

UNITED BERMUDA PARTY

**POSITION PAPER SUBMITTED TO
THE BERMUDA INDEPENDENCE
COMMISSION**

JUNE 8, 2005

INTRODUCTION

This Position Paper is submitted by the United Bermuda Party to the Bermuda Independence Commission (“BIC”) for consideration when preparing its report on Independence.

The Paper is divided into seven sections as follows:

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SECTION 1

UNITED BERMUDA PARTY POSITION

In the Spring of 2004, shortly after the Premier announced that he wished to put Independence on the national agenda, the United Bermuda Party's position was set out in the following published statement by the Party Leader, the Hon. Grant Gibbons:

“Meaningful Independence Debate Requires a Referendum

Some weeks ago, the Premier called for a national debate on independence. The United Bermuda Party recognises that this national dialogue, if handled properly, has the potential to create better understanding and build tolerance within our community. We would be naive, however, not to recognise its potential to divide us.

The United Bermuda Party believes that one of the first steps to ensure a constructive debate is to properly define the process. In another words, we need to determine up front who decides whether we should go independent and how they should make this decision.

The United Bermuda Party believes in the principle of self-determination for all Bermudians. The International Covenant on Civil and Political Rights describes self-determination as an “inalienable right” of all peoples through which they freely “determine their political status and freely pursue their economic, social and cultural development.” At the core of the United Bermuda Party's belief in self-determination is the conviction that the people themselves must determine Bermuda's destiny, not the British government, not the United Nations, not Cabinet Ministers and not MPs.

This is a lesson that we all should have learned from the last round of constitutional change that established single-seat constituencies. At the beginning of that process, the PLP government's inflexible approach to constitutional change created enormous controversy and division in our community. The British government was apparently concerned enough to initiate a thoughtful discussion of how further constitutional change should be made. This process has not yet been completed. In fact, in our submission to the Governor, we recommended that he set up meetings between the principal political parties to work out a Bermuda solution to determine a road map to further constitutional change. We believe this suggestion has merit and should be pursued.

The United Bermuda Party further believes we should not begin to debate the substantial issues of independence unless the process has been clearly defined and agreed. It would be pointless to go through a lengthy period of information gathering and debate, no matter how relaxed and objective, if after all this the

people themselves were to be denied their right to decide the future of our country.

As it stands now, the PLP government could fight a general election in six months with independence on their platform, win by the same narrow 51.6% majority they won last July, hold a disproportionate number of seats in the House of Assembly and then claim they have a mandate to take the country to independence. To date, the British government has not provided the community with any assurance it would object to this clearly flawed process. [*Mr. Bill Rammell, the former Junior Minister with responsibility for the British Overseas Territories, has since clarified the U.K. Government's position – see Section 2 below*].

Independence is potentially the most divisive issue facing Bermuda. There are many in the community who have reacted with fear at the mere thought of discussing independence; part of the concern and fear stems from a belief that the process chosen by the PLP government will be exclusive and divisive.

Recent statements by the Premier have been unclear and inconsistent regarding the process the government intends to follow. And the PLP government's record of broken promises and misleading statements, well documented over five years, does not give us confidence that we can trust them on this issue.

It is up to any government to prove that they are worthy of the people's trust. The best way for the PLP government to do this is to commit now, before we begin to examine the pros and cons, to an unambiguous statement of how the issue of independence will be resolved.

To address the fear of exclusion, all of us, including the British government, must work to insure that there is a process in place that is clear from the beginning, that will not change arbitrarily and that puts the final decision in the hands of the people.

We believe that the PLP's long-held approach of deciding the issue of Bermuda's sovereignty through a general election would only heighten divisions and create a major impediment to reuniting our community behind the outcome. The recent general election polarized the community, and the distribution of seats in the House of Assembly is not reflective of the much closer popular vote.

Furthermore, voters weigh many factors during a general election; the party platform, the personal appeal of candidates and the record of the incumbent party are just a few. The significance of our decision regarding independence requires nothing less than a single focus.

