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THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Third International Decade for
the Eradication of Colonialism: current realities and prospects

Quito, Ecuador
30 May to 1 June 2012

STATEMENT

BY

THE REPRESENTATIVE OF BERMUDA



GOVERNMENT OF BERMUDA

**ADDRESS TO THE UN GENERAL ASSEMBLY
PACIFIC REGIONAL SEMINAR IN QUITO, EQUADOR
30th MAY, 2012 – 1st JUNE, 2012**

by

**Senator the Hon. Kim N. Wilson, JP
Attorney-General and Minister of Justice**

I am grateful for your invitation and the opportunity to appear before this Committee on behalf of the Government of Bermuda to address the issue of its UN mandate for the ‘eradication of colonialism’ as pertains to Bermuda.

Let me begin with taking special note of that mandate itself. It should be further noted that this purpose (the commitment to decolonization as a noble aspiration), is

rooted in values shared by the current Progressive Labour Party (PLP) Government of Bermuda. From its inception the PLP's platform has never wavered from the cause of the independence of our people. As a society that prides itself on the value we place on democracy, we are equally committed to the democratic process of ensuring that we will consult with and be guided by the will of the majority by way of referendum before independence will take place.

Mr. Chairman, There is an implied duty in the latter commitment. It places an onus upon us the elected representatives of the people to govern so as to prepare them for this eventuality and to embolden them to seize the opportunity as it presents itself to realize that goal.

Let me digress by relaying a bit of the political backdrop to Bermuda's unique circumstances. The PLP is the oldest political party in Bermuda having been founded in 1963 on a platform rooted in advocating for the cause of

the common man and woman and ensuring that as a priority, endemic racial discrimination was eradicated from our society. We are a society comprised primarily of formerly enslaved Black peoples of African descent accounting for approximately 60% of our population; with whites (of English and Portuguese descent primarily) accounting for over 30% of the remainder; and a small minority of peoples from the full spectrum of humanity comprising the balance.

Mr. Chairman, Ironically, in the aftermath of Hong Kong's reversion to the People's Republic of China on July 1, 1997; with just under seventy thousand (70,000) inhabitants Bermuda by default became the oldest and the numerically largest of the 14 remaining non-independent territories of the former British Empire. This status is in even more stark contrast to our cumulative geographical size of only 54 square kilometers or just under 22 square miles. We are one of the most remotely inhabited land masses in the world

with the closest neighbor the United States being 700 miles north-west of us. Statistically, Bermuda's per capita gross domestic product of approximately \$70,000US annually, puts us in the rank of the fourth highest material standard of living in the world. Our economic drivers are international companies (insurance, re-insurance and finance) and a domestic tourist industry.

Mr. Chairman, reverting to the subject of good governance and preparation of the Bermudian people for the eventuality of Independence; since coming to power in 1998 the PLP government has done much in that regard. We have sought to learn the lessons of Bermuda's 1995 defeated referendum on independence under a previous government. It taught us first and foremost that preparation of the people (and indeed the people themselves) are not to be taken for granted nor is such a nationally consequential decision to be left up to electoral chance in spite of the electorate's signaled

aversion. It will have to be a concerted effort with hands on participation by the masses in the process itself and their strongly signaled endorsement of the cause of independence bolstered by their convictions as to the brighter future it will bring. This is indeed the challenge that the PLP is cognizant of and intent upon pursuing.

Hence we established the Bermuda Independence Commission in December 2004. Its mandate was to thoroughly explore the subject of independence through broad consultation and to present a report to the public in a way that was understandable to everyone. This culminated in the August 2005 *Report of the Bermuda Independence Commission*. Among other things it gave critical insight into what informs public sentiment about independence. The sentiments that fueled aversion included: The perceived ill-fate of other small countries that have gone independent including the debt load they subsequently incurred to upgrade their infrastructure; that freeing local government from UK

control would threaten its integrity; and that international business as a pillar of our economy would flee our jurisdiction as a result. Those in favour of independence cited: Bermuda's inherent lack of democracy under the present arrangement; restrictions Bermuda currently faces to advance its national interests; past colonial abuses and lingering inequities against the Black population that independence would help to resolve; and the power imbalance and subjugation to the UK in the existing relationship which in turn discernibly risks stagnation and ultimate demise.

