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Bermuda

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 4 December 2023. Further details are contained in previous working papers, available at www.un.org/dppa/decolonization/en/documents/workingpapers.



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The Territory at a glance

Territory: Bermuda is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Rena Lalgie (since December 2020)

Geography: Bermuda is located in the western part of the Atlantic Ocean, approximately 917 km east of the North Carolina coast of the United States of America. It consists of 8 major and 130 smaller islands.

Land area: 53.35 km²

Exclusive economic zone: 450,370 km²

Population: 63,982 (2023)

Life expectancy at birth: 79.3 years (men: 75.8 years; women: 82.7 years) in 2021

Ethnic composition: Approximately 52 per cent black, 31 per cent white, 9 per cent mixed races and 8 per cent other races (2016 census)

Language: English

Capital: Hamilton

Head of territorial Government: Premier David Burt (since July 2017, re-elected in October 2020)

Main political parties: Progressive Labour Party; One Bermuda Alliance

Elections: Most recent: 1 October 2020; next: due to be held by October 2025

Legislature: Bicameral legislature, comprising an 11-member Senate appointed by the Governor (3 at his or her discretion, 5 on the advice of the Premier, 3 on the advice of the leader of the Opposition) and the 36-member House of Assembly, elected in 36 constituencies for up to a five-year term.

Gross domestic product per capita: \$122,253 (2022)

Economy: Financial services, tourism

Main trading partners: United States, Canada, United Kingdom and States members of the Caribbean Community

Unemployment rate: 3.1 per cent (November 2022)

Monetary unit: Bermuda dollar, pegged at parity with the United States dollar

Brief history: Bermuda was discovered in 1505 by the Spanish explorer Juan de Bermúdez, and by 1510, it was referred to as “La Bermuda”. It remained uninhabited until 1609, when British settlers on their way to Virginia were shipwrecked on one of its reefs. In 1612, King James I extended the charter of the Virginia Company to include Bermuda. After the Company’s charter was annulled in 1684, government passed to the British Crown.

I. Constitutional, legal and political issues

1. The 1968 Constitution of Bermuda has been amended on five occasions, with the most recent revision being in 2003. According to the administering Power, the Constitution gives the Territory almost full internal self-government, leaving the United Kingdom of Great Britain and Northern Ireland with a minimum number of constitutional controls. The Governor (and Commander-in-Chief), appointed by the British Crown, is responsible for defence, external affairs, internal security and the police. The current Governor, Rena Lalgie, is the first woman Governor of Bermuda.

2. The Territory has a parliamentary system of government, comprising a governor, a deputy governor, a cabinet and a bicameral legislature. The Governor appoints as Premier the member of the House of Assembly who appears to be best able to command the confidence of a majority of the 36 members of the House, each of whom represents a parliamentary constituency. The Premier heads a cabinet that consists of the Premier and not less than six other Ministers.

3. The law and legal system of Bermuda are based on the application of English common law and the principles of equity, the legislation of the United Kingdom (in force since 1612) that has been extended to Bermuda and acts of the Bermuda Parliament. The judiciary is appointed on the advice of the Chief Justice. There are three courts: the Magistrates' Court, the Supreme Court and the Court of Appeal. The British Overseas Territories Act 2002 provides for the conferral of British citizenship on citizens of British overseas territories.

4. Voters in the general elections or referendums must be 18 years of age and Bermudian by birth or status or non-Bermudian electors on the register as at 1 May 1976. General elections were held in the Territory to elect 36 members to the House of Assembly on 1 October 2020, and the incumbent Progressive Labour Party won, increasing its number of seats from 25 to 30, while the One Bermuda Alliance saw its number of seats decrease from 11 to 6. Eight women were elected to the House of Assembly. David Burt of the Progressive Labour Party continues to serve as Premier, in his second term.

5. In 1995, a referendum was held on the question of independence. Of the 58.8 per cent of eligible voters who participated, a small number by Bermudian standards according to the administering Power, 73.6 per cent voted against independence. The then-opposition party, the Progressive Labour Party, had organized a boycott of the referendum among supporters of independence, arguing that the issue should be resolved by general election.

