



# General Assembly

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

### Draft resolution submitted by the Chair

#### Question of the Cayman Islands

*The General Assembly,*

*Having considered* the question of the Cayman Islands and examined the relevant chapter 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 for 2019,<sup>1</sup>

*Taking note* of the working paper prepared by the Secretariat on the Cayman Islands<sup>2</sup> and other relevant information,

*Recognizing* that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of the Cayman Islands and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

*Expressing concern* that 59 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,<sup>3</sup> there still remain 17 Non-Self-Governing Territories, including the Cayman Islands,

*Conscious* of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plans of action for the Second<sup>4</sup> and Third International Decades for the Eradication of Colonialism,

*Recognizing* that the specific characteristics and the aspirations of the people of the Cayman Islands require flexible, practical and innovative approaches to the

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<sup>1</sup> *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 23 (A/74/23)*, chap. X.

<sup>2</sup> [A/AC.109/2019/5](#).

<sup>3</sup> Resolution 1514 (XV).

<sup>4</sup> [A/56/61](#), annex.



options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

*Convinced* that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

*Concerned* by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as international financial centres to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

*Convinced* that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of the Cayman Islands in respect of their right to self-determination should be ascertained,

*Noting* the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

*Mindful* that, in order for the Special Committee to enhance its understanding of the political status of the people of the Cayman Islands and to fulfil its mandate effectively, it is important for it to be apprised by the United Kingdom of Great Britain and Northern Ireland as the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

*Aware* of the importance both to the Cayman Islands and to the Special Committee of the participation of elected and appointed representatives of the Cayman Islands in the work of the Committee,

*Recognizing* the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the Cayman Islands with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

*Mindful*, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

*Welcoming* the Caribbean regional seminar on the theme “Implementation of the Third International Decade for the Eradication of Colonialism: accelerating decolonization through renewed commitment and pragmatic measures”, held by the Special Committee in Grand Anse, Grenada and hosted by the Government of Grenada from 2 to 4 May 2019, as a significant and forward-looking event, which enabled the participants to assess progress made and address challenges faced in the decolonization process, review the existing working methods of the Committee and renew its commitment to implementing its historic task,

*Recognizing* the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee<sup>5</sup> and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2011–2020 as the Third International Decade for the Eradication of Colonialism,<sup>6</sup>

*Noting with appreciation* the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organisation of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

*Recalling* the statement made by the honorary representative of the territorial Government at the 2010 Pacific regional seminar held in Nouméa,

*Noting with serious concern* that the Territory last participated in the activities of the Special Committee in 2010,

*Aware* of the work, in accordance with the 2009 Constitution, of the Constitutional Commission, which serves as an advisory body on constitutional matters, and aware also that the territorial Government proposed constitutional changes to the administering Power,

*Stressing* the importance of regional ties for the development of a small island Territory,

*Cognizant* of the Territory's membership in the Caribbean Overseas Countries and Territories Council,

*Recalling* the general election that was held in May 2017,<sup>7</sup>

1. *Reaffirms* 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;

2. *Also reaffirms* that, in the process of decolonization of the Cayman Islands, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is 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 calls 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;

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<sup>5</sup> *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 23 (A/74/23)*.

<sup>6</sup> See resolution 65/119.

<sup>7</sup> See A/AC.109/2018/5, para. 3.

4. *Recalls* the 2009 Constitution of the Cayman Islands, and stresses the importance of the work of the Constitutional Commission, including its work on human rights education;

5. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

7. *Stresses* 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;

8. *Also stresses* 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;

9. *Calls 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 encourages the administering Power to facilitate visiting and special missions to the Territory;

10. *Reaffirms* 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 requests 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;

11. *Takes into account* the 2030 Agenda for Sustainable Development,<sup>8</sup> including the Sustainable Development Goals, stresses 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 supports, 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 urges 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 are not aligned with the interest of the people of the Territory;

12. *Requests* 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 requests 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;

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<sup>8</sup> Resolution 70/1.

13. *Requests* 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 the present resolution.

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