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Cayman Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 9 December 2019. Further details are contained in previous working papers, available from www.un.org/dppa/decolonization/en/documents/workingpapers.



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The Territory at a glance

Territory: The Cayman Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administrative Power: Governor Martyn Roper (since October 2018).

Geography: Located some 290 km west of Jamaica and about the same distance south of Cuba, the Territory comprises three islands: Grand Cayman, Cayman Brac and the adjacent Little Cayman.

Land area: 264 km².

Exclusive economic zone: 119,137 km².

Population: 65,813 (men and boys: 31,875; and women and girls: 33,938 (2018 estimate)).

Life expectancy at birth: 82.3 years (men: 79.8 years; women: 84.7 years, based on the 2010 population and housing census).

Ethnic composition: Afro-European (40 per cent), African (20 per cent), European (20 per cent), other (20 per cent).

Language: English.

Capital: George Town.

Head of the territorial Government: Premier Alden McLaughlin (since May 2013).

Main political parties: Progressives, Cayman Democratic Party.

Elections: The most recent elections were held on 24 May 2017; the next elections are due to be held in May 2021.

Legislature: Legislative Assembly (19 elected and 2 ex officio members).

Gross domestic product per capita: CI\$ 70,956 (nominal, 2018 estimate).

Economy: International financial services and tourism.

Main trading partners: United States of America.

Unemployment rate: 2.8 per cent (October 2018 estimate).

Monetary unit: Cayman dollar, pegged to the United States dollar (CI\$ 1 = US\$ 1.20).

Brief history: The Territory, reportedly sighted by Christopher Columbus in the late fifteenth century, was first settled by the British between 1661 and 1671. A tradition of self-government gradually grew in the Territory beginning in 1734 and a legislative assembly was established in 1831 and was known as the Assembly of Justices and Vestry. Slavery was abolished in 1834. In 1863, the Cayman Islands became a dependency of Jamaica and, when the latter achieved independence 99 years later, the Islands remained under the British Crown.

I. Constitutional, legal and political issues

1. Under the 2009 Constitution, the Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security and the appointment of persons to the civil service.

2. The Legislative Assembly consists of the Speaker, 19 elected members and 2 ex officio members, the Deputy Governor and the Attorney General. The Speaker can be either an elected member of the Assembly who is not a minister or a person qualified to be an elected member of the Assembly. The Territory's Cabinet, chaired by the Governor, is composed of the Premier, six other ministers and two ex officio members, namely, the Deputy Governor and the Attorney General. The Premier is a member of the Assembly who is recommended by the party with the majority of seats and appointed by the Governor. The six other ministers are appointed by the Governor upon the advice of the Premier from within the elected membership of the Assembly.

3. During the general elections held in May 2017, Progressives won 7 of the 19 seats in the Assembly. The Cayman Democratic Party won three seats and the remaining nine seats were won by candidates who ran as independents or as part of differing political groups. A coalition government, referred to as the "Unity Government", was formed with the seven members of the Progressives, three independent members and three members of the Cayman Democratic Party. As a result, the Leader of the Progressives, Alden McLaughlin, was reappointed as the Premier. In November 2019, one member of the Cayman Democratic Party resigned from the Government and joined the opposition.

4. The judiciary consists of a summary court (including a youth court), a coroner's court, a grand court and a court of appeal. The Summary Court has civil and criminal jurisdiction. Appeals from the Summary Court lie to the Grand Court, which is a superior court of record and administers the common law of England and Wales. Appeals from the Grand Court lie to the Court of Appeal, composed of a president and no fewer than two judges. Further appeals lie, in certain circumstances, to the Judicial Committee of the Privy Council in London. According to the administering Power, the Territory has also developed three "problem-solving" courts to deal with offenders with drug addiction or mental health problems or those who have committed offences in a domestic context.

5. As previously reported, in 2011, the Cayman Islands Review Committee issued a report entitled "United Kingdom and Cayman Islands Relationship Review". Among the central issues raised during the consultative exercise was a desire to achieve more local autonomy, while at the same time establishing a relationship that allowed for sustained support from the United Kingdom of Great Britain and Northern Ireland – for instance, in case of pressure from the international financial community.

6. In addition, as previously reported, at a meeting of the Commonwealth Parliamentary Association held in Johannesburg, South Africa, in September 2013, a former Premier of the Territory stated that the Cayman Islands had no mandate for independence, nor had the question arisen publicly.