6. In its 2005 report, the Bermuda Independence Commission noted that the racial question had been an ever-present feature of the social, economic and political landscape of Bermuda throughout its history. Racial divisions in Bermuda have, in significant measure, played out in support for, or in opposition to, independence and the method to be used to ascertain the wishes of the population. The Progressive Labour Party, which was the ruling party in 2005, wanted the issue of independence to be settled in the context of an election and reportedly remains publicly committed to pursuing a policy of disengagement from the United Kingdom. On the other hand, the United Bermuda Party, a forerunner of the One Bermuda Alliance, favoured a referendum. The Commission concluded that it was incumbent upon both political parties to share the merits of each method.

7. In 2017 and 2018, Premier David Burt stated that, while independence was the ultimate objective of his party, it was not part of its mandate at that time and that Bermuda would not pursue independence during his term of office in order to address more important issues.

8. At the Caribbean regional seminar held by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the Parish of St. John, Dominica, from 25 to 27 August 2021, a representative of the territorial Government, Thomas Christopher Famous, stated that, although others had spoken on behalf of overseas territories and painted a picture that all was well, world events in the past four years had shown otherwise, citing Hurricanes Irma and Maria in 2017. He also stated that, in February 2019, the Foreign Affairs Committee of the Parliament of the United Kingdom had attempted to dictate to the peoples of the overseas territories, with recommendations that would adversely affect them economically, socially and politically.

9. Two inquiries were launched in the Parliament of the United Kingdom in April and June 2023, respectively, one, by the Public Administration and Constitutional Affairs Committee, to explore the constitutional arrangements of the overseas territories and whether the relationship is fit for purpose in the twenty-first century; and the other, by the House of Commons Procedure Committee, to examine options for the representation of overseas territories within the House of Commons.

II. Budget

10. The fiscal year of the Territory begins in April. According to the budget statement of the territorial Government delivered on 17 February 2023, for the 2023/24 fiscal year, revenue was forecast at \$1.2 billion. This figure is \$77.7 million or 7.2 per cent higher than the 2022/23 original estimate and is largely a result of changes to payroll taxes and increases in tourism-related revenues and in certain fees, combined with expected continued economic growth.

11. For 2023/24, the total expenditure, including debt service of \$130.4 million and capital expenditure of \$96 million, is estimated at \$1.2 billion, which is \$100 million higher than the 2022/23 original estimate.

12. The budget deficit for 2023/24 is expected to be \$43.5 million, \$26.5 million or 37.9 per cent lower than the 2022/23 original estimate of \$70 million.

13. According to the budget statement, although the territorial Government could have achieved a balanced budget by 2023/24, in order to fund infrastructure and other critical projects, fiscal year 2024/25 remained the target for achieving a balanced budget, as set in 2023 and for which the territorial Government was on track.

III. Economic conditions

A. General

14. The economy of Bermuda is based primarily on the provision of financial services for international businesses and on tourism. The Ministry of Finance of the Territory estimates that Bermuda's gross domestic product (GDP) may have grown by 3.4 to 3.9 per cent in 2022, driven by growth in the international business sector and the continuous recovery of the tourism industry.

15. According to the administering Power, the industrial sector is small and agriculture is limited, since only about 20 per cent of the land is arable. In 2021, the agriculture, forestry and fishing industries continued to share 0.3 per cent of GDP, with those industries increasing by \$4.3 million (24.8 per cent), primarily due to a rise in crop and animal-raising activities.

16. The annual inflation rate, as reflected in the consumer price index, was 3.8 per cent for November 2022, while food-price inflation was 10.4 per cent.

17. The territorial Government had developed an economic recovery plan in 2020 to address the impact of the coronavirus disease (COVID-19) pandemic, together with the structural and systemic issues that had been constraining growth. Phase 3 of the plan, involving its implementation with appropriate Cabinet oversight, began in March 2021. As at December 2023, more than two thirds of the initiatives had been successfully implemented with measurable outcomes and more than 80 per cent of the initiatives were on track.