Mr. Chairman, moving forward the existing government has worked extensively with domestic international businesses to ensure that our jurisdiction remains profitable for them to continue to do business within Bermuda. Accordingly, we recently enacted the *Incentives for Job Makers Act 2011* and all indications from that sector (as indeed business acumen dictates), is that they will continue to avail themselves of the profits

of doing business in Bermuda independent or not, for as long as conditions remain favorable. We have witnessed social and economic advancement as well as political stability of other most comparable jurisdictions that have gone independent such as Barbados, Bahamas, St. Lucia and Trinidad and Tobago. Some of our competitive advantages are our developed economy, world-class infrastructure, tested Constitution and political stability. Additionally, we are beholden to retaining the Privy Council as our final court of appeal and the UK has granted entrustments for us to have limited engagement with the United States to enter into tax and mutual legal assistance treaties.

These in turn augment Bermuda's legislative preparation to carry on as an independent nation when that eventuality proves feasible. The process leading up to our historic 1995 independence referendum saw the passage of the *Independence Referendum Act 1995* which sets out the parameters and particulars for

conducting an independence referendum. It has since been augmented by the recently tabled *Referendum Act 2012* outlining more generally comprehensive measures for conducting referenda in Bermuda. In between we have constitutionally established the offices of Ombudsman and Auditor General to see to the proper administration of the civil service and acceptable management of government's finances.

In the meantime **Mr. Chairman**, Our government has turned its attention to the most immediately pressing needs of our people. In the aftermath of the global economic downturn, Bermuda has not been unscathed. For the first time in living memory we are contending with unemployment at a rate that (while enviable by most standards), is shocking to a generation that had the luxury of taking for granted surplus employment opportunities with a traditionally strong demand for employees from outside our shores to keep apace. Government revenue has also suffered the consequences

of this happenstance necessitating increased borrowing that again while comparatively conservative, has further challenged general sensibilities about the health of the economy.

To further reassure our people and to instill confidence in political leadership our Government has taken up the gauntlet to implement certain measures including passage of the *Good Governance Act 2011*. We have also made concessions with our expatriate population and the exempt business community to continue to make Bermuda an enviable jurisdiction in which to do business. We are cognizant of the fact that the trying circumstances we face demand good leadership and commitment to safeguarding our economic well being; which in turn will bolster the confidence of our people toward eventually assuming the responsibilities of a sovereign state.

Mr. Chairman, I would be remiss as pertains to the issue at hand if I did not mention the *British Overseas Territories Act 2002*. This enactment of the United Kingdom's Parliament has ramifications for Bermuda that cannot be overstated. Our designation as a "British Dependent Territory" was changed to "British Overseas Territory". Furthermore, in consequence of that Act Bermudians who were formerly technically stateless (as we were citizens of no sovereign state), joined the ranks of the inhabitants of Gibraltar and the Falkland Islands to become full citizens of the United Kingdom. Today, no holes are currently barred to Bermudians who wish to fully participate in British society. As such it now has to be taken into consideration that a move towards independence would confront the people of Bermuda with the issue of relinquishing or retaining their newly acquired British citizenship.

Mr. Chairman, I would like to conclude by pointing out that from our Government's perspective Bermuda's

circumstances as relates to the issue of independence are unique; as are necessarily the challenges of this Special Committee in supporting us in that regard. Viewed from a compelling vantage point, we are indeed stragglers in the great decolonization movement ushered in after the Second World War and generally culminating around the decade of the 1960s. We have been spared both the turbulence and upheaval that that process entailed for many societies, as much as we are now denied the inertia of its momentous zeal.

Indeed, Bermuda no longer carries the full stigma or exacting limitations of the label “colony” as our very relationship with the United Kingdom has changed. We have been afforded the benefit of a time-tested Constitution which provides for a semi-autonomous internal government. We boast an enviable economy, world class infrastructure and a stable government that is periodically elected. In short, our circumstances present the people of Bermuda with having to grapple

with a status quo suggesting that we have much to lose depending upon the choices we make, as we are equally challenged to formulate a compelling vision of what is to be gained by standing on our own. And yet while the dream of independence persists if temporarily deferred, our Government's present cue from our people is that this pursuit is not a current top priority. However, like all self-respecting peoples Bermudians aspire to national sovereignty as an integral part of our destiny beyond our present circumstances.

Finally, we are appreciative of the work of this body in supporting us toward our unwavering aspiration. We look forward to one day ultimately sitting at the table with the other nations of the world as a confident, economically prosperous, politically stable, still beautiful and independent Bermuda.

THANK YOU!