



General Assembly

Distr.: General
11 March 2021

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Cayman Islands

Working paper prepared by the Secretariat

Contents

	<i>Page</i>
The Territory at a glance	3
I. Constitutional, legal and political issues	4
II. Budget	4
III. Economic conditions	5
A. General	5
B. Financial services	5
C. Tourism	7
D. Agriculture	7
E. Infrastructure	7
F. Telecommunications and utilities	8
IV. Social conditions	8
A. General	8
B. Labour and immigration	9
C. Education	10
D. Public health	10

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 2020. Further details are contained in previous working papers, available at www.un.org/dppa/decolonization/en/documents/workingpapers.



E.	Crime and public safety	10
F.	Human rights	11
V.	Environment and disaster preparedness.	12
VI.	Relations with international organizations and partners.	13
VII.	Future status of the Territory	13
A.	Position of the territorial Government.	13
B.	Position of the administering Power	13
VIII.	Action taken by the General Assembly	14
Annex		
	Map of the Cayman Islands	17

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 Keith 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: 69,914 (men: 34,539; and women: 35,375 (2019 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 and Cayman Democratic Party.

Elections: The most recent elections were held on 24 May 2017; the next elections are expected to be held on 14 April 2021.

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

Gross domestic product per capita: CI\$ 73,694 (2019 estimate).

Economy: International financial services and tourism.

Main trading partners: United States of America.

Unemployment rate: 3.5 per cent (2019 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. The current Constitution entered into force on 6 November 2009 and was amended in November 2020. Under the 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. In accordance with the 2020 constitutional amendment, the Parliament of the Cayman Islands 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 Parliament who is not a minister or a person qualified to be an elected member of Parliament.
3. 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 Parliament 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 Parliament. The last general election took place in May 2017, resulting in a coalition government referred to as the "Unity Government". It comprises the seven members of the Progressives, three members of the Cayman Democratic Party and three independent members. The Leader of the Progressives, Alden McLaughlin, was reappointed as the Premier.
4. According to the administering Power, justice in the Cayman Islands is administered at three levels: in the Summary Court (including the Youth, Juvenile, Family, Domestic Violence Drug Rehabilitation Courts and the mental health Court), the Grand Court and the Court of Appeal. The Summary Court has civil and criminal jurisdiction. Coroner's inquests are held in Summary Court where a magistrate sits with a jury as Coroner for the Islands. According to the administering Power, appeals from the Summary Court are heard by the Grand Court, which is a superior court of record and administers the common law of England and the law of equity of England, as well as locally enacted laws and applied laws. Appeals from the Grand Court are heard by the Court of Appeal, composed of a president and no fewer than two judges. Further appeals are heard, in certain circumstances, by the Judicial Committee of the Privy Council in London.
5. According to the Premier, the Constitution (Amendment) Order 2020, which was approved by the Privy Council on 11 November 2020, lay before Parliament on 18 November 2020 and came into effect on 4 December 2020, brought the Territory "a step forward to greater self-determination". The amendment was introduced following the constitutional review by the Cayman Islands Review Committee and the meetings between the territorial Government and the Government of the United Kingdom of Great Britain and Northern Ireland on 7 and 10 December 2018, during which they discussed the proposed constitutional changes and confirmed 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.

II. Budget

6. The 2020 and 2021 budget document of the Territory, which covers a 24-month period from 1 January 2020 to 31 December 2021, forecast a total operating revenue of Cayman dollar (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. According to the administering Power, deficits are expected to rise in the 2020 and 2021 financial years as a result of the impact of the coronavirus disease (COVID-19) pandemic.

7. According to the administering Power, for the 2019 financial year the territorial Government achieved operating revenues of CI\$ 862 million in total revenue (CI\$ 139.1 million, or 16.7 per cent, more than originally budgeted). The operating and financing expenditures for 2019 amounted to CI\$ 701.6 million (CI\$ 43.9 million or 6.7 per cent higher than the original budget). The territorial Government registered an operating surplus of CI\$ 160.4 million over the same period, amounting to 146 per cent more than budgeted.

