
Presentation on behalf of
THE CONCERNED CITIZENS OF THE CAYMAN ISLANDS

By
S. Alice Mae Coe
Deputy Chairman & Public Relations Officer

TO

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES
("SPECIAL COMMITTEE OF 24 ON DECOLONIZATION")

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Mr. Chairman, Representatives of Member States of the Committee of 24, Ladies and Gentlemen...

The Cayman Islands, British West Indies, comprised of Grand Cayman, Cayman Brac and Little Cayman, will, geographically, always be three small dots nestled in the sunshine and blues of the Caribbean Sea, 180 miles northwest of Jamaica, about 150 miles south of Cuba and 480 miles (or slightly over one hour by jet) south of Miami, Florida, which, of course, is just another two and a half hours by air to New York! The Cayman Islands are this year celebrating 500 years since their discovery by Christopher Columbus on 10 May 1503 and therefore in preparation for and during these celebrations the people of the Cayman Islands have been gaining a fresh insight into where the Cayman Islands are socially, economically and constitutionally at this time, how we reached there and, even more importantly, what the people of Cayman must do to ensure that their future is one that is conducive, not just to material and financial success, but with the opportunity for the people to have a greater say in their own affairs, while at the same time retaining the political stability for which we are renown.

The people of the Cayman Islands are sure of one thing – they do not want independence. To the contrary, Caymanians wish to remain a British Overseas Territory - but with greater autonomy! While the people of the Cayman Islands can agree that

they were virtually left to their own devices by the UK - particularly prior to 1962 when Cayman was part of the then British Colony of Jamaica - this "neglect" was, in fact, a blessing in disguise, because it forced Caymanians to find ways to survive and thrive. To this end, the creativity and ingenuity (particularly of the Caymanian women) with the making of rope, baskets, hats and other saleable products from the Silver *Thatch palm*, (Cayman's National Tree), combined with the skills of the Caymanian men and boys as shipbuilders and world-class sailors and seamen, not only put bread on the table, but more importantly enabled Caymanians to slowly, but surely, progress into the world of tourism and international finance, whilst at the same time remaining a hardworking, honest, caring, welcoming and trusting people.

Caymanians' natural characteristics of gentleness and trust have caused them for decades to accept and believe that, constitutionally, there were only two choices for the Cayman Islands:-

1. outright independence with total responsibility for all aspects of their islands affairs, both internally and externally, or
2. remaining a British colony with no more autonomy than that afforded by the 1972 Constitution, as amended, but feeling secure that HMG would keep them safe from the big bad wolves of the world.

As confirmed earlier, the first choice of independence is not the wish of the Caymanian people. However, as regards the second choice, fortunately Caymanians are daily

becoming more mature and enlightened about the options available within this option, - thanks in great part to Ambassador Huntley and the UN Committee of 24, the Cayman Islands Chamber of Commerce and other NGOs, who have recently been instrumental in enlightening the people of the Cayman Islands as to the variations of self-determination. It could well be that it has been their naturally trusting and “be honest and fair with your fellowman” golden rule that has kept the Caymanian electorate in the dark. Whether or not any of Cayman’s successive governments have been aware of what else was available, as the electorate had little or no idea about what more could be sought from HMG no questions were asked – and with no questions being asked, apparently HMG did not volunteer any information! So the *status quo* continued!

Fortunately, there has been an epiphany in the Cayman Islands and the Caymanian people are now insisting that all cards are laid on the table so that the much-touted *White Paper – Partnership for Progress and Prosperity* is not just a partnership in name but is a partnership in fact, affording the Cayman Islands a level playing field on which to plan and structure its political and economic future for the benefit of generations to come.

In order for the Cayman Islands to progress from this point in time, it is vital that Caymanians are clear as to what HMG’s policy is towards the Cayman Islands on constitutional advancement, and also to be apprised of what obligations and responsibilities, if any, are imposed on and required of HMG’s representative, HE the

Governor, by HMG in addition to what is stipulated in the Cayman Islands 1972 Constitution.

Although the timeline of the Cayman Islands Constitutional Review Process may be well known to most, for clarity, The Concerned Citizens of the Cayman Islands wish to refer to this:-

1. In 1999 the HM presented the *White Paper – Partnership for Progress and Prosperity* in which it was announced, inter alia, that the Overseas Territories' Constitutions should be modernized. Although HMG made certain proposals in the White Paper, for example, in relation to our environment, the funding proposed therein which would be shared amongst the OTs was totally inadequate.
2. The White Paper's support of initiatives such as those of the OECD has already proved to be detrimental to Cayman's economic stability. For example, for the first time in Cayman's history, unemployment amongst Caymanians has reached an all-time high.
3. Although the White Paper purports to be a *partnership for progress between* HMG and its OTs, in effect – certainly in the case of the Cayman Islands – it seems to be more one-sided and weighted in favour of HMG.
4. In line with the White Paper, Constitutional Commissioners were appointed by HE the Governor to carry out a review of Cayman's Constitution.

5. After consultation with the public of the Cayman Islands the Commissioners, in March 2002 presented their Report with proposed revisions to the 1972 Constitution.
6. There was such an outcry by the public and the government opposition that HE the Governor and the Cayman Government were pressured to extend the time to June 2002 for review of and input on this draft constitution by the populace of Cayman.
7. Circulation of this draft constitutional document triggered (amongst other things) a call for any constitutional changes to be by way of referendum. However, the Speaker of Cayman's Legislative Assembly refused to allow the motion and suspended two of the Opposition members for one day because of their public condemnation/criticism of her actions.
8. Following the Government's motion not to vote on the proposed changes, and the Opposition's objection to this proposal and non-participation in the subsequent debate, the draft constitution along with representations and comments from the general public and NGO's were forwarded to HMG.
9. For the first time in history, Cayman NGOs were able to participate along with Government and Opposition members in the London Constitutional Conference hosted by the HMG in December 2002.
10. HMG subsequently prepared their version of a draft constitution which document is presently being reviewed and discussed in the Cayman Islands.