The United Bermuda Party believes in and trusts the judgment of the people. The most democratic and least divisive vehicle to insure that the will of the people

prevails is a referendum. Only in that way will every voice be heard and every vote count.”

Since the early 1990’s and the last referendum on the issue, the United Bermuda Party has consistently held the position that the matter of independence should be decided by Bermuda’s people through a referendum, not by Cabinet Ministers, not by MPs, not by the British Government and not by the United Nations Decolonization Committee.

In 2005, the United Bermuda Party recognises that an overwhelming majority of Bermudians share this approach to dealing with the issue of independence. Independent polls, petitions and community feedback clearly demonstrate that the only acceptable way to decide the issues will be through a referendum and not a general election. In essence, the United Bermuda Party is not fighting for or against independence; the United Bermuda Party is fighting for the democratic right of the Bermudian people to clearly express themselves on the issue.

WHY A REFERENDUM?

Within the Westminster system, referendums are rarely used for every-day political decision making because their frequent use would slow the normal process of representative democracy and accountability as practiced in the Parliamentary system. This practice is based on the premise that political representatives are generally well informed and play an important role in ensuring that policy is sensitive to changing political needs.

However, this convention does not apply to issues of fundamental political and constitutional change. Here the nature of the change transcends the process of parliamentary sovereignty, because the people are seen as being able to develop well formed views on such fundamental issues. Such is the case in Bermuda, and as will be seen from Sections 4 and 5 below, even the British Government has accepted the principle that a referendum is the preferred way in which to deal with fundamental constitutional changes.

In essence, under a referendum:

- Voters by-pass politicians and political parties.
- Referendums are the purest form of electoral democracy.
- Referendums express the will of the people.
- Referendums are normally held only on critical, life-changing constitutional issues.

- Referendums are used where the people must have a direct say and make the decision themselves.
- The choice between a referendum and a general election is the choice between an individual's freedom to decide an issue and voting for a government to decide the issue for you.

SECTION 2

POSITION OF THE UNITED KINGDOM AND THE UNITED NATIONS

1. UK Government's position:

Following the September 2004 Overseas' Territories Consultative Council meeting in London, the former Junior Minister responsible for United Kingdom Overseas Territories, Mr. Bill Rammell, stated:

“As the grant of Independence by the UK requires the prior approval of Parliament, the UK Government needs to be satisfied that if a territory moves to independence, it does so on the basis of the clearly and constitutionally expressed wish of the people.

“The move to independence is a fundamental step, and increasingly in the UK major constitutional issues of this kind are being put to a referendum. At this time the presumption of the UK Government is that a referendum would be the way of testing opinion in those territories where Independence is an option. But the final decision on whether to go the referendum route, and what form the referendum might take, would need to be determined by the UK Government, on a case by case basis....”

More recently, His Excellency the Governor, Sir John Vereker, in a speech at the Speaker's Dinner on May 28, 2005 reaffirmed the British Government's position on the matter, stating it was the “assumption” of the British Government that a referendum would be the “right way” of establishing whether independence is supported by a majority (*Royal Gazette*, May 30, 2005).

2. The United Nations' Position:

United Nation's Resolution 1514 (XV) of 1960 states amongst other things that:

“All people have the right to self determination, by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

It goes on to say that, irrespective of what constitutional option is chosen by a non-self governing territory in respect of its future constitutional status – be it free association with the administering power, or another state, by integration with another administering power or full independence – the decision must be determined as a result of a free, and voluntary choice by the people of the territory. This must be clearly expressed through an informed and democratic process. **The most transparent process is through a referendum.**

SECTION 3

This section shows the results of three polls, which demonstrate that an overwhelming majority Bermudians wish to have a referendum.

1. BERMUDA SUN - As reported on 7th May 2004

Question: “In your opinion, should the question of independence be decided by way of an election or a referendum?”

Answer:

36% said election,

51.8% said a referendum

12.2% said they weren't sure.