8. The unaudited financial results of the core Government for the nine-month period which ended on 30 September 2020, showed a CI\$ 30.4 million surplus (CI\$ 32.2 million for the entire public sector) and bank account balances of CI\$ 498.8 million in cash and deposits.

9. 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.

10. 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.

11. 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

12. 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.

13. The 2019 real gross domestic product (GDP) was estimated at CI\$ 4.49 billion, compared with CI\$ 4.35 billion in 2018. The rate of growth of GDP at constant prices in 2019 was estimated at 3.2 per cent, compared with 4.1 per cent in 2018. The financial service sector remains the largest contributor to GDP.

B. Financial services

14. The financing and insurance services sector accounted for approximately 30 per cent of the Territory's GDP in 2019. The domestic banking sector is estimated to have grown due to increased loan activities as household and business credits expanded.

15. According to the Cayman Islands annual economic report for 2019, the Cayman Islands continued to be a major player in the global financial market, ranking fourteenth 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 133 in 2018 to 125 in 2019. The total number of insurers decreased by 7.9 per cent to 672 in 2019 as both the number of international (captive) insurance licences and domestic licences declined. The total number of company registrations increased by 2.1 per cent, from 107,309 in 2018 to a record 109,556 in 2019. In contrast, new company registrations declined from 16,326 in 2018 to 12,822 in 2019.

16. 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. 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.

17. 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. On 15 July 2020, the Government of the United Kingdom welcomed the statements made by eight overseas territories, including the Cayman Islands, in which they committed themselves to greater transparency in financial services by announcing that they would establish publicly accessible registers of the beneficial ownership of companies.

18. 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).

19. The territorial Government continues to make progress on its comprehensive action plan to address the recommendations identified in a report by the Caribbean Financial Action Task Force of March 2019, in order to avoid the Territory being placed on a Task Force grey list. According to the administering Power, among others, the action plan includes updating the national anti-money-laundering and countering the financing of terrorism strategies; completing targeted risk assessments, including in the areas of terrorist financing, legal persons and arrangements, and non-profit organizations; officially forming the Cayman Islands Bureau of Financial Investigations (part of the Royal Cayman Islands Police Service); strengthening Customs and Border Control resources for seizing the proceeds of crime; and strengthening the notification process in relation to internationally set targeted financial sanctions against the financing of terrorism or weapons of mass destruction. Targeted and industry-specific outreach has also been ongoing since 2019, and a public education campaign is in place. In October 2020, the European Union delisted the Territory from its list of non-cooperative jurisdictions for tax purposes, after it adopted new reforms to its framework on collective investment funds in September 2020. The European Union had added the Territory to its list in February 2020 in relation to investment funds supervision. In response, the Territory expanded the scope of its funds regime to ensure that the Cayman Islands Monetary Authority, its financial services regulator, has the legal mandate to supervise all Cayman-based investment funds.

20. The Cayman Islands is a party to the Council of Europe-Organization for Economic Cooperation and Development (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. The Cayman Islands is also a party to the Multilateral Competent Authority Agreement on

the exchange of Country-by-Country Reports under Base Erosion and Profit Shifting Action 13. According to the administering Power, the Cayman Islands will spontaneously exchange information with relevant jurisdictions for the purposes of the substantial activities requirements for non-tax jurisdictions or only nominal tax jurisdictions under Base Erosion and Profit Shifting Action 13.

C. Tourism

21. 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.

22. In 2019, the number of overall tourist arrivals was approximately 2.3 million, a decrease of 2 per cent from 2018. The decrease can be attributed mainly to a 4.7 per cent decrease in arrivals by cruise (approximately 1.8 million passengers in 2019). The number of stay-over arrivals in the Territory had been on the rise since 2009, reaching a milestone of some 502,739 in 2019 (approximately 22 per cent of overall arrivals), having increased by 8.6 per cent from 463,000 in 2018 (approximately 20 per cent of overall arrivals). In 2019, the distribution of arrivals by air by country of origin indicated that 83 per cent came from the United States, followed by Canada (6 per cent), Europe (4.8 per cent) and Latin America (1.4 per cent).