B. Financial services

18. Bermuda is one of the world's leading international financial and business centres. The sector accounts for about 41 per cent of its GDP. Bermuda is also one of the major jurisdictions worldwide in the fields of large-scale insurance and reinsurance.

19. The Bermuda Monetary Authority, the integrated regulator of the financial services sector, has the power to levy civil fines. The Territory has no central bank. The peg to the United States dollar is managed by commercial banks meeting supply and demand at a one-to-one rate. The banks, rather than the Authority, own the foreign exchange reserves of Bermuda.

20. In 2022, 812 new international companies and partnerships were registered in Bermuda, with the sector providing 4,642 jobs, or an increase of 230 positions, reflecting a growth rate of 5.2 per cent compared with 2021. The sector's employment income for the first three quarters also grew by \$94.3 million, or 8.9 per cent.

21. According to the administering Power, Bermuda has never been a jurisdiction with bank secrecy laws and has maintained a private beneficial ownership register since the 1940s. The existing register contains the details of the ultimate owners of the private corporate entities operating in Bermuda. It is a central register held by a public authority and, as ownership changes over time, it is updated using an active automatic system. Under the regulatory legislation, there are provisions for financial institutions regarding controlling shareholders that require the approval of such persons by the Bermuda Monetary Authority.

22. For more than 70 years, Bermuda has required persons wishing to incorporate a company there to provide information on the ultimate beneficial owner. Currently, such persons are vetted by the Authority (subject to a 10 per cent controller threshold). Transfers of shares to non-Bermudians are also subject to vetting by the Authority. The Authority retains all of the information on the ultimate beneficial owner, which is provided to the Authority as part of the vetting process.

23. The Government exchanges the information with the competent authorities of the United Kingdom and of the United States of America, with which it has entered into international agreements. In April 2016, Bermuda concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information to allow law enforcement authorities to have timely access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

24. In May 2018, the Parliament of the United Kingdom passed the Sanctions and Anti-Money Laundering Act, pursuant to which the Secretary of State was 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. On 14 December 2020, the Government of the United Kingdom published a draft Order in Council setting out a framework for the registers. The Government of Bermuda has committed itself to introducing such a register, and the Government of the United Kingdom is providing support where required. In 2020, the Government of the United Kingdom set out a reasonable expectation that the registers of the overseas territories would be in place by the end of 2023.

25. In September 2013, Bermuda joined the multilateral Convention on Mutual Administrative Assistance in Tax Matters of the Organisation for Economic Co-operation and Development (OECD) to facilitate cooperation between jurisdictions in the assessment and collection of taxes, in particular to combat tax avoidance and evasion. The Convention came into force on 1 March 2014. In line with an agreement by 140 OECD member countries to make material changes to their tax regimes, on 15 December 2023, the House of Assembly passed a bill entitled “Corporate Income Tax Act 2023”, which will apply to businesses that are part of multinational enterprise groups with annual revenues of €750 million or more. The Act is scheduled to take effect in January 2025.

C. Tourism

26. In 2021, the tourism industry reopened, as restrictions related to the COVID-19 pandemic were eased. Bermuda took a phased approach to eliminating travel protocols related to COVID-19, which ended in November 2022.

27. Between 2021 and 2022, the total number of visitors arriving by air increased by 102 per cent from 72,153 to 145,865, and the number of cruise visitors by 2,735 per cent from 24,123 to 402,657. Spending by visitors arriving by air increased by 120 per cent, from \$122.6 million to \$270.1 million. Although significant increases were seen in 2022, year-end statistics underscore the fact that more work remains to be done before the 2019 levels are reached.

D. Construction

28. Compared with the same period in 2021, the value of new projects started during the first three quarters of 2022 increased by 20.6 per cent, from \$83.4 million to \$100.6 million. However, the estimated value of work put in place during the same period decreased by 18.9 per cent, from \$92.9 million to \$75.3 million.