11. Unfortunately, notwithstanding the public comments presented to the HMG along with the draft prepared by Cayman's Constitutional Commissioners, this draft from HMG still does not meet the desires of the Caymanian people.

Caymanians are concerned that, inter alia:-

- (i) the powers of the HMG's representative, HE the Governor, continues to exceed those which the Caymanian people feel will allow the people to be more in charge of their own country's affairs and destiny;
- (ii) the Caymanian people should not continue to be excluded from the selection process for such critical positions as those of the Attorney General and members of the Judiciary;
- (iii) there must be greater freedom of information; and
- (iv) there is no appropriate mechanism in place for the electorate to participate, as they should be allowed, in the affairs of the Cayman Islands by initiative referendum and recall, which would be the inalienable right of self-determination by the Cayman electorate in action and not just empty words.

The above are but few of the many items that are necessary to be the building blocks of democracy for the Caymanian people – and Caymanians deserve no less.

It is worth repeating that for more than thirty years Caymanians have been allowed to labour under the misconception that there were only two constitutional options – remaining a British colony/OT as provided for in the 1972 Constitution, or taking the

short step off the deep end of the pier and helplessly floundering as an independent country.

At this point in history Caymanians want to continue as a British OT but with a constitution that puts more autonomy into the hands of the Caymanian people. To achieve the aspirations of the Caymanian people the solution is for the new constitution of the Cayman Islands to be designed and tailored to suit the specific needs and requirements of the Cayman Islands – one only need look at Bermuda to see a prime example of an OT being allowed to have a tailor-made constitution.

In support of Cayman's desire to be treated no less fairly than Bermuda has been, the Concerned Citizens Group of the Cayman Islands would respectfully quote a few extracts from the Statement by Mr. Roy Osborne of HMG/FCO to the Caribbean Regional Seminar held in Anguilla on 20-22 May 2003 and chaired by Ambassador Huntley, Chairman of the UN Committee of 24:-

Quote

"Let us look at Bermuda, a UK Oversees Territory with a population with just over 60,000 people and with a per capita GDP of just over \$50,000 – one of the highest in the world and twice that of the UK [\$26,500]. Bermuda is one of the world's leading international financial centers specializing in the insurance market.

"I was in Bermuda recently for an environmental conference. I had been told what to expect and it still came as a surprise, and as I looked around I began to see for myself the extent to which Bermuda's continued presence on the list has become an anachronism. Bermuda is a highly developed island. It is a thriving democracy...Admittedly, the United Kingdom Government, through the Governor, retains reserved powers for Bermuda's external relations, defence and internal security. But, the reality is that even in these fields, the United Kingdom Government, through Governors, closely consults Bermuda's Ministers and that the Premier and her elected Cabinet decide for themselves what is best for the Territory. So, I don't think that describing Bermuda as under colonial administration comes anywhere close to reflecting the reality of the situation...which makes me wonder what Bermuda is doing on the C24 list.

"You may say that Bermuda is just one example and is exceptional. Perhaps. But the Cayman Islands are not far behind. With a population of over 40,000, the Caymans are another leading international financial center on a world scale.

"Perhaps, inevitably, one of the messages coming through from this review process,..., is that Territories would like more autonomy, more responsibility and a diminution in Governors' powers. We are considering with Territory Governments what might be possible. HMG has to decide where the line lies between fulfilling our White Paper commitment to give the Territories the greatest possible degree of autonomy to run their own affairs and retaining the tools we need to meet our own responsibilities for the

Territories. It has not been an easy balance to strike and arguably becomes more difficult as developments in the wider world make the distinction between domestic and external affairs increasingly blurred. "

Unquote

One need only refer to, for example, the Report of the Secretary-General on the Second International Decade for the Eradication of Colonialism dated 22 March 2001 to see that the people of the Cayman Islands are not asking HMG or any other authority for something to which Cayman should not be entitled. That Report clearly sets out the obligations and duties which our Administering Power (HMG) has towards the Cayman Islands, and Caymanians are therefore requesting that the long overdue education and familiarization process regarding self-determination, while still remaining a British OT, be provided for the Cayman Islands. In this respect, as far back as July 2002 the Concerned Citizens of the Cayman Islands had attempted through the office of HE the Governor to obtain assistance from HMG/FCO by way of Lecturers to educate the electorate of Cayman concerning constitutional matters in particular, but regrettably this assistance was not forthcoming.

The solution therefore is for HMG to no longer deprive the Cayman Islands of the opportunity of being placed on no less a fair and beneficial footing as that of Bermuda which will allow Caymanians to manage their affairs while remaining a British Overseas Territory – if that is what the Caymanian electorate desires.

Thank you for giving The Concerned Citizens of the Cayman Islands this opportunity to present some of their real concerns about the future of their beloved Cayman Islands and we look forward to moving forward with the assistance of HMG and yourselves to securing Cayman's place in the global community while at the same time continuing to be proud to be a British Overseas Territory.

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The Concerned Citizens of the Cayman Islands

Alice Mae Coe is the Community Liaison Officer of Walkers, Attorneys-at-Law of the Cayman Islands, and has been with that firm for 38 years, 34 of which was as Personal Assistant to the Founding Partner.

Mrs. Coe is a member of the Council of the National Trust for the Cayman Islands and Chairman of its West Bay District Committee, and also is a member of the West Bay Quincentennial Committee. She is currently the Deputy Chairman and Public Relations Officer of the Concerned Citizens of the Cayman Islands.