23. According to statistics from the territorial Government, from January to November 2020, the number of visitors by air and cruise arrivals declined by 67.5 per cent and 66.8 per cent respectively, compared with the same period in 2019.

D. Agriculture

24. In 2018, the agriculture and fishing industries contributed 0.4 per cent of the total GDP of the Territory, maintaining the same level since 2010.

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

E. Infrastructure

26. In 2018, the construction sector contributed to 3.8 per cent of the total GDP of the Territory, an increase from 3.6 per cent in 2017. The number of building permits granted in Grand Cayman increased from 959 in 2018 to 1,249 in 2019, amounting to a value of CI\$ 490.3 million, from CI\$ 247.8 million in 2018. A total of 748 proposed projects were approved in Grand Cayman in 2019, at a value of CI\$ 890.4 million, compared with 722 projects in 2018, at a value of CI\$ 752.3 million.

27. 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.

28. 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

29. The Information and Communication sector contributed 2.7 per cent of total GDP in 2018, maintaining the same level as 2017. 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. 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.

30. 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 9 MW, increased from 4 MW in 2016. Since 2018, Grand Cayman has had a distributed energy resources programme of 3 MW that was approved by the Utility Regulation and Competition Office. According to the administering Power, the total capacity of intermitted renewable energy that can be safely and reliably connected to the grid in Grand Cayman is currently 17 MW.

31. In May 2019, the Cayman Brac Power and Light Company was granted a non-exclusive licence for electricity generation and an exclusive licence for its transmission and distribution on Cayman Brac and Little Cayman. Official statistics indicate that net electricity production in Grand Cayman increased to 678,800 MW hours in 2019, compared with 641,800 MW hours in 2018, while electricity consumption also rose, from 628,822 MW hours in 2018 to 667,748 MW hours in 2019, or by 6.2 per cent.

32. According to official data, in 2019 water consumption in the Cayman Islands increased by 2.5 per cent, from 2,009.4 million gallons in 2018 to 2,058.9 million gallons in 2019, while water production rose by 3.9 per cent, from 2,424.0 million gallons in 2018 to 2,518.8 million gallons in 2019.

IV. Social conditions

A. General

33. According to the administering Power, in order 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. Since March 2017, the Multi-Agency Safeguarding Hub has continued to develop its procedural and policy framework to guide best practices in assessing and investigating child abuse matters.

34. According to statistics released by the Royal Cayman Islands Police Service, the number of domestic violence referrals increased by 28 per cent in 2019 (2,839 referrals) compared with 2018 (2,218 referrals), which had already more than doubled from 2017 (990 referrals). In 2019, 57 per cent of all crimes involving an act of violence incorporated an element of domestic violence. The offender or suspect profile for domestic violence-related incidents and crimes is mainly male (74 per cent of cases), while victims are more likely to be women (71 per cent of cases). Since 2015, the number of domestic violence and child safeguarding referrals have steadily increased, with increases in 2019 of 28 per cent and 33 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.

35. 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

36. In 2019, the labour force, numbering 49,089 persons (25,222 men and 23,867 women), expanded by 6.3 per cent compared with 2018, comprising 21,269 Caymanians (43.3 per cent of the total labour force), 22,948 non-Caymanians (46.8 per cent) and 4,872 permanent residents with the rights to work (9.9 per cent). The expansion was attributed to growth in the non-Caymanian labour force and in permanent residents, which increased by 12.5 per cent and 20.8 per cent, respectively. In contrast, the labour force of Caymanians decreased by 2.2 per cent. The unemployment rate among Caymanians was 5.6 per cent in 2019 (compared with 4.6 per cent in 2018) and 1.4 per cent among non-Caymanians in 2019 (compared with 0.5 per cent in 2018). The overall unemployment rate in 2019 was 3.5 per cent, an increase from 2.8 per cent in 2018. Government statistics indicate that the number of work permits for non-Caymanian workers increased from 26,657 in 2018 to 27,514 in 2019.