(Results from 328 voters polled)

2. ROYAL GAZETTE – As reported on 30th March 2005 (Research Innovations 17th to 21st March 2005)

“Support for a General Election with Independence as a platform decreased minutely however (From January), from 20.8 percent to 18.5 percent, while those who were unsure what process they thought should be used increased from 9.9 percent to 15.6 percent. Uncertainty appeared to be the great variable in the poll. Support for a referendum allowing Bermudians to make the direct choice has decreased from 69.4 percent to 65.9 percent.”

3. ROYAL GAZETTE – As reported on 1st June 2005 (Research Innovations poll of 403 people, May 13th to 17th, 2005

“Support for deciding the matter by referendum has gone up by nearly six points to 71.8% – its highest showing this year – while support for doing it via election has gone down slightly for the third poll running. Just 17.7% favoured this method.”

SECTION 4

This section of the brief deals with those countries that have become independent by way of a referendum. The source of the information is the US Department of State’s website at www.state.gov/r/pa/ei/bgn. We have provided a brief synopsis of the type of government in place at the current time and a brief historical overview leading to the independence referendum of the country in question so that BIC can make easy comparisons with Bermuda. A summary of the ethnic composition of the country has also been provided.

The Commission will note that several of the countries that have been identified were not full democracies, but nevertheless, the colonial power of the day or autocratic regime in place at the time still permitted the people to choose their destiny by way of referendum. The historical perspective has been provided to demonstrate that even in the face of brutality the will of the people has prevailed when exercising their right to vote in a referendum. East Timor is a prime example, as is Eritrea. The Kyrgyz Republic is an interesting case study in that it has embraced referendums to make changes to its constitution despite having been a member of the Soviet Bloc and despite having generally questionable polling practices.

We have also included (at Section 5) references to various Islands in the Caribbean that did not become independent by way of a referendum, but instead chose independence by way of “natural progression,” by way of a constitutional conference, or election. What must be remembered however is that in most instances the Caribbean Islands that went independent without a referendum did so as a result of the failure of the West Indies Federation following the withdrawal of Jamaica (for example Barbados and Trinidad and Tobago). Furthermore there was an unmistakable majority of nationals from those countries that wanted independence (for example Dominica). Polling shows that this is not true of Bermuda.

Of the Caribbean Islands, Jamaica, Saint Vincent and the Grenadines held independence referendums, as well as Nevis in its bid to become independent of St. Kitts. More recently, in April 2005, both Curacao and St. Eustatius used referendums to decide their

status with respect to their constitutional position with the Netherlands and the Dutch Antilles government.

1. JAMAICA

People and Ethnicity:

Nationality: Jamaican(s).

Population (2000): 2.65 million.

Annual growth rate (2000): 0.6%.

Ethnic groups: African 90.9%, East Indian 1.3%, Chinese 0.2%, White 0.2%, mixed 7.3%, other 0.1%.

Religious affiliation: Anglican, Baptist and other Protestant, Roman Catholic, Rastafarian, Jewish.

Languages: English, Patois.

Education: *Years compulsory*--to age 14. *Literacy* (age 15 and over)--79.9%.

Health (2000): *Infant mortality rate*--24.5/1,000. *Life expectancy*--female 75 yrs., male 70 yrs.

Work force (2000, 1.1 million): *Industry*--17.8%; *agriculture*--21.4%; *services*--60.8%.

Government:

Type: Constitutional parliamentary democracy.

Independence: August 6, 1962.

Constitution: August 6, 1962.

Branches:

Executive--Governor General (chief of state, representing British monarch), prime minister, cabinet.

Legislative--bicameral Parliament (21 appointed senators, 60 elected representatives).

Judicial--Court of Appeal and courts of original jurisdiction.

Subdivisions: 14 parishes, 60 electoral constituencies.

Political parties: People's National Party (PNP), Jamaica Labour Party (JLP), National Democratic Movement (NDM), United Peoples Party (UPP).

Suffrage: Universal at 18.