7. In its written evidence submitted in October 2018 to the Foreign Affairs Committee of the House of Commons on the future of the overseas territories, the Government of the Cayman Islands provided its current assessment of the opportunities to improve the relationship with the United Kingdom "in the spirit of partnership as a self-sustaining British Overseas Territory", stating that the current Constitution gave them significantly more autonomy and devolved authority. A range of topics were covered in the evidence, including the responsibilities of the Government of the United Kingdom towards their constitutional relationship. In one

of the recommendations, the territorial Government stated that the Government of the United Kingdom should seek, where possible, to facilitate ministerial involvement from the overseas territories, so that the international community and relevant forums were reassured of the adequate representation of those territories, while citing the relevancy and benefit in the context of the delisting of the Non-Self-Governing Territories under the administration of the United Kingdom.¹

8. In connection with the Sanctions and Anti-Money Laundering Act of 2018 (see para. 20 below), Premier McLaughlin, in his statement on 22 November 2018, stated that the Cayman Islands did not accept that the Parliament of the United Kingdom had the right to legislate for it on domestic matters that were devolved to local Government, which was “constitutional overreach”. According to the territorial Government, at its request, a meeting between the territorial Government and the Government of the United Kingdom was held on 7 and 10 December 2018. The Cayman Islands proposed constitutional changes, provided them in draft form, sought safeguards at the meeting confirming that the territorial Government had autonomous capacity in respect of domestic affairs and that the United Kingdom would not seek to legislate, directly or indirectly, for the Cayman Islands without, at a minimum, consulting with the territorial Government, and also sought a small number of administrative changes to the Constitution to improve the operation of local government and legislature. In this context, the Premier stated that those proposals were not intended to secure the independence of the Territory, to usurp the proper role of the Government of the United Kingdom in external affairs, nor to attain a degree of autonomy beyond the accepted status. An agreement has been reached between the Government of the United Kingdom and the Cayman Islands and is pending the passing of an order in the Privy Council. Given the agreement between the Territory and the administering Power, a referendum on the constitutional changes is not expected. However, the Premier has invited the public to scrutinize the planned changes and offer its feedback.

II. Budget

9. Effective 1 January 2018, the Territory has modified its financial year cycle from July through June to January through December. The 2020 and 2021 budget document of the Territory, which covers a 24-month period from 1 January to 31 December in those years, respectively, forecasts a total operating revenue of CI\$ 825 million and operating expenditure of CI\$ 759.7 million for 2020 and a total operating revenue of CI\$ 849.7 million and operating expenditure of CI\$ 774.4 million for 2021.

10. For the 2018 financial year, the territorial Government achieved operating revenues of CI\$ 838.1 million in total revenue (CI\$ 100.7 million, or 15 per cent, more than originally budgeted). The operating and financing expenditures for 2018 amounted to CI\$ 669.3 million (CI\$ 25.2 million or 3.9 per cent higher than the original budget). The territorial Government registered an operating surplus of CI\$ 82.2 million over the same period, amounting to 95 per cent more than budgeted.

11. The unaudited financial results of the core Government for the six-month period ended 30 June 2019 show a CI\$ 190.2 million surplus (CI\$ 200.9 million for the entire public sector) and bank account balances of CI\$ 689.8 million in cash and deposits.

¹ For more details, see <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/foreign-affairs-committee/the-future-of-the-uk-overseas-territories/written/91210.pdf>.

12. Since 2012, the United Kingdom and the Cayman Islands have been working together under a framework for fiscal responsibility that commits the Territory to prudent and transparent fiscal management through effective medium-term planning. According to the administering Power, the Territory complies with the required debt and cash reserve ratios specified in the framework.

13. The Cayman Islands is a jurisdiction with no direct individual or corporate income tax. The principal sources of government revenue are import duties, financial services, licence fees, work permit fees and stamp duties. There is also an environmental tax on visitors.

14. The Cayman Islands is not eligible for territorial allocations under the eleventh European Development Fund but is eligible for non-programmed aid.

III. Economic conditions

A. General

15. The economy of the Cayman Islands is based on the provision of financial services – the dominant sector in the economy – and tourism. There are no commercial fisheries.

16. The 2018 real gross domestic product (GDP) was estimated at CUS\$ 4.57 billion, compared with CUS\$ 4.28 billion in 2017. The rate of growth of GDP at constant prices (2007) in 2018 was 3.3 per cent, compared with 3.0 per cent in 2017. The financial service sector remains the largest contributor to GDP.

