 with a closing date of 14 February 2023. Two online training workshops for potential bidders planned for 13 January and 6 February. Darwin Strategic are still to be launched.

Darwin also advertised for a new chair and members for the Darwin Plus Advisory Group in April 2022. The new chair, Howard Nelson, was introduced to the OTs at the OT Roundtable in July. UKOTA is no longer invited as an observer to the selection process and is taking this up with DEFRA.

The Joint Nature Conservation Committee (JNCC) has been commissioned by DEFRA to work with the OTs to produce an Overseas Territories Biodiversity Strategy. A stakeholder questionnaire was sent to all OTs in March 2022. JNCC presented the initial outcomes from the questionnaire and workplan to the OT Roundtable meeting in July.

JNCC is arranging workshops in all OTs, workshops in Turks & Caicos, Montserrat, St Helena and Gibraltar have already taken place.

An in-person meeting was arranged on 28 November 2022 with JNCC to discuss the Strategy – it was concerning to hear that this was HMG’s Strategy, this is to be discussed with HMG when a meeting can be agreed.

To complement engagement in the UK and in-territory, on 9 January 2023 DEFRA launched an online call for evidence to seek views on development of the new Strategy. [UK Overseas Territories biodiversity strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/uk-overseas-territories-biodiversity-strategy) stating “we are interested in hearing from individuals, researchers, NGOs and businesses who reside in or have an interest in

biodiversity conservation in the UKOTs. We would encourage you to respond at [this link](#) before the closing date of 23:45 on Friday 24 March 2023”.

The Chair of the UKOTA Environment Working Group sits on the Steering Group for the Overseas Territories Biosecurity project.

PR Sub-Committee

The PR sub-committee is open to all members of UKOTA with Richard Hyslop UK Representative for Falkland Islands Government selected to chair the committee following the Annual General Meeting.

Over the last year, UKOTA continued to publish articles on the UKOTA website and to continue to grow and develop the association’s social media presence through increasing the number of Tweets going out from the official UKOTA Twitter account. At the time of writing the account has over one-and-a-half thousand followers.

In time for the 2022 party conference season, the committee published the latest edition of the UKOTA Newsletter. We were delighted that all members were able to contribute. In addition to individual Territory news the Newsletter featured the Overseas Territories participation in the Commonwealth Games and their attendance at COP26 in Glasgow. The main feature in the Newsletter was a tribute to HM Queen Elizabeth II, reflecting her relationship with her Overseas Territories.

Child Safeguarding Working Group:

The Child Safeguarding working group is open to all members of UKOTA with Tasha Ebanks-Garcia UK Representative for Cayman Islands Government selected to chair the working group following the Annual General Meeting.

The members of the Safeguarding working group met in June to agree an approach for providing support and adding value to the Safeguarding Policy and Operational space. With the overarching goal of identifying opportunities for UKOTA to contribute to the advancement of work in the area of Safeguarding, it was agreed that a survey to assess the strengths and areas of need across the OTs would be developed and administered. The results of the survey would be used to identify specific deliverables that can be taken forward by UKOTA. The survey is in development and is expected to be administered in early 2023.

Consular Affairs Working Group:

The Consular Affairs working group is open to all members of UKOTA with Tracy Bradshaw UK Representative for British Virgin Islands Government selected to chair the working group following the Annual General Meeting.

The delivery of consular services in the UK to British Overseas Territories outside of passports and visas is the responsibility of the representative offices of the various UKOTA member territories. Their responsibilities include, but are not limited to, advising and assisting BOT citizens, relocation, study, welfare and whereabouts cases, arrest and detention, deportation, hospitalisation, mental health cases, repatriation, and death.

The offices continue to upgrade the delivery of their consular services and regularly meet to share best practice ideas and solutions to common issues and concerns. Their abilities to handle crisis have been tested through COVID-19 and each office has continued to deliver high standards of service.

The provision of consular services and number of requests for information and assistance from BOT citizens varies year-round depending on the OT office and the nature of the support required. The offices all pride themselves on their demonstrated personal commitment which ensure continuity of consular services.