E. Transport and communications

29. Bermuda has a network of some 200 km of paved public roads and 400 km of private roads. Restrictions on car ownership to one per household, coupled with a policy of allowing no rental cars, have resulted in the development of a public transportation system of buses and ferries. The Department of Public Transportation has encountered difficulties in meeting the transportation needs of residents and visitors owing to the age of its diesel bus fleet. In August 2023, the Department confirmed receipt of 10 new electric buses, with the arrival of 30 more in two instalments expected by September 2023. In 2016, Bermuda amended its legislation (Motor Car Act 1951) to allow the rental of minicars for the first time. On 20 April 2017, the Motor Car (Minicar) Regulations 2017 came into effect. After three consecutive years of decline, the number of registered road vehicles increased by 1 per cent in 2022 to 49,668, compared with 48,994 in 2021.

30. Regular commercial flights connect Bermuda to destinations in Canada, the United Kingdom and the United States. Bermuda has its own air and ship regulatory agencies, with registries maintained by the Civil Aviation Authority and the Bermuda Shipping and Maritime Authority.

31. There are four international submarine cables linking Bermuda to mainland North America and one linking Bermuda to Latin America. Approximately 98 per cent of individuals in Bermuda have Internet access. The number of telephone subscribers in 2021/22 was 19,204, a decrease of 7 per cent from 20,673 in 2020/21, continuing the downward trend that commenced in 2003/04. Bermuda has eight radio stations, two television broadcast stations, three subscription television service providers, two mobile service providers and one daily newspaper.

IV. Social conditions

A. General

32. For 2023/24, the Ministry of Health has the highest share of the estimated total government expenditure, at 16.6 per cent, or \$199.2 million. This is followed by the Ministry of Education, at 11.7 per cent, or \$139.8 million.

33. For 2023/24, the Ministry of Economy and Labour is to receive an estimated \$77.2 million, of which \$54 million is allocated to financial assistance. During 2022/23, the average number of persons receiving financial assistance decreased from 2,226 in 2021/22 to 2,095. This decrease was mainly in the number of eligible persons in the “able-bodied unemployed” and “earnings low” categories, as more persons secured employment opportunities post-COVID-19. Financial assistance payouts decreased by approximately \$1.4 million.

34. For 2023/24, the Ministry of Social Development and Seniors is to receive an estimated \$26.4 million, of which \$18.8 million is for child and family services. In December 2023, the Minister launched a public consultation on homelessness in Bermuda, with a view to preparing for a comprehensive strategic plan. In March 2023, the Independent Living Programme, the first of its kind in Bermuda, was launched to support persons between the ages 18 and 24 who have aged out of the care of child services.

B. Labour

35. The total number of filled jobs in Bermuda increased by 1.9 per cent, from 31,316 in 2021 to 31,914 in 2022, the first increase since the start of the COVID-19 pandemic. Collectively, in 2022, the international business sector, the accommodation and food services sector, and the professional, scientific and technical activities sector represented 76.1 per cent of the total new jobs filled, with 230, 193 and 65 new jobs, respectively. The international business sector was the single largest economic activity group. Despite a 6.3 per cent increase in the number of jobs in accommodation and food services, the sector was the fourth largest employer, having not returned to its former position as the largest employer.

36. The total number of jobs filled by Bermudians increased by 1 per cent, from 22,003 to 22,230, while those held by non-Bermudians increased by 5.2 per cent, from 6,952 to 7,311. The 2022 median gross annual income for all job holders was \$68,599, a 2.6 per cent increase from \$66,836 in 2021, which was well below the annual average inflation rate of 4.7 per cent in August 2022. The median gross annual income of Bermudian job holders was \$65,302, while non-Bermudians, including permanent

resident certificate holders, non-Bermudian spouses of Bermudians and other non-Bermudians, had higher median incomes of \$73,692, \$78,288 and \$82,736, respectively. Women continue to earn more than men. On average, men earned 95 per cent of the total median income, compared with 105 per cent for women.