Brief Historical Perspective:

Arawaks from South America had settled in Jamaica prior to Christopher Columbus' first arrival at the island in 1494. During Spain's occupation of the island, starting in 1510, the Arawaks were exterminated by disease, slavery, and war. Spain brought the first African slaves to Jamaica in 1517. In 1655, British forces seized the island, and in 1670, Great Britain gained formal possession.

Sugar made Jamaica one of the most valuable possessions in the world for more than 150 years. The British Parliament abolished slavery as of August 1, 1834. After a long period of direct British colonial rule, Jamaica gained a degree of local political control in the late

1930s, and held its first election under full universal adult suffrage in 1944. Jamaica joined nine other U.K. territories in the West Indies Federation in 1958 but withdrew after Jamaican voters rejected membership in 1961. Jamaica gained independence in 1962, remaining a member of the Commonwealth.

The Federation of the West Indies was launched in 1959 and Jamaica was a part of this group. **In 1961, a referendum was called to determine whether or not the people of Jamaica should remain a part of the Federation. The Jamaican people voted for independence.**

2. SAINT VINCENT AND THE GRENADINES

People and Ethnicity:

Nationality: Vincentian.

Population (2002 est.): 115,000.

Annual growth rate (1998): 0.1%.

Ethnic groups: African descent (66%), mixed (19%), West Indian (6%), Carib Indian (2%).

Religions: Anglican (47%), Methodist (28%), Roman Catholic (13%), other Protestant denominations, Seventh-day Adventist, Hindu.

Language: English (official); some French Patois spoken.

Education: *Literacy*--98%. *Years compulsory*--up to age 15.

Health (1998): *Infant mortality rate*--22.2/1,000. *Life expectancy*--females 72 yrs.; males--68 yrs.

Work force: About 40,000. *Agriculture*--60%.

Government:

Type: Parliamentary democracy; independent sovereign state within the Commonwealth.

Independence: October 27, 1979.

Constitution: October 27, 1979.

Branches:

Executive--governor general (representing Queen Elizabeth II, head of state), prime minister (head of government), cabinet.

Legislative--Unicameral legislature with 15-member elected house of assembly and six-member appointed senate.

Judicial--district courts, Eastern Caribbean Supreme Court (high court and court of appeals), final appeal to the Privy Council in London.

Subdivisions: Six parishes.

Political parties: Unity Labor Party (ULP, incumbent; holds 12 of 15 seats in parliament), New Democratic Party (NDP).

Suffrage: Universal at 18

Brief Historical Perspective:

Carib Indians aggressively prevented European settlement on St. Vincent until the 18th century. African slaves--whether shipwrecked or escaped from St. Lucia and Grenada and seeking refuge in St. Vincent--intermarried with the Caribs and became known as "black Caribs." Beginning in 1719, French settlers cultivated coffee, tobacco, indigo, cotton, and sugar on plantations worked by African slaves.

In 1763, St. Vincent was ceded to Britain. Restored to French rule in 1779, St. Vincent was regained by the British under the Treaty of Versailles in 1783. Conflict between the British and the black Caribs continued until 1796, when General Abercrombie crushed a revolt fomented by the French radical Victor Hugues. More than 5,000 black Caribs were eventually deported to Roatan, an island off the coast of Honduras.

Slavery was abolished in 1834; the resulting labor shortages on the plantations attracted Portuguese immigrants in the 1840s and east Indians in the 1860s. Conditions remained harsh for both former slaves and immigrant agricultural workers, as depressed world sugar prices kept the economy stagnant until the turn of the century.

From 1763 until independence, St. Vincent passed through various stages of colonial status under the British. A representative assembly was authorized in 1776, Crown Colony government installed in 1877, a legislative council created in 1925, and universal adult suffrage granted in 1951.