Our offices make it easier for BOT citizens to access services while away from home, providing accessible, relevant, and timely guidance to support in accessing local services in times of need, including bereavement, hospitalisation, or as a victim of crime, with an option to speak to a member of consular staff.

Knowledge Database

While updating our working strategy, the UKOTA Consular Affairs Working Group has been occupied recently with research into the creation of a UKOTA Consular knowledge database that would store case outcomes and best practice models while conforming to local and international privacy laws. The contents of this database would be available to eligible consular officers at various OT offices.

Passports and Visas

Provided below is a compiled list of ongoing issues and concerns that the Consular Affairs Working Group has been working on that have been recently raised with members of the Home Office in a joint meeting with the FCDO and UKOTA.

- Representatives have suggested that having a dedicated team, with a senior point of contact, within the Passport Office to process applications for BOTC passports may address some of the issues that OTs are currently facing. There have also been suggestions that we revert in part to having trained persons in the territories to deal with some of the passport enquiries and applications received. This would avoid some of the delays currently experienced.
- Bermuda and other OTs as well continue to experience challenges with passport coding. With respect to the Bermuda BMU Code, they meet regularly with a dedicated working group within the HMPO security team with a view to resolve the issues and concerns.
- Inaccurate passport coding affecting St Helena;
- Exceptionally long processing times for passports;
- A request for review of the visa requirement for BOT students. Possible solutions shared include: waiving the visa requirement, and giving Governor's offices the authority to issue student visas or an endorsement (in lieu of a visa) allowing BOT citizens to pursue education in the UK.

- Applications regularly denied in error when the applicants are eligible for the passports they applied for. It has been observed that caseworkers handling the applications do not always appear to understand the guidance policy or law surrounding the issuance of BOTC and BC passports to OT citizens.
- Applications lodged outside in the BOTs are frequently subject to their accompanying documents being lost or misplaced adding to the delay in receiving their passports. Persons are still being told that they must apply from within the BOT to receive a BOTC passport and this is not just for persons requesting a variant book.
- BOTC's who are eligible as set out in nationality law for passports, being asked to provide proof other than what the law specifies before passports are issued.
- Students from BOTC's still continue to be wrongly assessed for home fees purposes and challenged to prove their eligibility.
- BOTC/BC passport covers, and pages are mismatched for BOTC applicants.
- Students who travel to the UK on a BOTC passport without a student visa, are asked to leave to regularise their BC status even when they can prove they are eligible for BC and are willing to apply for their BC passports.
- Unclear messages when it comes to UKVI visa services for OTs, do they issue for all OTs or just a few?

Right to citizenship

Recent legislative changes have ensured that previous anomalies in the British Nationality Act have been addressed and now provide a route to register births for nationality purposes. The provisions allow children of British Overseas Territories by descent, to become British and British Overseas Territories citizens.

Mental Health Working Group:

The Mental Health working group is open to all members of UKOTA with Kedell Worboys UK Representative for St Helena Government selected to chair the working group following the Annual General Meeting.

The third Mental Health webinar "Mental Health in the Workplace" organised by UKOTA was held on 18 July 2022. The Hon C W Misick, President of UKOTA, made the introductory remarks. There were speakers from Bermuda, British Virgin Islands, Montserrat, and St Helena. There were some 100 persons participating from the OTs.

Based on the feedback from participants the next webinar will focus on Mental Health Stigma.

Relationship with Overseas Countries & Territories Association (OCTA)

Following the establishment of the Memorandum of Understanding (MOU) between OCTA and UKOTA in June 2021 there have been three virtual meetings with OCTA, on 11 March 2022, 10 May and 13 December.

The meetings held in the first half of the year explored the opportunities for a joint side event at COP on the theme of climate change, biodiversity and/or oceans. Discussions were also held on possible co-operation with GLISPA and Expertise France around the EDF11 Regional and Thematic Programmes. However, given the tight deadlines for the submission of side events at COP this co-operation did not proceed.