37. The Bermuda Job Board, an online national employment database operated by the Department of Workforce Development since November 2013, is available to Bermudians who are seeking employment, with the main objective of consolidating and centralizing the jobs available in Bermuda so as to help to connect workers and employers, allow more opportunities for qualified Bermudians to find employment and ultimately reduce the need for work permit applications. Following the announcement in December 2022 by the Ministry of Economy and Labour of its intention to establish a new workforce development advisory board in order to meet labour market challenges, the advisory board was appointed in April 2023. With the elderly expected to represent nearly one quarter of the population in 2026, the Ministry of Economy and Labour announced that it would seek to provide benefits to businesses that would retain able-bodied, capable workers beyond the age of 65.

38. The Employment (Minimum Hourly Wage) Order 2023 took effect on 1 June 2023, setting the minimum hourly wage rate at \$16.40. The Employment (Maternity Leave Extension and Paternity Leave) Amendment Act 2019 took effect in January 2020, extending maternity leave and introducing paternity leave.

C. Education

39. For the fiscal year 2023/24, about \$139.8 million (an increase of \$4.5 million from its original budget for 2022/23) would be provided to the Ministry of Education. Education in Bermuda is compulsory for children from 5 to 16 years of age, and is free in public schools for all children up to 19 years of age. There are 10 preschools, 18 primary schools, 5 middle schools, 1 special-needs school and 2 senior secondary schools, as well as 2 alternative schools in the public school system, which had a student population of 4,272 in 2021. There are a number of private schools, including six offering early primary education, serving some 40 per cent of the pupils of compulsory school age. Those institutions receive no government funding.

40. The total school enrolment in 2021, which included public and private schools and Bermuda College, was 8,757 students. Public school enrolment has continued to decline since 2012, with the exception of 2013. In 2021, public school enrolment decreased by 162 students, while private school enrolment increased by 156. After steady growth since 2016, Bermuda College enrolment declined by 12 per cent in 2021. Girls comprised the majority of total enrolment, at 52 per cent; female students made up 48 per cent of enrolments in public schools, 52 per cent in private schools and 63 per cent in Bermuda College.

41. The Ministry of Education started reforming the public school system from 2022/23 by reducing the number of primary schools from 18 to 10: one in each parish, with the exception of two in the parish of Pembroke. The Ministry also announced its intention to transition from a three-tiered educational system with middle schools to a two-tiered system without middle schools.

42. 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. Students will be eligible for tuition fee loans in England provided that they have settled status upon arrival in the United Kingdom and are starting full-time or part-time undergraduate courses in the 2023/24

academic year. Eligible students are encouraged to ensure that they hold a British passport before applying for home fee status to study in the United Kingdom.

D. Public health

43. The budget allocated to the Ministry of Health for 2023/24 was about \$199.2 million (an increase of \$4.7 million from its original budget for 2022/23), representing the largest share of the government budget. The Ministry takes care of the health system of the Territory, manages services for seniors, assists people living with disabilities, investigates reports of abuse and monitors long-term care homes.

44. The Territory currently has a hybrid health financing system consisting of direct public funding and social health insurance, supported by government subsidies. A health financing reform initiative led by the Ministry was introduced in 2018 with the aim of achieving universal coverage of essential health services through a single payer system. The Bermuda health strategy for the period 2022–2027 was presented in 2022 and included a road map for universal health coverage. According to the strategy, the health system of Bermuda is challenged by high costs and its health-care spending per capita is one of the highest in the world; up to 35 per cent of the population remains unable to access quality health care without financial hardship; and 11.6 per cent of GDP is spent on health, the third highest in the OECD area. On 8 December 2023, the National Digital Health Strategy 2023 was introduced, with the aim of establishing an integrated and sustainable health-care system and ensuring access to universal health coverage.

45. Bermuda has an ageing population and a low fertility rate. In 2021, the total fertility rate was 1.3 births per woman, which is below the replacement level of 2.1 births per woman. Life expectancy at birth was 79.3 years (75.8 years for men and 82.7 years for women). Life expectancy is reported as being four years longer for the white population than for the rest of the population.