During this period, the British made several unsuccessful attempts to affiliate St. Vincent with other Windward Islands in order to govern the region through a unified administration. The most notable was the West Indies Federation, which collapsed in 1962. St. Vincent was granted associate statehood status in 1969, giving it complete control over its internal affairs. **Following a referendum in 1979, St. Vincent and the Grenadines became the last of the Windward Islands to gain independence.**

3. ALGERIA

People and Ethnicity:

Nationality: --Algerian.

Population (July 2003 est.): 32,818,500.

Annual growth rate (2003 est.): 1.65%. *Birth rate*--21.94 births/1,000, population; *death rate*--5.09 deaths/1,000 population.

Ethnic groups: Arab-Berber 99%, European less than 1%.

Religions: Sunni Muslim (state religion) 99%, Christian and Jewish 1%.

Languages: Arabic (official), French, Berber dialects.

Education: *Literacy* (definition--age 15 and over can read and write)--total population, 70%; male 78.8%, female 61% (2003 est.)

Health (2003 est.): *Infant mortality rate*--37.74 deaths/1,000 live births. *Life expectancy at birth*--total population, 70.54 years; male 69.14 years, female 72.01 years.

Work force (2003): 9.5 million. *Government--32%; agriculture--14%; construction and public works--10%; industry--13.4%; trade--14.6%, other--16%.*
Unemployment rate (2004 est.): 30%.

Government:

Type: Republic.

Independence: July 5, 1962 (from France).

Constitution: November 19, 1976; revised November 3, 1988, February 23, 1989, and November 28, 1996.

Branches:

Legal system based on French and Islamic law; judicial review of legislative acts in ad hoc Constitutional Council composed of various public officials, including several Supreme Court justices; has not accepted compulsory ICJ jurisdiction.

Administrative divisions: 48 provinces (wilayates; singular, wilaya).

Suffrage: 18 years of age; universal.

National holiday: Revolution Day, November 1, 1954.

Brief Historical Perspective:

Since the 5th century B.C., the indigenous tribes of northern Africa (identified by the Romans as "Berbers") have been pushed back from the coast by successive waves of Phoenician, Roman, Vandal, Byzantine, Arab, Turkish, and, finally, French invaders. The greatest cultural impact came from the Arab invasions of the 8th and 11th centuries A.D., which brought Islam and the Arabic language. The effects of the most recent (French) occupation--French language and European-inspired socialism--are still pervasive.

North African boundaries have shifted during various stages of the conquests. Algeria's modern borders were created by the French, whose colonization began in 1830. To benefit French colonists, most of whom were farmers and businessmen, northern Algeria was eventually organized into overseas departments of France, with representatives in the French National Assembly. France controlled the entire country, but the traditional Muslim population in the rural areas remained separated from the modern economic infrastructure of the European community.

Indigenous Algerians began their revolt on November 1, 1954, to gain rights denied them under French rule. The revolution, launched by a small group of nationalists who called themselves the National Liberation Front (FLN), was a guerrilla war in which both sides targeted civilians and otherwise used brutal tactics. Eventually, protracted negotiations led to a cease-fire signed by France and the FLN on March 18, 1962, at Evian, France. The Evian accords also provided for continuing economic, financial, technical, and cultural relations, along with interim administrative arrangements until a referendum on self-determination could be held. Over 1 million French citizens living in Algeria at the time, called the "pieds-noirs," left Algeria for France. **The referendum was held in Algeria on July 1, 1962, and France declared Algeria independent on July 3.**

4. ARMENIA

People and Ethnicity

Nationality: --Armenian.

Population (official est.): 3,213,011 de jure (3,002,594 de facto). These figures represent the final results of the October 2001 census, as announced in January 2003.

Ethnic groups: Armenian 98%; Yezidi 1.2%; Russian, Greek, and other 0.8%.

Religion: Armenian Apostolic Church (more than 90% nominally affiliated).

Languages: Armenian (96%), Russian, other.

Education: *Literacy*--99%.

Health: *Infant mortality rate*--20/1,000. *Life expectancy*--66.6 years.