In December the new President on the Executive Committee of OCTA, Mrs Anne Phillips, advised that OCTA had had a number of difficulties over the past six months, in particular relating to the freezing of the associations' back accounts. The situation has subsequently been resolved but due to this difficulty OCTA was unable to prepare its Annual Work Plan and Annual Report for the European Commission resulting in the potential loss of its grant for 2023.

Under the MOU OCTA holds 40,000 Euros for co-operation with UKOTA. OCTA confirmed at the meeting in December that these funds remain available and that the association is committed to moving forward with joint cooperation, possibly with an event on World Oceans Day on 8 June, with UKOTA. Both associations are to meet in the coming weeks to commence planning.

EDF 11 Thematic Programme

Expertise France have commenced the programming of the 11th EDF Thematic Programme "Green Overseas" in the Territories. The Thematic Programme, known as the Go Programme, aims to contribute to the OCTs' economic, social and environmentally sustainable development by enhancing their climate resilience and to further develop a Low-Carbon, Energy-Efficient Economy. The Chair of UKOTA sits on the Advisory Committee of the programme and Mrs Janice Panton, the Representative of Montserrat, sits on the Programme Operating Committee on behalf of UKOTA. The Operational Steering Committee met in April and the Advisory Committee on 29 June.

Expertise France requested a meeting with Leaders during their time in London in November for the JMC to get political endorsement for the Go Programme. UKOTA worked with Expertise France to arrange a workshop on the Go Programme on Monday 7 November, prior to the scheduled UKOTA Political Council Meeting. Unfortunately, following the postponement of the JMC this meeting was cancelled.

New Plan for Immigration and Nationality - Borders Bill

Rosy Leveque from BIOT Citizens was invited to attend the UKOTA meeting on 28 April where she updated UKOTA on BIOT's campaign for Chagossian eligibility for British Citizenship.

UKOTA was instrumental in the consultation of the development on the British Nationality Law on the discrimination against illegitimate children of BOTC parents. The Home Secretary issued consultation from the 24th March.

UK Hydrographic Office Visit

UKOTA Representatives visited UKHO on 20 April 2022. The visit was very informative and included presentations on an Introduction to OTSMP – HP Programmes, Law of the Sea, Data Science with a meeting with Head of Partnering and Engagement and Geographic Technical Leads for each OT Region. Tracy Knight offered written thanks to Rear Admiral Rhett Hatcher for his time and Kerrie Howard for arranging.

Climate Change and COP27

The Chair of UKOTA was invited to virtually attend the Turks and Caicos Islands Climate Change Summit in April and to bring remarks on behalf of UKOTA. The work of UKOTA in this space, in particular around COP26 was highlighted. The UKOTA video on the impact of climate change on the OTs and the work being done to combat climate change in the Territories, which was produced for COP26, formed part of the presentation.

UKOTA commenced engagement with FCDO regarding COP27 and the participation of the Territories in May with a letter from the Chair to the RT. Hon. Lord Goldsmith, indicating that the OTs wished to send a delegate from each Territory to COP27 and to host an event in the UK Pavilion. Regrettably, the inclusion of the Territories at COP27, as part of the UK delegation, was not confirmed until September with only 5 places being offered. The late notice and the need for delegates to apply for a visa to visit Egypt unfortunately resulted in only the following 3 Territories being able to send a delegate, Falkland Islands, Anguilla and the British Virgin Islands. The travel costs of the delegates whilst attending COP27 in Egypt was covered by UKOTA.

Engagement with the Commonwealth Secretariat

At their Heads of Government meeting in July 2022 Commonwealth Leaders declared that 2023 would be the ‘Year of the Youth.’ UKOTA and the Commonwealth Secretariat have commenced engagement to ensure the inclusion of young people from the Territories in the Commonwealth’s ‘Year of the Youth’.