46. In 2023, access to the quota system of the National Health Service of the United Kingdom was expanded to include Bermuda for the first time. Under the system, up to four patients per year from the Territory will have free access to primary health care through the National Health Service in the United Kingdom.

47. The Government of the United Kingdom supported the overseas territories throughout the COVID-19 pandemic. The support included the funding and supply of testing kits, laboratory consumables, medical equipment, medical supplies and COVID-19 vaccines, including booster doses, and the provision of public health expertise. According to the administering Power, its support was in line with its enduring commitment to the peoples of its overseas territories.

E. Crime and public safety

48. The Ministry of National Security works to ensure safety and security in Bermuda. The Ministry oversees several departments and agencies to achieve its goals: the Bermuda Fire and Rescue Service, the Department of Corrections, the Royal Bermuda Regiment, the Bermuda Police Service and the Police Complaints Authority.

49. The Bermuda Police Service works to make Bermuda safer by protecting life and property, maintaining law and order, preserving the peace, bringing offenders to justice in accordance with the law, promoting community safety and increasing public confidence. According to the strategic and operational plan for the period 2021–2026, the Service has five priorities: (a) reducing serious crime and protecting vulnerable

persons; (b) raising confidence in the police; (c) reducing harm on the roads; (d) working in partnership with other agencies; and (e) developing digital policing. An interagency gang enforcement team tackles gang and gun violence. A Territory-wide closed-circuit television project was launched to bolster safety and security in September 2023. As part of the project, more than 247 high-resolution cameras with night vision and artificial intelligence capabilities would be installed to assist the Bermuda Police Service in the investigation of crime.

50. The Government of the United Kingdom has indicated its commitment to providing assistance to the overseas territories to deal with major storms and other disasters. In 2023, HMS *Dauntless* was 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.

F. Human rights and related issues

51. Core international and European human rights instruments are applied in Bermuda, including the European 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 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination. The ratification of the Convention on the Elimination of All Forms of Discrimination against Women by the United Kingdom was formally extended to Bermuda in March 2017, with two reservations relating to articles 1 and 15 (4) of the Convention. According to the administering Power, the first reservation was withdrawn following the ending of conscription under the Defence Amendment Act of July 2018. The second reservation took account of the constitutional and immigration provisions that had the effect of discriminating against a Bermudian woman married to a non-Bermudian man, owing to the lesser rights granted to a non-Bermudian man married to a Bermudian woman compared with a non-Bermudian woman married to a Bermudian man. Following the creation in September 2022 of a gender affairs council to assist the territorial Government in proposing necessary legislative changes, policy initiatives and programmes, in compliance with the requirements of the Convention, on 12 January 2023, the 10 members of the council who would represent Government agencies, non-profit and civil society organizations and entrepreneurs were announced.

52. The Human Rights Commission of Bermuda was established in 1982 to administer the 1981 Human Rights Act. According to the territorial Government, the three main aspects of the work of the Commission pertain to providing effective and timely means for resolving individual complaints involving human rights, sexual harassment and disability, promoting knowledge of human rights in Bermuda and encouraging people to follow principles of equality, and helping to reduce barriers to equality in employment and access to services.

53. According to the administering Power, the Government of Bermuda has lodged a notice to appeal to the Judicial Committee of the Privy Council against the 2018 rulings of the Bermudian Supreme Court and the Court of Appeal, which found provisions in the 2018 Domestic Partnership Act of Bermuda to be unconstitutional in their restriction of marriage to opposite sex couples. Following hearings in February 2021, the Privy Council issued a judgment on 14 March 2022 allowing the appeal on the grounds that the Act was not unconstitutional. In July 2022, the Domestic Partnership Amendment Act 2022 was passed, in order to extend the

transitional period of the Domestic Partnership Act 2018 to 14 March 2022, so as to confirm the validity of same-sex marriages prior to the date of the Privy Council judgment, after which a notice of marriage relating to a same-sex couple should be treated as a notice of an intended domestic partnership or maritime domestic partnership.