B. Financial services

17. The financing and insurance services sector accounted for approximately 31 per cent of the Territory's GDP in 2018.

18. According to the Cayman Islands annual economic report for 2018, the Cayman Islands continued to be a major player in the global financial market, ranking twelfth in the world based on the value of the banking sector's assets and liabilities. Bank and trust licences maintained a downward trend, declining from 150 in 2017 to 133 in 2018. The total number of insurers increased by 0.8 per cent to 730 in 2018 as an increase in the number of international (captive) insurance licences offset a decrease in domestic insurers. The total number of company registrations increased by 8 per cent, from 99,327 in 2017 to a record 107,309 in 2018, with new company registrations also increasing, from 13,046 in 2017 to 16,326 in 2018.

19. Following the conclusion of the bilateral arrangement with the United Kingdom on the exchange of beneficial ownership information, the Cayman Islands beneficial ownership regime came into force on 1 July 2017. This new legislation reflects the shared and mutual determination of the United Kingdom and the Overseas Territories, expressed in the exchange of notes of April 2016, to continue to tackle corruption, fraud, money-laundering and the financing of terrorism and weapons of mass destruction and to further enhance transparency and law enforcement cooperation in the context of financial services. Under the law, companies incorporated or registered in the Cayman Islands are required to maintain a register of information about their beneficial owners or to file with the local competent authority the reason for which they are not required to maintain a beneficial ownership register. The centralized platform allows law enforcement and the local competent authorities to conduct instantaneous searches of the beneficial ownership registers of all companies incorporated or registered in the Cayman Islands, which in turn facilitates the swift

sharing of information on beneficial owners with international law enforcement or the competent authorities.

20. In May 2018, the Parliament of the United Kingdom passed the Sanctions and Anti-Money Laundering Act, pursuant to which the Secretary of State is required to provide all reasonable assistance to the Governments of overseas territories to enable each of those Governments to establish a publicly accessible register of the beneficial ownership of companies registered in its jurisdiction and to prepare, no later than 31 December 2020, a draft Order in Council requiring any overseas territory that has not introduced such a register to do so. That deadline has since been extended to 2023.

21. In June 2019, in the context of the Cayman Islands Economic Forum of 2019, the territorial Government provided an update on the issue of the beneficial ownership register, referring to a response by the administering Power to the Foreign Affairs Committee Report entitled “Global Britain and the British Overseas Territories”. According to the territorial Government, the response had made sweeping recommendations on registers of beneficial ownership, same-sex marriages and the right of citizens of the United Kingdom to vote and hold office in overseas territories. The territorial Government expressed its satisfaction with the response of the United Kingdom, which indicated a commitment to developing a positive and constructive relationship with its overseas territories and confirmed that it had no intention of interfering with locally determined franchise and representational arrangements. The territorial Government further stated, that with regard to public registers of beneficial ownership, the administering Power had committed to following a consultative process and to not accelerating the current timetable to implement public registers before the end of 2023. The Premier of the Cayman Islands had made it clear that the Territory would continue to resist any attempts by the Government of the United Kingdom to impose public registers in the absence of a global standard. The territorial Government explained that it had no interest in seeing any illegal money funnelling through the financial institutions of the Cayman Islands, but wanted to ensure a level playing field in the global market. It confirmed that, once the beneficial ownership register had become the global standard, the Cayman Islands would comply.

22. According to the territorial Government, a comprehensive action plan is in place to address the recommendations identified in a Caribbean Financial Action Task Force report of March 2019 and avoid the Territory being placed on a Task Force grey list. In the mutual evaluation report, the Task Force found “deficiencies” in the ability of the Cayman Islands to analyse and understand the risks of money-laundering and terrorism financing. The Task Force concluded that the Cayman Islands had not provided sufficient risk analysis in certain financial sectors that were not subject to supervision, such as lawyers and legally excluded persons. A dedicated task force, comprising a cross section of government agencies, has been appointed to oversee the plan, and all of the concerns are expected to be remedied within a period of one year. In a European Union assessment of the Cayman Islands against three criteria (tax transparency, fair taxation and the implementation of the base erosion and profit shifting programme of the Organization for Economic Cooperation and Development (OECD)), the European Union had no concerns about the position of the Cayman Islands. With respect to the criterion on fair taxation, the European Union positively recognized that the Cayman Islands tax system does not differentiate on the basis of any factors such as residency. However, the Cayman Islands has agreed to further assess the fair taxation criterion and, at the time of drafting, had committed itself to working with European Union officials to address the issue by December 2019.