Territories were invited to attend 10th Commonwealth Youth Ministers Meeting in Pakistan in January 2023. A number of Territories indicated their participation however due to the extensive flooding in Pakistan the meeting was postponed to a later date in 2023.

The Commonwealth Secretariat hosted a virtual event to launch the Caribbean Youth Digital Skills Training on Friday, 2 December 2022. As part of this initiative the Commonwealth will be offering 10,000 young people from the Commonwealth the opportunity to enhance their digital skills through e-courses. The Territories were invited to participate in the launch and the initiative.

Parliamentary Affairs

- **Russian Sanctions** – During March 2022, in response to the Russian invasion of Ukraine a statement on the UK OTs Implementation of Sanctions against Russia was agreed between the OTs with a copy uploaded onto the website.

- **UKOTA’s evidence to the House of Commons European Scrutiny Committee** - In July, in response to the European Scrutiny Committee’s inquiry into the ‘UK’s *EU representation: what has changed and how is it working?*’ UKOTA prepared and submitted written evidence on behalf of the inhabited Territories except for Gibraltar.
- **UKOT Project Management Board** – The Chair of UKOTA is required to sit on the UKOT Project Management Board to ensure representation from Governments of the Overseas Territories. The purpose of the Project Management Board (PMB) is to provide strategic oversight and advisory support to the delivery of the UK Overseas Territories Project – Phase II (UKOTP – Phase II). Funded by the Foreign and Commonwealth Office (FCO), the Project is managed and delivered by the Commonwealth Parliamentary Association UK Branch (CPA UK) as the lead agency, in consortium with the UK National Audit Office (NAO) and the Government Internal Audit Agency (GIAA). Membership of PMB
 - One member of the House of Lords acting as Chair/Vice Chair of the Board
 - One member of the House of Commons acting as Vice-Chair/Chair of the Board
 - The CPA UK Chief Executive
 - The Chair of the UK Overseas Territories Association (UKOTA)
 - A representative of the FCO: the CSSF Governance Programme Manager, Overseas Territories Directorate (donor)

The Chair of UKOTA attended the Project Board meeting that was held on 14 December 2022.

The UKOT Project held an in-person Forum in Westminster from 29 November to 1 December bring together key stakeholders from across the OTs including Members and Clerks, Heads of Internal Audit and Auditors. The Chair of UKOTA was invited to contribute to the first session of the forum, a roundtable discussion on ‘The Power of Networking and Collaboration.’

- **Engagement with the Speaker of House** – Building on the links with the Office of the Speaker of the House, UKOTA liaised closely with them in their organisation of the first of the proposed annual Commons and Overseas Territories Speakers Conference in May.

Regular meetings with the staff of Speaker of the House has continued with UKOTA hosting the Speaker’s team to luncheon following their attendance at the UKOTA General meeting during July 2022.

The Speaker continues to recognise each National Day of the Overseas Territories by flying the flag of each respective Territory, in parliament, on their National Day and on State occasions, as seen during the funeral of HM Queen Elizabeth II. The flying of the OT members flags in Parliament Square is the result of the hard work undertaken by UKOTA.

The UK Youth Parliament sat in the House of Commons on the 4th November 2022 and Mr Speaker extended an invitation to Territory Governments to nominate a young person to observe the sitting and address the Youth Parliament about ‘the most important issue effecting young people from my territory today’. The youth from the Territories delivered

their speech, which was streamed live on Parliament tv, from the despatch box. The initiative was an amazing opportunity for the young people from the Territories to build ties with each other and Parliament.

- **Invitation to host the OT Minister** - A Luncheon invitation was extended to Minister Milling, Paul Candler (Director of OTD) and the Private Secretary and following the election of Liz Truss MP as Prime Minister in September 2022 a new luncheon invitation was extended to the RT Hon. Jesse Norman. Subsequent to this, on the election of Rishi Sunak MP as Prime Minister in October 2022 a new luncheon invitation was extended to Lord Goldsmith.

Acknowledgment

The Chair wishes to acknowledge the support of all Members in working together during another challenging year for our Territories.