V. Environment

54. The Department of Environment and Natural Resources is responsible for the management and regulation of fisheries, marine conservation and heritage, terrestrial conservation and nature reserve management, pollution control, agriculture, animals, plants and the Bermuda Aquarium, Museum and Zoo.

55. According to the administering Power, the Ministry of Home Affairs has prioritized the advancement and expansion of the Sargasso Sea Commission, established pursuant to the Hamilton Declaration on Collaboration for the Conservation of the Sargasso Sea, to better manage the wider Sargasso Sea, which is recognized in the Hamilton Declaration as an important open ocean ecosystem.

56. Bermuda continues its efforts to ensure the sustainable management of its fisheries and improve its food security. According to the administering Power, observations by fishers and government officials indicated that fish were aggregating to spawn earlier in the year, likely owing to increased water temperatures. The territorial Government has obtained funding from Darwin Plus, also known as the Overseas Territories Environment and Climate Fund, for various projects, including to assess the biodiversity of mobile fish in the deep seas of Bermuda and support the territorial Government's strategic biodiversity conservation priorities as it develops spatial protection measures under the Bermuda Ocean Prosperity Programme, which is aimed at fostering the sustainable use of ocean resources, and to enhance monitoring and prevention of invasive non-native species across the British overseas territories.

57. In 2023, the Fishermen's Association Bermuda expressed its disagreement with the Territory's commitment to fully protect 20 per cent of its exclusive economic zone. In that light, the territorial Government developed a memorandum of understanding in consultation with the Association, in which it agreed to all of the latter's requests except for its request concerning the 20 per cent commitment. In November 2023, new draft maps were published that show the proposed marine protected area, accommodating feedback from the commercial fishing industry. The revised area network would protect nursery habitats, which ensure healthy fish stocks and other marine habitats; provide the Territory with resilience to climate change impacts; and protect the marine ecosystems that support the Territory's tourism industry.

58. About 98 per cent of the electric power in the Territory is provided by a single private entity, which relies exclusively on fossil fuels to generate electricity. The remaining 2 per cent of electric power is provided by the Tynes Bay waste-to-energy plant, which is owned and operated by the Ministry of Public Works. In November 2021, the territorial Government announced that the Tynes Bay plant was in a critical state which could require an investment of as much as \$150 million for a full replacement. Stabilization and refurbishment of the plant began in February 2022 and an additional stabilization programme with an estimated cost of \$22 million was subsequently approved by the territorial Government to address immediate challenges until its completion. According to the economic development strategy 2023–2027, the territorial Government has outlined that 85 per cent of the Territory's electricity supply could be generated from renewable sources by 2035.

59. According to the administering Power, the amendments made in December 2017 to the Bermuda National Parks Act 1986 created 16 new protected areas (90 acres) of the national parks system. With the reclassification of seven existing parks as nature reserves, the total number of areas protected under the national park system stood at 112 (total area of 1,129 acres).

VI. Military issues

60. According to the administering Power, Bermuda maintains a defence regiment established at 365 soldiers, namely the Royal Bermuda Regiment, with a current strength of 238 active personnel. This number includes 30 full-time soldiers, with the remainder being part-time reservists. The Regiment is organized in two operational companies of about 100 soldiers each, supported by a logistics company and a training wing. The Regiment had consisted of both conscripted and volunteer members until conscription was suspended in 2015. Under the Defence Amendment Act, which became operative on 1 July 2018, voluntary enlistment is the only means by which a man or woman can enlist in the Regiment. The Regiment conducted a strategic review in the first half of 2018, which was updated in 2020 with a revised target strength of 420 personnel. Its main objectives are force protection and the provision of humanitarian aid and disaster relief.

61. In 2020, the first woman officer of the Royal Bermuda Regiment in three decades was one of two soldiers from the Regiment to complete an eight-week training course at the Royal Military Academy Sandhurst in the United Kingdom.

62. The Regiment regularly cooperates with foreign Governments and militaries, including those of Canada, Jamaica and the United States, and assists in disaster relief operations in other territories administered by the United Kingdom.