Work force (1.24 million -- 10.5% unemployed): *Industry and construction*--24.5%; *agriculture and forestry*--24.6%; *trade*--17.3%; *education*--13.4%; *other*--22.2%.

Government

Type: Republic.

Constitution: Approved in 1995 referendum.

Independence: 1918 (First Armenian Republic); 1991 (from Soviet Union).

Branches:

Executive--president (head of state) with wider powers relative to other branches, prime minister (head of cabinet), Council of Ministers (cabinet).

Legislative--unicameral National Assembly (parliament).

Judicial--Constitutional Court.

Administrative subdivisions: 10 marzes (provinces) in addition to the city of Yerevan, which has the status of a province.

Political parties represented in the National Assembly: Republican Party of Armenia, Armenian Revolutionary Federation (ARF) Dashnaktsutyun, Country of Law (Orinats Yerkir), People's Party of Armenia, National Accord Party, Republic Party, and United Labor Party. Other significant parties include: National Democratic Union, Constitutional Rights Union, Social Democratic Hnchakian Party, Armenian National Movement, Liberal Democratic Ramkavar Party, Self Determination Union, Communist Party, and the Christian Democratic Party. In addition, there are 36 other registered parties, many of which become active only during national campaigns.

Suffrage: Universal at 18.

Brief Historical Perspective

Between the 4th and 19th centuries, Armenia was conquered and ruled by, among others, Persians, Byzantines, Arabs, Mongols, and Turks. For a brief period from 1918 to 1920, it was an independent republic. In late 1920, the communists came to power following an invasion of Armenia by the Red Army, and in 1922, Armenia became part of the Trans-Caucasian Soviet Socialist Republic. In 1936, it became the Armenian Soviet Socialist Republic. Armenia declared its independence from the Soviet Union on September 21, 1991.

Armenians voted overwhelmingly for independence in a September 1991 referendum, followed by a presidential election in October 1991 that gave 83% of the vote to Levon Ter-Petrossian. Ter-Petrossian had been elected head of government in 1990, when the Armenian National Movement defeated the Communist Party. Ter-Petrossian was re-elected in 1996.

The Government of Armenia's stated aim is to build a Western-style parliamentary democracy as the basis of its form of government. However, international observers have questioned the inherent fairness of parliamentary and presidential elections and constitutional referenda during each of the previous nationwide elections (1995, 1999, and 2003), citing polling deficiencies, lack of cooperation by the electoral commission, poor maintenance of electoral lists, and access to polling places. The new constitution of 1995 greatly expanded the powers of the executive branch and gives it much more influence over the judiciary and municipal officials.

5. BOSNIA AND HERZEGOVINA

People and Ethnicity

Nationalities: Bosniak (Muslim), Bosnian Croat, Bosnian Serb.

Population (July 2002 est.): 3,964,388 (note: all data dealing with population are subject to considerable error because of the dislocations caused by military action and ethnic cleansing).

Population growth rate (2002 est.): 0.76%.

Ethnic groups: Bosniak 48.3%, Serb 34.0%, Croat 15.4%, others 2.3%. (Source: UNDP Human Development Report 2002--Bosnia-Herzegovina)

Religions: Muslim (40%); Orthodox (31%); Catholic (15%); Protestant (4%); other (10%).

Languages: Bosnian, Serbian, Croatian (formerly "Serbo-Croatian").

Education: Mandatory 8 years of primary school, 4 years in secondary school, and 4 years in universities and academies. In Bosnia and Herzegovina, there are 407 primary schools with 250,000 students, 171 secondary schools with 80,000 students, 6 universities in the major cities (Sarajevo, Mostar, Banja Luka, Tuzla, and Bihac) and 6 academies (4 pedagogic and 2 art academies).

Education: *Adult literacy rate*--male 94.1%, female 78.0%.

Health: *Infant mortality rate*--23.53 deaths/1,000. *Life expectancy*--male 71.0, female 75.0.

Work force (total): 633,860.

Government

Type: Parliamentary democracy.