23. The Cayman Islands is a party to the Council of Europe-OECD Convention on Mutual Administrative Assistance in Tax Matters. The Cayman Islands is also a party to the Multilateral Competent Authority Agreement on Automatic Exchange of

Financial Account Information, on article 6 of the Convention. The first exchanges under the OECD Common Reporting Standard were completed in September 2017.

C. Tourism

24. Expansion in the tourism sector contributed to the growth of GDP in 2018. Cayman Airways, along with other airlines, operates international service from various cities in Canada, Cuba, Honduras, Jamaica, the United Kingdom and the United States of America. Domestic airline service and charter flights operate between the three islands in the Territory.

25. In 2018, the number of overall tourist arrivals was approximately 2.4 million, an increase of 11 per cent from 2017 and the highest number since 2000. The increase can be attributed mainly to a 10.7 per cent increase in arrivals by air (approximately 463,000 in 2018) and by cruise (1.9 million passengers and 638 cruise ship calls). The number of stay-over arrivals in the Territory has been on the rise since 2009, reaching some 463,000 in 2018 (approximately 20 per cent of overall arrivals), having increased from 418,400 in 2017 (also 20 per cent of overall arrivals). In 2018, the distribution of arrivals by air by country of origin indicated that 83 per cent came from the United States, followed by Canada (5.8 per cent) and Europe (4.9 per cent).

D. Agriculture

26. In 2017, the agriculture and fishing industries contributed CI\$ 15.65 million to the GDP of the Territory, compared with CI\$ 10.66 million in 2016, representing 0.38 per cent of total GDP in 2017.

27. The Department of Agriculture continues to encourage local agricultural production through the provision of technical support, education and assistance to farmers.

E. Infrastructure

28. The number of building permits granted increased by 5.6 per cent, from 879 in 2017 to 959 in 2018, amounting to a value of CI\$ 247.9 million, an increase of 9.1 per cent from CI\$ 234.7 million in 2017. A total of 763 proposed projects were approved in 2018, at a value of CI\$ 756.2 million, compared with 1,216 projects in 2017, at a value of CI\$ 804.9 million.

29. According to the administering Power, the Grand Cayman road network consists of approximately 518 travel lane km with approximately 43 km of primary arterial roads and 113 km of secondary arterial roads.

30. The Owen Roberts International Airport redevelopment project was completed in March 2019, and the airport was officially opened by Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall.

F. Telecommunications and utilities

31. Currently, four telecommunications companies provide fixed and/or mobile voice and data services, and three companies provide subscription television services. There are 15 FM radio broadcasting stations in the Territory. In 2018, the total number of fixed and mobile telephone handsets in operation increased by 7 per cent to 140,567, compared with 131,424 in 2017. The number of high-speed broadband

connections decreased from 31,232 in 2017 to 24,413 in 2018. The upgrade of the national public safety radio system of the Territory, aimed at supporting public safety communications among emergency and first responders, including those activated in a disaster, was completed in April 2019.

32. On Grand Cayman, where the Caribbean Utilities Company has a non-exclusive licence for electricity generation and an exclusive licence for its transmission and distribution, almost all power generation relies on imported diesel. In October 2015, the Electricity Regulatory Authority approved a 5 MW solar power purchase agreement between an independent power producer and the Caribbean Utilities Company to provide energy to power some 800 homes with renewable solar energy. Furthermore, since 2011, Grand Cayman has had a consumer-owned renewable energy generation programme, which allows consumers to generate energy from renewable sources and to be compensated through stable, long-term rates, with a current capacity limit of 6 MW, increased from 4 MW in 2016. On Cayman Brac and Little Cayman, the Cayman Brac Power and Light Company has exclusive licences. Official statistics indicate that net electricity production decreased slightly to 641,800 MW hours in 2018, compared with 654,300 MW hours in 2017, while electricity consumption rose, from 621,800 MW hours in 2017 to 628,800 MW hours in 2018, or by 1.1 per cent.

33. According to official data, in 2018, water consumption in the Cayman Islands increased by 1.1 per cent, from 1.9 million in 2017 to more than 2 million gallons in 2018, while water production rose by 1 per cent, from 2.3 million gallons in 2017 to more than 2.4 million gallons in 2018.

