

ENVIRONMENT CHARTER FOR THE UK OVERSEAS TERRITORIES

Guiding principles

For the UK government, for the government of Bermuda* and for the people of Bermuda.

ANNEXE A

- 1.) To recognise that all people need a healthy environment for their well-being and livelihoods and that all can help to conserve and sustain it.**
- 2.) To use out natural resources wisely, being fair to present and future generations.**
- 3.) To identify environmental opportunities, costs and risks in all policies and strategies.**
- 4.) To seek expert advice and consult openly with interested parties on decisions affecting the environment.**
- 5.) To aim for solutions which benefit both the environment and development.**
- 6.) To contribute towards the protection and improvement of the global environment**
- 7.) To safeguard and restore native species, habitats and landscape features, and control or eradicate invasive species.**
- 8.) To encourage activities and technologies that benefit the environment.**
- 9.) To control pollution, with the polluter paying for the prevention or remedies**
- 10.) To study and celebrate our environmental heritage as a treasure to share with our children.**

Commitments

The government of the UK will:

- 1.) help build capacity to support and implement integrated environmental management which is consistent with Bermuda's own plans for sustainable development.**
- 2.) assist Bermuda in reviewing and updating environmental legislation.**
- 3.) facilitate the extension of the UK's ratification of Multilateral Environmental Agreements of benefit to Bermuda and which Bermuda has the capacity to implement.**
- 4.) keep Bermuda informed regarding new developments in relevant Multilateral Environmental Agreements and invite Bermuda to participate**

* Note: For ease of reference 'Bermuda' has been applied where the original document has '[our territory]'.

- where appropriate in the UK's delegation to international environmental negotiations and conferences.
- 5.) help Bermuda to ensure it has the legislation, institutional capacity and mechanisms it needs to meet international obligations.
 - 6.) promote better co-operation and the sharing of experiences and expertise between Bermuda, other Overseas Territories and small island states and communities which face similar environmental problems.
 - 7.) use UK, regional and local expertise to give advice and improve knowledge of technical and scientific issues. This includes regular consultation with interested non-governmental organisations and networks.
 - 8.) use the existing Environmental Fund for Overseas Territories, and promote access to other sources of public funding, for projects of lasting benefit to Bermuda's environment.
 - 9.) Help Bermuda identify further funding partners for environmental projects, such as donors, the private sector or non-government organisations.
 - 10.) Recognise the diversity of the challenges facing the Overseas Territories in very different socio-economic and geographical situations.
 - 11.) Abide by the principles set out in the Rio declaration on environmental and development (See Annex 2) and the work towards meeting International Development Targets on the environment (See Annex 3).

The government of Bermuda will:

- 1.) bring together government departments, representatives of local industry and commerce, environmental champions and other community representatives in a forum to formulate a detailed strategy for action. (See Annex 1).
- 2.) ensure the protection and restoration of key habitats, species and landscape features through legislation and appropriate management structures and mechanisms, including a protected areas policy, and attempt the control and eradication of invasive species.
- 3.) ensure that the environmental considerations are integrated within social and economic planning processes; promote sustainable patterns of production and consumption within the territory.
- 4.) undertake environmental impact assessments before approving major projects and while developing our growth management strategy.
- 5.) commit to open and consultative decision-making on developments and plans which may affect the environment; ensure that environmental impact assessments include consultation with stakeholders.
- 6.) implement effectively obligations under the Multilateral Environmental Agreements already extended to Bermuda and work towards the extension of other relevant agreements.
- 7.) review the range, quality and availability of baseline data for natural resources and biodiversity.

- 8.) ensure that legislation and policies reflect the principle that the polluter should pay for prevention or remedies; establish effective monitoring and enforcement mechanisms.
- 9.) encourage teaching within schools to promote the value of our local environment (natural and built) and to explain its role within the region and global environment.
- 10.) promote publications that spread awareness of the special features of the environment in Bermuda; promote within the territory the guiding principles set out above.
- 11.) abide by the principles set out in the Rio declaration on environment and development (See Annex 2) and work towards meeting International Development Targets on the environment (See Annex 3).

ANNEXE B

Annex 1

OTs Environment Charter

Illustrative Paper: Topics for consideration by environment committees as components of environmental action strategies.