Constitution: The Dayton Agreement, signed December 14, 1995, included a new constitution now in force.

Independence: April 1992 (from Yugoslavia).

Branches:

Executive--Chairman of the Presidency and two other members of three-member rotating presidency (chief of state), Chairman of the Council of Ministers (head of government), Council of Ministers (cabinet).

Legislative--bicameral parliamentary assembly, consisting of national House of Representatives and House of Peoples (parliament).

Judicial--Supreme Court, Constitutional Court, both supervised by the Ministry of Justice.

Subdivisions: Two entities: Muslim/Croat Federation of Bosnia and Herzegovina (divided into 10 cantons) and Republika Srpska.

Political parties: Party of Democratic Action (SDA); Croatian Democratic Union of BiH (HDZ-BiH); Serb Democratic Party (SDS); Party for Bosnia and Herzegovina (SBiH); Civic Democratic Party (GDS); Croatian Peasants' Party of BiH (HSS); Independent Social Democratic Party (SNSD); Liberal Party (LS); Republican Party of Bosnia and Herzegovina (RS); Serb Civic Council (SGV); Social Democratic Party (SDP); Socialist Party of Republika Srpska (SPRS); Democratic Socialist Party (DSP); Social Democrats of Bosnia Herzegovina; Party for Democratic Progress (PDP); National Democratic Union (DNZ); Serb National Alliance (SNS); Coalition for a United and Democratic BiH (coalition of SDA, SBiH, LS, and GDS).

Suffrage: Universal at age 18.

Brief Historical Perspective

The three main ethnic groups in present-day Bosnia and Herzegovina are Bosniak, Serb, and Croat, and languages are Bosnian, Serbian, and Croatian (formerly "Serbo-Croatian"). Nationalities are Bosniak (Muslim), Bosnian Serb, and Bosnian Croat. Religions include Islam, Serb Orthodoxy, Roman Catholicism, Judaism, some Protestant sects, and some others.

During Ottoman rule, many Bosnians converted from Christianity in favor of Islam. Bosnia was under Ottoman rule until 1878, when it was given to Austria-Hungary as a colony. While those living in Bosnia came under rule by the Austrian-Hungarian Empire, South Slavs in Serbia and elsewhere were calling for a South Slav state. World War I began when Serb nationalist Gavrilo Princip assassinated the Archduke Ferdinand in Sarajevo. Following the Great War, Bosnia became part of the South Slav state of Yugoslavia, only to be given to Nazi-puppet Croatia in World War II. During this period,

many atrocities were committed against Jews, Serbs, and others who resisted the occupation. The Cold War saw the establishment of the Communist Federal Republic of Yugoslavia under Josip Broz Tito, and the reestablishment of Bosnia as a republic with its medieval borders within the federation of Yugoslavia.

Yugoslavia's unraveling was hastened by the rise of Slobodan Milosevic to power in 1986. Milosevic's embrace of Serb nationalism led to intrastate ethnic strife. Slovenia and Croatia both declared independence from Yugoslavia in 1991. **In February 1992, the Bosnian Government held a referendum on independence.** Bosnia's parliament declared the republic's independence on April 5, 1992. However, this move was opposed by Serb representatives who favored remaining in Yugoslavia. Bosnian Serbs, supported by neighboring Serbia, responded with armed resistance in an effort to partition the republic along ethnic lines to create a "greater Serbia." Full recognition of its independence by the United States and most European countries occurred on April 7, and Bosnia-Herzegovina was admitted to the United Nations on May 22, 1992.

6. COTE D'IVOIRE

People and Ethnicity

Nationality: Ivoirian(s).

Population (2003 est.): 18,100,000, including immigrants. Population density is 56 persons per sq. km. (145 per sq. mi.). Foreign national population includes about 130,000 Lebanese, 20,000 French.

Annual growth rate: 3.8%, with immigration.

Ethnic groups: More than 60.

Religions: Indigenous 10%-20%, Muslim 35%-40%, and Christian (Catholic, Protestant and other denominations) 25%-35%.