IV. Social conditions

A. General

34. According to information provided by the administering Power, approximately 1,910 families received some form of welfare service.

35. According to the administering Power, to provide a more effective response to the social issues within the Territory, the Ministry of Community Affairs continues to strategically align the services offered under its ambit to enhance efficiency and effectiveness. The Needs Assessment Unit provides welfare services, inclusive of food, housing, rental assistance and burial, to Caymanians in need. In addition, the Department of Children and Family Services manages clinical services (such as care and protection investigation, assessment and monitoring of cases that involve child abuse, foster care and adoption and residence orders), programme services (including the provision of residential services to adults with special needs and persons with disabilities, community development and disaster preparedness), as well as services to older persons. The Multi-Agency Safeguarding Hub, which opened in March 2017, continues to develop its procedural and policy framework to guide best practices in assessing and investigating child abuse matters. In August 2018, a memorandum of understanding was signed between the lead agencies of the Hub. According to statistics released by the Royal Cayman Islands Police Service, the number of domestic violence referrals more than doubled in 2018 (2,218 referrals) compared with 2017 (990 referrals), which was already an increase over 2016 (742 referrals). Since 2015, the number of domestic violence and child safeguarding referrals have steadily increased, with sharp increases in 2018 of 124 per cent and 52 per cent, respectively. While it is possible that the outreach of the Family Support Unit and the Hub, as well as authoritative verdicts in high-profile court cases, gave people the confidence to come forward to report domestic violence or child safety matters in

2018, it is not clear that behavioural change on the part of victims alone accounts for the dramatic increase in the number of referrals.

36. According to the administering Power, the Department of Counselling Services continued to enhance its services to address more effectively a broader range of emerging needs in society through, for example, community-based therapy, counselling services that were restructured to provide more effective responses to the growing number of persons in need, a music therapy programme, parent coaching, skills-building workshops and other programmes.

B. Labour and immigration

37. In 2018, the labour force, numbering 46,178 persons, expanded by 7.5 per cent over 2017, comprising 21,747 Caymanians (47.1 per cent of the total labour force), 20,400 non-Caymanians (44.2 per cent) and 4,032 permanent residents (8.7 per cent). The expansion was attributed to growth in the Caymanian and the non-Caymanian labour force, which increased by 4.7 per cent and 14.5 per cent, respectively. In contrast, the labour force of permanent residents with the right to work decreased by 7.3 per cent. The unemployment rate among Caymanians was 4.6 per cent in 2018 (compared with 7.3 per cent in 2017) and 1.2 per cent among non-Caymanians in 2018 (compared with 2.1 per cent in 2017). The overall unemployment rate in 2018 was 2.8 per cent, a decrease from 4.9 per cent in 2017.

38. The independent Minimum Wage Advisory Committee, appointed by Cabinet under the provisions of the Labour Law (2011), presented its final recommendations on establishing a minimum wage regime for the Cayman Islands in February 2015, which were accepted by the Government. An hourly minimum wage of C\$ 6 was established as at 1 March 2016 through the Labour (National Minimum Basic Wage) Order 2016.

39. As previously reported, the Territory's Immigration Law was amended in 2013 to effect changes, among other things, to the grant of permanent residence, the expiration of the term-limit exemption permit for key employees and the tenure of specialist caregivers.

40. Government statistics indicate that the number of work permits for non-Caymanian workers increased from 25,305 in 2017 to 26,657 in 2018.

C. Education

41. Education is compulsory for all resident children between 5 and 16 years of age. The public education system caters to about two thirds of Caymanian children, with the remainder attending fee-paying schools. According to the administering Power, non-Caymanian children can access the public system only in exceptional circumstances. Two public and two private institutions provide tertiary education. Students from overseas territories benefit from the home student rate for tuition fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

D. Public health

42. Health insurance is compulsory in the Cayman Islands. The Territory's Health Services Authority is responsible for the provision of all public health care. According

to the Pan American Health Organization, the Authority is the sole provider of public health care services at the primary, secondary and tertiary levels of service.

E. Crime and public safety

43. The 458-strong Royal Cayman Islands Police Service is headed by a commissioner, who reports to the Governor.

44. Overall reported crime decreased, from 3,600 incidents in 2017 to 3,453 in 2018. Similarly, the number of serious crimes decreased, from 1,485 in 2017 to 1,335 in 2018. Burglary was the serious crime with the greatest number of victims, notwithstanding its significant decline from 510 recorded incidents in 2017 to 324 in 2018.