37. The Customs and Border Control Law 2018 came into effect in 2019, and the Cayman Islands Customs and Border Control was established on 1 February 2019, merging the Customs Department and the border control functions of the Department of Immigration. In addition, regarding the processes for persons seeking work permits, residency and the right to be Caymanian, the Immigration (Transition) Law 2019 facilitated the transfer of power and authority from the Department of Immigration to a Workforce Opportunities and Residency Cayman, which was established in May 2018.

38. The minimum basic wage in the Territory remains CI\$ 6 (gross) per hour for most employees, and the gross hourly minimum wage rate for service employees of an employer that has a registered gratuities scheme is CI\$ 4.50. There are also special calculations for live-in household domestics, as well as for employees who work on a commission basis. According to the administering Power, the Minimum Wage Advisory Committee, with assistance from the International Labour Organization, will reconvene to determine if the current minimum wage is still effective and make recommendations for reforms.

C. Education

39. Education is compulsory for all resident children between 5 and 17 years of age. In the 2018–2019 school year, 8,241 students (51 per cent male and 49 per cent female) were enrolled in compulsory education. According to the administering Power, the Government education system caters to about two thirds of Caymanian children, with the remainder attending fee-paying schools. Non-Caymanian children can access the public system only in exceptional circumstances. Two public and two private institutions provide tertiary education.

40. 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

41. The Territory's Health Services Authority is responsible for the provision of all public health care. According to the Pan American Health Organization (PAHO), the Authority is the sole provider of public health care services at the primary, secondary and tertiary levels of service. Health insurance is compulsory on the Cayman Islands.

42. On 21 December 2020, the territorial Government signed a partnership agreement with a private healthcare group to develop a new medical facility. According to the administering Power, the territorial Government also partners with various agencies, including Public Health England and the Caribbean Public Health Agency, as well as PAHO.

43. As at 24 February 2021, the total number of confirmed cases of coronavirus disease (COVID-19) was 431, with two deaths. The National Emergency Operations Centre was activated by the Deputy Governor and Chair of the National Hazard Management Council in March 2020 to ensure a well-coordinated, multi-sectoral national response to COVID-19. It was deactivated on 30 June. The territorial Government first closed its borders, reportedly except for repatriation flights, on 22 March 2020. As at 1 October 2020, the territorial Government commenced the phased opening of its international borders. On 5 January 2021, the Cayman Islands received the first batch of vaccines, free of charge, from the administering Power and commenced the COVID-19 national vaccination programme shortly thereafter. As at 4 February 2021, approximately 55 per cent of persons older than 60 years had received the vaccination.

44. The Government of the United Kingdom has been supporting its overseas territories throughout the COVID-19 pandemic. The support has included the funding and supply of testing kits, laboratory consumables, medical equipment and medical supplies and the provision of public health expertise. In addition, the Government of the United Kingdom has committed itself to supplying its overseas territories with a share of the COVID-19 vaccines that it procures. According to the administering Power, its support is in line with its enduring commitment to the peoples of its overseas territories.

E. Crime and public safety

45. The 458-strong Royal Cayman Islands Police Service is headed by a commissioner, who reports to the Governor. The Islands Police Service reported that in 2019, the overall levels of crime in the Cayman Islands remained stable and

controlled. Overall reported crime increased by 0.9 per cent, from 4,111 incidents in 2018 to 4,146 in 2019. The number of serious crimes decreased by 14 per cent, from 1,534 in 2018 to 1,322 in 2019. Burglary was the serious crime with one of the greatest numbers of reported cases, notwithstanding its continued decline from 328 recorded incidents in 2018 to 218 in 2019. There were 2,806 traffic accidents in 2019, a 16.4 per cent increase from the 2,409 accidents reported in 2018. In 2019, the number of fatalities increased to nine from eight in 2018.