Note: The circumstances of each OT vary considerably from those with no resident population (eg. SGSSI), very small populations (eg. Pitcairn) to those with bigger populations and a wider range of local resources and skills. Some already have groupings that bring together a variety of stakeholders in the main local environmental issues. It is for each territory to establish/develop the most suitable framework to develop action plans that link the shared principles of the OTs Environmental Charter to the need of each territory. The headings just suggest some areas which each territory may wish to consider - some may be clearly applicable or more important in some territories than in others.

ISSUE SPECIFIC EXAMPLES

1.) Environment/Development Interface

- Sustainable development strategies
- Participatory approaches to environmental and conservation management
- Ensuring environmental planning and management do not disadvantage the poor
- Promotion of sustainable livelihoods
- Rio Declaration and International Development Targets
- Agenda 21 groups
- Consideration of the built environment

2.) Habitat & Species Conservation/Restoration; Invasive Species

- **Establishment of baseline information**
 - **Documentation of local ecosystems, fauna & flora**
- **Priorities - working from baseline information**
- **Significance for local livelihoods, including tourism**
- **Key institutions, people and external linkages**
- **Action planning - implementation of plans, setting targets**
- **Priorities for monitoring, reporting, disseminating and applying knowledge**

3.) Pollution

- **A mechanism for monitoring pollution**
- **Awareness of international (and regional) pollution agreements and standards**

4.) Energy and Technology Issues

- **Sustainable energy policies - eg. Transport, renewable energy sources, energy conservation**
- **Appropriate new green technologies - UK help with technology transfer**

5.) Natural Disasters

- **Inclusion of hazard management within development planning**
- **Vulnerability assessments for habitats and species**
- **Precautionary measures**
- **Slow onset disasters (degradation of habitats, climate change)**

EXAMPLES OF RESPONSE MECHANISMS

1.) Local Legislation

- **Local implementation of Multilateral Environmental Agreements (MEAs)**
- **Regional agreements/co-operation**
- **Identification & examination of key items of legislation (eg. Planning permission, Designation of protected areas or species, Environmental Impact Assessments (EIAs), Control of pollution, Regulation of natural resources based industries: fisheries, forestry, agriculture, tourism)**
- **Effectiveness of implementation - support of local community**
- **Scope for adopting ideas from other OTs, other countries/territories in the region and the UK**

2.) Environmental Impact Assessments

- **Capacity building for EIA production**
- **Early identification of stakeholders**
- **Environmental Assessment in planning procedures: Strategic Environmental Assessment and National Physical Plans**

3.) Multilateral Environmental Agreements (MEAs)

- **Effectiveness of implementation of those MEAs already extended**
- **Costs and benefits of extending other MEAs**
- **Reporting and requirements**
- **Dissemination of information about MEAs & their relevance**
- **Support needed from UK Departments, Government Agencies and NGOs on international MEA conferences of parties, regional meetings & new negotiations**
- **Use of international secretariat, UK government and agency, & NGO websites**
- **Possible contribution to global/regional benefits of MEAs - eg. Sharing best practice, being host for workshops and research projects of more than purely local significance**

4.) Funding for Environmental Work

- **Budgetary and staffing provisions**
- **Environmental taxes**
- **Identification of potential sources of funding for environmental projects**
- **Identification of projects and prioritisation**
- **Preparation of applications to funding sources**
- **Monitoring of progress towards outcomes of funded projects**
- **Reviewing programme and priorities**
- **Publicising results locally and wider (in concert with funding agencies)**

5.) Education and Youth Activities; Media and Public Attitudes

- **Disseminating the guiding principles contained within the charter**
- **Environmental education programmes in schools**
- **Information on websites in the territory and links to regional, UK and international websites**
- **Media strategies**
- **Conservation volunteer schemes**
- **Procedures for public inquiries on major developments**

6.) Regional and International Links

- **Networking with other OTs**
- **Environmental links to other small island states, territories and communities**

- **Links to residents and friends of the territory in the UK and elsewhere (also as source of funds, tourism, expertise)**

Annex 2

THE RIO DECLARATION ON ENVIRONMENT AND DEVELOPMENT (1992)

Preamble

The United Nations Conference on Environment and Development,

Having met at Rio de Janeiro from 3 to 14 June 1992,

Reaffirming the Declaration of the United Nations Conference on the Human Environment, adopted at Stockholm on 16 June 1972, and seeking to build upon it,

With the goal of establishing a new and equitable global partnership through the creation of new levels of co-operation among States, key sectors of society and people,

Working towards international agreements which respect the interests of all and protect the integrity of the global environment and developmental system,

Recognizing the integral and interdependent nature of the Earth, our home,

Proclaims that:

Principle 1

Human beings are at the centre of concerns for sustainable development. They are entitled to a healthy and productive life in harmony with nature.