45. There were 7,437 traffic accidents in 2018, a 49 per cent increase from the 4,980 accidents reported in 2017. The number of fatalities increased to 8 in 2018 from 3 in 2017.

46. The Cayman Islands Monetary Authority is the body responsible for monitoring compliance with international financial standards in the Territory and for reporting findings to the territorial Government on a regular basis. An anti-corruption commission was established under the Territory's Anti-Corruption Law (2008).

47. In 2019, the work of the United Kingdom-funded office of the law enforcement adviser was affected by the retirement of the post holder and the process of hiring a successor. *RFA Mounts Bay* has been stationed in the Caribbean since January 2017, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom to support the overseas territories to prepare for and respond to the threat of hurricanes and other disasters and to provide humanitarian assistance, disaster relief and crisis communications support in the region. The Government of the United Kingdom indicated its commitment to providing assistance to the overseas territories to deal with major storms and other disasters in the future.

F. Human rights

48. The Human Rights Commission was established under section 116 of the Cayman Islands Constitution Order 2009 and appointments were first made in January 2010. The Commission's primary responsibility is to promote understanding and observance of human rights in the Cayman Islands. In addition, the Commission has powers to accept and investigate public complaints regarding potential breaches of human rights, to provide a forum for mediation or conciliation, to give advice and guidance and to publish reports of its own initiative on human rights issues. It is an independent body that is not subject to the direction or control of a person or an authority.

49. Part I of the Cayman Islands Constitution Order 2009 setting out the Bill of Rights, Freedoms and Responsibilities came into effect on 6 November 2012, with the exception of the provisions relating to the segregation of prisoners (not convicted from convicted prisoners and juvenile from adult prisoners), which came into effect on 6 November 2013. According to the administering Power, a number of claims to redress alleged human rights violations have been determined by the courts, including some claims challenging the compatibility of legislation with the Bill of Rights.

50. The Territory is subject to several major human rights conventions and instruments to which the administering Power has acceded, including the Convention for the Protection of Human Rights and Fundamental Freedoms, the International

Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. The Gender Affairs Unit, a section of the Ministry of Community Affairs, is the focal point within the Cayman Islands Government for addressing the issue of gender mainstreaming. Through the Unit, the Ministry provides sector-specific gender training, public education efforts, and gender-awareness training and analysis of the policies, operations and programmes within the Ministry and other government entities as required.

51. According to the administering Power, the Gender Equality Tribunal established pursuant to the Gender Equality Law (2011) has heard and determined seven complaints of discrimination. In 2018, the only complaint pending was withdrawn, and at the time of drafting, there was one case pending a hearing.

52. Further to the Legislative Assembly passing the Disabilities (Solomon Webster) Law on 24 October 2016 to implement parts of the Cayman Islands Disability Policy, a National Council for Persons with Disabilities was established with oversight of policy implementation and the creation of a voluntary disabilities register to improve the quantity and quality of available data on persons with disabilities in order to inform policy, legislation and services.

53. According to the administering Power, the Council of Older Persons was established pursuant to the Older Persons Law (2017). The Council of Older Persons convened its first meeting in November 2017 and continued to meet throughout 2018 in order to oversee policy implementation and to promote, protect and advance the well-being of older persons.

V. Environment and disaster preparedness

54. The Cayman Islands are included in the United Kingdom ratification of the Convention on Biological Diversity. The Department of Environment works, together with other agencies, to ensure that the Territory's natural resources are preserved and protected. Hazard Management Cayman Islands, a government agency, has overall responsibility for the Territory's hazard management programme, including preparedness, response, mitigation and recovery. An annual hurricane exercise is conducted prior to the hurricane season, which runs from 1 June to 30 November, in addition to exercises related to other hazards. According to the administering Power, the Territory has also engaged in several initiatives sponsored by the Foreign and Commonwealth Office to enhance resilience.

55. Increasing recreational and artisanal fishing in the shallow waters around the Cayman Islands continues to represent a threat to the Territory's marine environment. The National Conservation Law (2013) aims to protect and conserve endangered, threatened and endemic plants and their habitats, as well as the variety of wildlife in the Cayman Islands. The National Conservation Council was established in 2014 by the Law to facilitate its goals. Furthermore, the Department of Agriculture collaborates with the Council to protect the agricultural sector from the introduction of invasive alien species that could have a negative impact on crop and livestock production, as well as public health and national flora and fauna, such as the Cayman blue iguana.

