Thank you for your letter of 25 September addressing the concerns raised with you by the Representative of the Government of Anguilla, Mrs Blondel Cluff CBE. I apologise for the delay in responding. I understand that Mrs Cluff has been in discussion with the Foreign and Commonwealth Office over a number of months, and raised similar concerns in a letter to the Prime Minister, which Minister of State for the Foreign and Commonwealth Office, Lord Ahmad, responded to on 2 October.

I echo the assurances given to Mrs Cluff by Lord Ahmad that the UK is committed to involving the Overseas Territories fully as we negotiate to leave the European Union and to ensuring that their priorities are taken into account.

The Government’s White Paper on The Future Relationship Between the United Kingdom and the European Union, makes clear that the UK will be seeking specific arrangements for the Crown Dependencies, Gibraltar and the other Overseas Territories. As I set out at the Joint Ministerial Council in June, the details of these special arrangements will be negotiated after the conclusion of the Withdrawal Agreement and will form part of the future relationship. This does not mean, as Mrs Cluff suggests, that issues cannot be addressed in the context of the future relationship if they have not been expressly covered by the Withdrawal Agreement.

At the Joint Ministerial Council in June, I also discussed with the leaders of the Overseas Territories our considerations on the most suitable timing for raising the interests of the Overseas Territories directly in negotiations. Although I cannot comment in detail on the current status of our negotiations with the EU, I assure you that the Government will seek to address the concerns and equities of Anguilla, as well as the other Overseas Territories.

Mrs Cluff raises a number of specific concerns, which I will address in turn. On the question
of the border between Anguilla and Saint Martin/Sint Maarten, as the Home Office made clear at the Joint Ministerial Council in June, the Government does not see any evidence that EU exit will interrupt the flow of people between Anguilla and Saint Martin/Sint Maarten.

In regards to the movement of people, a Home Office examination has shown that the existing bilateral arrangements provide for visa-free access for short stays up to 90 days for British Citizens and British Overseas Territory Citizens entering from Anguilla. The visa waivers are not dependent on the UK’s membership of the EU, so will not be directly affected by the UK’s departure from the EU. If any attempts were made by the Saint Martin/Sint Maarten authorities to restrict border access, the Foreign and Commonwealth Office would of course do all they could, including through their local representatives in Anguilla, in Paris and in The Hague, to represent Anguilla’s interests robustly.

As set out in previous correspondence, the Government’s assessment is that the flow of goods between Anguilla and its neighbours will not be interrupted. Official customs data from August shows that over the past five years Anguilla’s trade with French and Dutch St Martin accounts for less than 12% of its total imports. By comparison, imports from the US account for 65% of total imports on average. This data shows that the island is therefore not heavily dependent upon the flow of goods through both sides of Saint Martin. The overwhelming majority of basic provisions arrive directly in container from the US or Puerto Rico, without any requirement to tranship via Saint Martin. However, I would like to assure you that the Government continues to keep the situation under review and stand ready to make representations in order to safeguard Anguilla’s interests if needed.

With respect to ferry services, it is correct that the authorities in Saint-Martin do not allow the transit of vessels through their waters after dark. I understand that this was a local arrangement introduced by a previous Préfète of Saint Martin out of concerns around the provision and cost of search and rescue services after dark. Addressing this matter is high on the Governor’s agenda with the new Préfète, but is not linked to our Exit negotiations.

The Department for Transport have previously assured my officials that there is no possibility of a ‘no-fly zone’ which would impede access to Anguilla. Under a future UK/EU deal, Anguilla and other UK Overseas Territories will be covered by the UK’s agreement with the EU. In a no-deal scenario, Anguilla would be covered by the UK’s future agreements with individual Member States; flights between UK Overseas Territories and EU Overseas Countries and Territories would be covered by these replacement agreements in all instances. As Anguilla and St Maarten are responsible for their own aeropolitical affairs, their existing bilateral agreement would continue, although it might need to be updated.

With regard to the provision of medical supplies, the Health Authority of Anguilla (HAA), which operates the public pharmacy at Princess Alexandra Hospital and Anguilla’s three health clinics, has advised the Governor that 90% of its pharmaceutical supplies come through the Organisation of Eastern Caribbean States (OECS) Pharmaceutical Procurement Service, with the remaining 10% being sourced directly in the United States. The supply chain should not, therefore, be affected at all by EU Exit. Private pharmacies on Anguilla are also able to rely on non-EU markets for the supply of medicines. We do not, therefore,
anticipate that EU exit will cause significant disruption to existing supply chains in Anguilla.

I do understand Mrs Cluff's concerns about timely access to humanitarian funds following Hurricane Irma. However, as a result of UK leadership, donor countries at the Development Assistance Committee (DAC) meetings in Paris agreed to work on a process which could allow previous aid recipients to receive short-term Overseas Development Assistance (ODA) support in the event of catastrophic humanitarian crises, even where their Gross National Income per capita would normally rule them out of receiving ODA. The DAC also agreed that countries which had been previously been eligible for ODA could be considered again if their per capita income fell as the result of a catastrophic natural disaster or other crisis. This means we will be in an even better position to react quickly in any similar situations in future.

The Government is fully committed to representing the interests of all our Overseas Territories as we negotiate with the EU. The Chancellor of the Duchy of Lancaster and I will submit a report to your Committee when we provide our regular update on all Exit engagements with the Devolved Administrations, Crown Dependencies and Overseas Territories. I will be happy to give an update to representatives from the Overseas Territories at the next Joint Ministerial Council in December.

I thank you and your Committee members for your knowledgeable and helpful scrutiny on these exit-related matters.

ROBIN WALKER MP
PARLIAMENTARY UNDER SECRETARY OF STATE FOR
EXITING THE EUROPEAN UNION

cc Mrs Blondel Cluff CBE
cc Mr Victor Banks