Principle 2

States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction.

Principle 3

The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.

Principle 4

In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it.

Principle 5

All States and all people shall cooperate in the essential task of eradicating poverty as an indispensable requirement for sustainable development, in order to decrease the disparities in standards of living and better meet the needs of the majority of the people of the world.

Principle 6

The special situation and needs of developing countries, particularly the least developed and those most environmentally vulnerable, shall be given special priority. International actions in the field of the environment and development should also address the interests and needs of all countries.

Principle 7

States shall cooperate in a spirit of global partnership to conserve, protect and restore the health and integrity of the Earth's ecosystem. In view of the different contributions to global environmental degradation, States have common but differentiated responsibilities. The developed countries acknowledge the responsibility that they bear in the international pursuit of sustainable development in view of the pressures their societies place on the global environment and of the technologies and financial resources they command.

Principle 8

To achieve sustainable development and a higher quality of life for all people, States should reduce and eliminate unsustainable patterns of production and consumption and promote appropriate demographic policies.

Principle 9

States should cooperate to strengthen endogenous capacity-building for sustainable development by improving scientific understanding through exchanges of scientific and technological knowledge, and by enhancing the development, adaptation, diffusion and transfer of technologies, including new and innovative technologies.

Principle 10

Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to

information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.

Principle 11

States shall enact effective environmental legislation. Environmental standards, management objectives and priorities should reflect the environmental and developmental context to which they apply. Standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries.

Principle 12

States should cooperate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for environmental purposes should not constitute and means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade. Unilateral actions to deal with environmental challenges outside the jurisdiction of the importing country should be avoided. Environmental measures addressing transboundary or global environmental problems should, as far as possible, be based on an international consensus.

Principle 13

States shall develop national law regarding liability and compensation for the victims of pollution and other environmental damage. States shall also cooperate in an expeditious and more determined manner to develop further international law regarding liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction.

Principle 14

States should effectively cooperate to discourage or prevent the relocation and transfer to other States of any activities and substances that cause severe environmental degradation or are found to be harmful to human health.

Principle 15

In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Principle 16

National authorities should endeavour to promote the internalisation of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment.

Principle 17

Environmental impact assessment, as a national instrument, shall be undertaken for proposed activities that are likely to have a significant adverse impact on the environment and are subject to a decision of a competent national authority.

Principle 18

States shall immediately notify other States of any natural disasters or other emergencies that are likely to produce sudden harmful effects on the environment of those States. Every effort shall be made by the international community to help States so afflicted.

Principle 19

States shall provide prior and timely notification and relevant information to potentially affected States on activities that may have a significant adverse transboundary environmental effect and shall consult with those States at an early stage and in good faith.

Principle 20

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

Principle 21

The creativity, ideals and courage of the youth of the world should be mobilized to forge a global partnership in order to achieve sustainable development and ensure a better future for all.

Principle 22

Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.

Principle 23

The environment and natural resources of people under oppression, domination and occupation shall be protected.

Principle 24

Warfare is inherently destructive of sustainable development. States shall therefore respect international law providing protection for the environment in times of armed conflict and cooperate in its further development, as necessary.

Principle 25

Peace, development and environmental protection are interdependent and indivisible.

Principle 26

States shall resolve all their environmental disputes peacefully and by appropriate means in accordance with the Charter of the United Nations.

Principle 27

States and people shall cooperate in good faith and in a spirit of partnership for the fulfilment of the principles embodied in this Declaration and in the further development of international law in the field of sustainable development.

Annex 3

INTERNATIONAL DEVELOPMENT TARGET ON THE ENVIRONMENT

The International Development Targets have been agreed by the entire United Nations membership, following a series of summit meetings held by the UN and its specialised agencies over the last ten years or so. The meetings discussed progress in poverty reduction and sustainable development and set targets for measuring that progress.

The target for the environment is as follows:

There should be a current national strategy for sustainable development in the process of implementation, in every country by 2005, so as to ensure that current trends in the loss of environmental resources are effectively reversed at both global and national levels by 2015.