56. Following the adoption of the Paris Agreement at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2015, the territorial Government initiated a review of its draft national energy

policy of 2013 and draft climate change policy of 2011, which were aimed at facilitating the transition to a climate-resilient, low-carbon economy. In 2017, the National Energy Policy 2017–2037 was introduced. According to the Premier of the Cayman Islands, the vision of this policy, “Enhancing and embracing a sustainable lifestyle through responsible and innovative energy supply and consumption”, provides a framework for sustainability of the Territory’s energy sector. The policy focuses on exploiting renewable energy, promotes energy efficiency and conservation measures and supports energy security by reducing reliance on imported fossil-based fuels.

57. The Cayman Islands is in the process of establishing a new reserve unit, to be known as the Cayman Regiment, with support from the administering Power. The Regiment will be the first defence force for the Territory and is intended to provide a boost to security and the disaster management capability of the Cayman Islands and the wider Caribbean. Initially, assistance from the administering Power is expected to take the form of logistical advice and support, but will be developed further to include operational training and equipment.

VI. Relations with international organizations and partners

58. The Cayman Islands is an associate member of the Economic Commission for Latin America and the Caribbean and of the United Nations Educational, Scientific and Cultural Organization and a member of the Universal Postal Union. The Territory also participates in the work of the Caribbean Community (CARICOM) as an associate member and is a member of the Caribbean Development Bank and the International Olympic Committee. In October 2016, the Cayman Islands hosted, for the first time as an associate member of CARICOM, the annual Caribbean Week of Agriculture, in collaboration with the secretariat of CARICOM and the Alliance for Sustainable Development of Agriculture and the Rural Milieu. In June 2019, the Cayman Islands agreed to join the Caribbean Disaster Emergency Management Agency.

59. The representative of the Cayman Islands attended the fortieth regular meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM), held in Gros Islet, Saint Lucia, from 3 to 5 July 2019. The Conference issued a communiqué in which Heads of Government expressed their deep concern at the continued blacklisting of some of the member States and associate members and viewed such action as a clear and direct threat to the economic well-being of those countries and the region.

60. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with but not a part of the European Union. Since January 2014, the Territory has been a partner under the 2013 Overseas Association Decision of the Council of the European Union, which was approved, among other things, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world. According to the administering Power, the United Kingdom and its overseas territories have continued their dialogue on the implications for the latter of the departure of the United Kingdom from the European Union. The administering Power reiterated its commitment to achieving an outcome that worked for all parts of the British family.

VII. Future status of the Territory

A. Position of the territorial Government

61. Information on the position of the territorial Government regarding the future status of the Cayman Islands is reflected in section I above.

B. Position of the administering Power

62. According to the administering Power, owing to the general election held in the United Kingdom on 12 December 2019, the seventh meeting of the Joint Ministerial Council was postponed until the first quarter of 2020, when the administering Power will host the representatives of the Governments of its overseas territories to discuss a wide range of policy issues, among them, the departure of the United Kingdom from the European Union, environmental matters and other pressing issues.

63. At the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 15 October 2019, during the seventy-fourth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. She added that the Joint Ministerial Council was the primary forum for annual high-level political dialogue between the United Kingdom and the overseas territories and had a mandate to monitor and advance collective priorities, in the spirit of partnership.

64. She went on to say that, in the communiqué adopted at the sixth meeting of the Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories had reiterated their commitment to a modern political partnership and their continued support for the constitutional arrangements in the territories, under which powers were devolved to the maximum extent possible consistent with British sovereignty.

65. She stated that her Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples and that territorial Governments were expected to meet the same high standards as the Government of the United Kingdom in maintaining the rule of law, respect for human rights and integrity in public life, delivering efficient public services and building strong and successful communities and were being supported by her Government in those areas. She explained that her Government was fully committed to involving all overseas territories in the negotiations on leaving the European Union. To that end, the administering Power had established a joint ministerial committee on European Union negotiations to discuss the priorities of the overseas territories.