63. In February 2020, the Royal Bermuda Regiment Coast Guard was formed through an amalgamation of the Bermuda Police Service Maritime Unit and the Royal Bermuda Regiment Boat Troop. Its responsibilities are inshore maritime patrolling and policing in line with the Defence (Coast Guard Unit) Amendment Act 2018.

VII. Relations with international organizations and partners

64. Bermuda is an associate member of the Economic Commission for Latin America and the Caribbean, the Caribbean Community (CARICOM) and the Caribbean Common Market, and a member of the Caribbean Financial Action Task Force, which was set up to combat money-laundering. In 2023, the territorial Government announced its intention to pursue full membership in CARICOM. The Financial Intelligence Agency of Bermuda is a member of the Egmont Group of Financial Intelligence Units, and the Bermuda Monetary Authority is a member of regional and international financial regulatory bodies, including the International Association of Insurance Supervisors, the International Organization of Securities Commissions and the Group of International Finance Centre Supervisors. In addition, Bermuda participates in the Sea Turtle Conservancy, the Caribbean-United States Security Cooperation Dialogue, the International Trade Union Confederation, the International Criminal Police Organization and the International Olympic Committee.

VIII. Future status of the Territory

A. Position of the territorial Government

65. Information regarding developments on the future status of Bermuda is reflected in section I above.

B. Position of the administering Power

66. In 2023, two meetings of the United Kingdom-Overseas Territories Joint Ministerial Council were held in London, on 11 and 12 May and on 14 and 15 November 2023, when the administering Power hosted the representatives of the Governments of its overseas territories.

67. In the communiqué adopted at the meeting held in May, 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.

68. The Government of the United Kingdom and the leaders of the overseas territories stated that they would continue to explore 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 so wished, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories.

69. In the joint declaration issued on 14 December 2023, following the meeting held in November, the Government of the United Kingdom and the leaders of the overseas territories stated that the United Kingdom would support the democratically elected Governments of the overseas territories, if they so wished, in accepting additional responsibilities and greater autonomy, alongside accountability. The United Kingdom would take such steps in line with its sovereign responsibilities and international law, while ensuring that obligations were met under the Charter of the United Nations and relevant international conventions, as well as under the constitution of each overseas territory.

70. At the 8th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 10 October 2023, during the seventy-eighth session of the General Assembly, the representative of the United Kingdom stated that the United Kingdom had a modern relationship with all its overseas territories based on partnership, shared values and the right of the people of each Territory to choose to remain British.

71. He added that the overseas territories had a large measure of internal self-government, subject only to the United Kingdom retaining powers that enabled it to carry out its obligations under international law. The United Kingdom Overseas Territories Joint Ministerial Council met annually to monitor and drive forward collective priorities for action, and the United Kingdom was committed to supporting the territories in achieving those collective priorities, including environmental protection, and to carrying out its responsibilities, including ensuring security. His Government provided financial and practical support to build local capacity and resilience, and various infrastructure projects were under way (see [A/C.4/78/SR.8](#)).

IX. Action taken by the General Assembly

72. On 7 December 2023, the General Assembly adopted, without a vote, resolution [78/88](#), 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 for 2023 ([A/78/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of Bermuda to self-determination, in conformity with the Charter of the United Nations and with 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 Bermuda, 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 Bermuda to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the 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) Stressed the importance of the 2005 report of the Bermuda Independence Commission, which provided a thorough examination of the facts surrounding independence, and continued to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda had so far not materialized;

(e) Underlined the need further to strengthen good governance, transparency and accountability in government for the benefit of the Territory;

(f) Requested 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 called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

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

(h) Stressed that the Territory should continue to participate in the activities of the Special Committee, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

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

(j) 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 Bermuda, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(k) 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;

(l) 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;

(m) 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;

(n) Requested the Special Committee to continue to examine the question of Bermuda and to report thereon to the Assembly at its seventy-ninth session and on the implementation of the resolution.

Annex

Map of Bermuda