46. In 2019, the average daily population in prison was 237 (16 women and 221 men), which represents a decrease from 242 (17 women and 225 men) in 2018. In the light of the COVID-19 pandemic, the Cayman Islands Prison Service implemented a robust strategic plan in March 2020 to prevent in-custody transmission of COVID-19 in the prisons. According to the administering Power, this has been highly effective, as to date only two positive cases have been detected.

47. In 2020, HMS *Medway* and RFA *Argus* were stationed in the Caribbean 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 Schedule 2 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.

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 in 2012 pursuant to the Gender Equality Law (2011) has received 10 complaints to date.

The Tribunal has heard and determined seven complaints of gender discrimination; while three were withdrawn. There were no complaints officially filed in 2019.

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 (2014–2033), 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 meets in order to oversee the implementation of the Cayman Islands Older Persons Policy (2016–2035) 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.

55. 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, Commonwealth and Development Office to enhance resilience.

56. The Cayman Islands joined the Caribbean Disaster Emergency Management Agency on 1 September 2020. According to the administering Power, the Territory gained access to training and resources that further expand its capacity to respond to disasters.

57. 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.

58. 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. 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. According to the administering Power, the Territory also receives support and policy advice from the United Nations Environment Programme.

59. The Cayman Islands is in the process of establishing a new reserve unit, known as the Cayman Regiment, with support from the administering Power. The Defence Bill, which provides for the governance and management of the Regiment, was submitted to the Legislative Assembly in October 2020. 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

60. 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 as an associate member and is a member of the Caribbean Development Bank and the International Olympic Committee.

61. In June 2019, the Territory hosted the Overseas Territories Heads of Government for a Pre-Joint Ministerial Council meeting as well as an inaugural United Kingdom and Overseas Territories International Trade Summit, which was jointly hosted by the Governments of Cayman Islands and the United Kingdom as the first of its kind.

VII. Future status of the Territory

A. Position of the territorial Government

62. 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

63. As a result of the COVID-19 pandemic, the eighth meeting of the United Kingdom-Overseas Territories Joint Ministerial Council was held virtually from 23 to 26 November 2020, when the administering Power hosted the representatives of the Governments of its overseas territories. With the Prime Minister of the United Kingdom Prime Minister in attendance, the participants held wide-ranging discussions on such topics as economic issues, COVID-19 response and recovery, the protection of vulnerable groups and environmental matters. According to the administering Power, the statement made by the Prince of Wales at the meeting, ahead of discussions on the environment and the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, to be hosted in 2021 by the United Kingdom, showed the importance placed by the United Kingdom on its relationship with the overseas territories and its recognition of their contribution to its biodiversity.

64. In the communiqué adopted at the eighth meeting of the Joint Ministerial Council, the Government of the United Kingdom and the leaders of the overseas territories indicated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of

those peoples to self-determination, a collective responsibility of all parts of the Government of the United Kingdom.

65. The Government of the United Kingdom and the leaders of the overseas territories committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was also stated that for those Territories with permanent populations that wished so, the United Kingdom would continue to support their requests for removal of the Territory from the list of Non-Self-Governing Territories.

66. At the 3rd meeting of the Special Political and Decolonization Committee (Fourth Committee), on 15 October 2020, during the seventy-fifth session of the General Assembly, the representative of the United Kingdom stated that the relationship of his Government 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.

67. He stated that his Government's responsibility 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. He explained that his Government was committed to involving all overseas territories in the negotiations on its future relationship with the European Union, in order to ensure that their priorities were taken into account at every stage of the process.

68. He added that, while the United Kingdom would carry out all the responsibilities of the sovereign Power, the Governments of the United Kingdom and its overseas territories were in agreement that the overseas territories were internally self-governing, subject only to the United Kingdom retaining powers to enable it to carry out its obligations under international law. He also added that the Joint Ministerial Council met annually to monitor and drive forward collective priorities.

VIII. Action taken by the General Assembly

69. On 10 December 2020, the General Assembly adopted resolution [75/111](#) 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/75/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the 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-sixth session and on the implementation of the resolution.

Annex

Map of the Cayman Islands