VIII. Action taken by the General Assembly

66. On 13 December 2019, the General Assembly adopted resolution [74/102](#) on the question of the Cayman Islands without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples ([A/74/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of the Cayman Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the Cayman Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the Cayman Islands to determine freely their future political status, in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Recalled the 2009 Constitution of the Cayman Islands, and stressed the importance of the work of the Constitutional Commission, including its work on human rights education;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Stressed that the Territory should continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

(h) Also stressed the importance of the Special Committee being apprised of the views and wishes of the people of the Cayman Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Cayman Islands and the administering Power;

(i) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Cayman Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(j) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(k) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for

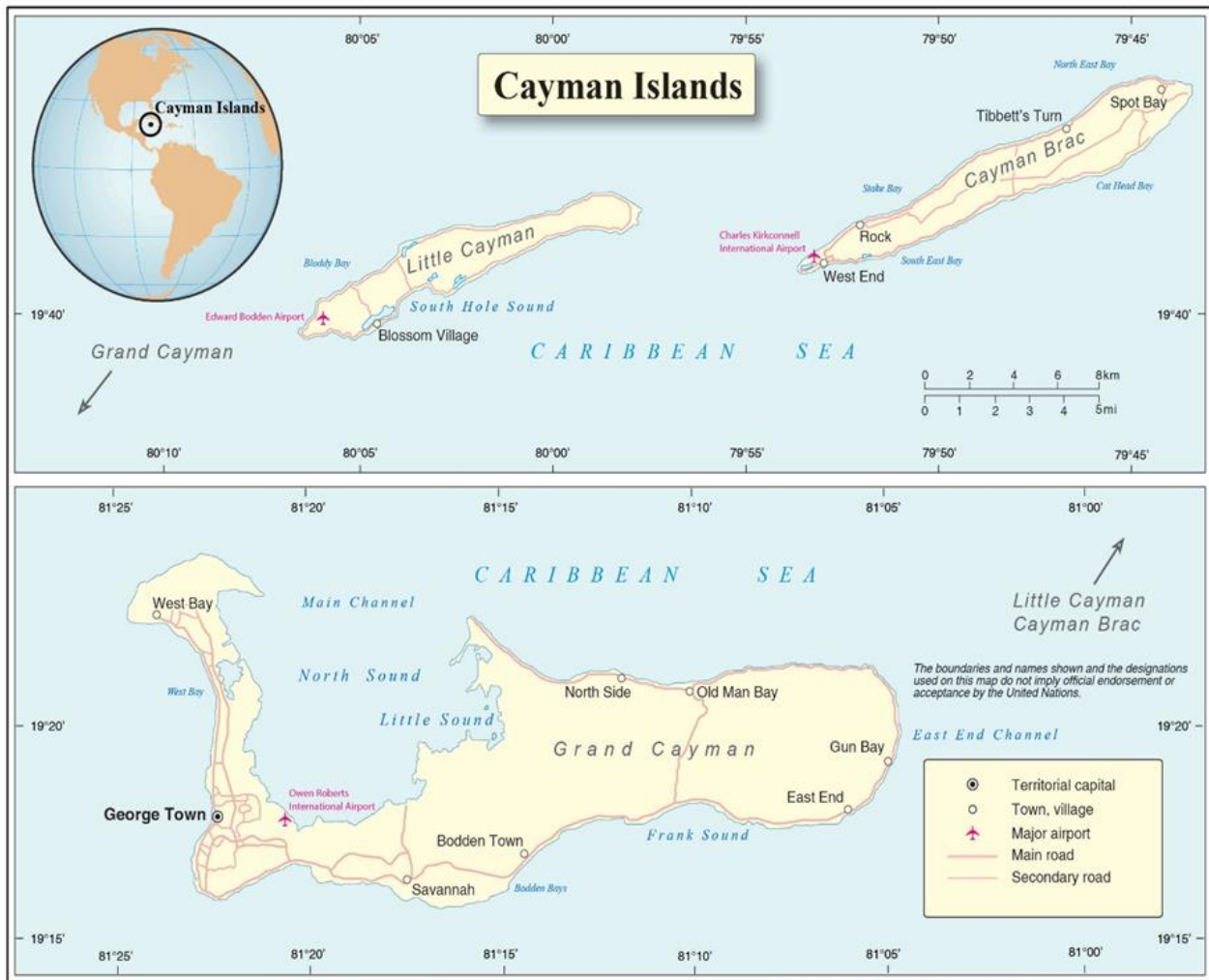
all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supported, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as an international financial centre, that were not aligned with the interest of the people of the Territory;

(l) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(m) Requested the Special Committee to continue to examine the question of the Cayman Islands and to report thereon to the General Assembly at its seventy-fifth session and on the implementation of resolution [74/102](#).

Annex

Map of the Cayman Islands



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Department of Field Support
Geospatial Information Section (formerly Cartographic Section)