Languages: French (official); five principal language groups.

Education: *Years compulsory*--school is not compulsory at this time. *Attendance*--57%.

Literacy--51%.

Health: *Infant mortality rate*--111/1,000. *Life expectancy*--46 years.

Government

Type: Republic.

Independence: August 7, 1960.

Branches:

Executive--president (chief of state and head of government).

Legislative--unicameral National Assembly.

Judicial--Supreme Court (3 chambers: judicial, administrative, auditing); Constitutional Council.

Administrative subdivisions: 19 regions, 58 departments, 196 communes.

Political parties: Front Populaire Ivoirien (FPI), Parti Democratique de la Cote d'Ivoire (PDCI), Rassemblement des Republicaines (RDR), Union pour la Democratie et pour la Paix en Cote d'Ivoire (UDPCI), numerous other smaller political parties operate in Cote d'Ivoire.

Suffrage: Universal at 18.

Brief Historical Perspective - French Period

Cote d'Ivoire officially became a French colony in 1893. Captain Binger, who had explored the Gold Coast frontier, was named the first governor. He negotiated boundary treaties with Liberia and the United Kingdom (for the Gold Coast) and later started the campaign against Almany Samory, a Malinke chief, who fought against the French until 1898.

From 1904 to 1958, Cote d'Ivoire was a constituent unit of the Federation of French West Africa. It was a colony and an overseas territory under the French Third Republic. Until the period following World War II, governmental affairs in French West Africa were administered from Paris. France's policy in West Africa was reflected mainly in its philosophy of "association," meaning that all Africans in Cote d'Ivoire were officially French "subjects" without rights to citizenship or representation in Africa or France.

During World War II, France's Vichy regime remained in control until 1943, when members of Gen. Charles de Gaulle's provisional government assumed control of all French West Africa. The Brazzaville Conference in 1944, the first Constituent Assembly of the French Fourth Republic in 1946, and France's gratitude for African loyalty during World War II led to far-reaching governmental reforms in 1946. French citizenship was granted to all African "subjects," the right to organize politically was recognized, and various forms of forced labor were abolished.

A turning point in relations with France was reached with the 1956 Overseas Reform Act (Loi Cadre), which transferred a number of powers from Paris to elected territorial governments in French West Africa and also removed remaining voting inequalities.

In December 1958, Cote d'Ivoire became an autonomous republic within the French community as a result of a referendum that brought community status to all members of the old Federation of French West Africa except Guinea, which had voted against association. Cote d'Ivoire became independent on August 7, 1960, and permitted its community membership to lapse.

The Cote d'Ivoire is an example of African nations that held referendums to become an autonomous republic within the French community.

7. DJIBOUTI

People and Ethnicity

Nationality: Djiboutian(s).

Population (est.): Between 466,900 and 650,000.

Annual growth rate: 3%.

Ethnic groups: Somalis (Issaks, Issas, and Gadaboursis), Afars, Ethiopians, Arab, French, and Italian.

Religions: Muslim 94%, Christian 6%.

Languages: French and Arabic (official); Somali and Afar widely used.

Education: *Literacy*--46.2%.

Health: *Infant mortality rate*--100 to 150/1,000. *Life expectancy*--50 yrs.

Work force: Low employment rate; estimates run well under 50% of the work force. The largest employers are the Government of Djibouti, including telecommunications and electricity; Port of Djibouti; and Airport. The U.S. Government, including the military camp and the embassy, is the second largest employer. Able-bodied unemployed population (est. 1999)--50%.

Government

Type: Republic.

Constitution: Ratified September 1992 **by referendum.**

Independence: June 27, 1977.

Branches:

Executive--president.

Legislative--65-member parliament, cabinet, prime minister.

Judicial--based on French civil law system, traditional practices, and Islamic law.

Administrative subdivisions: 6 cercles (districts)--Ali-Sabieh, Arta, Dikhil, Djibouti, Obock, and Tadjoura.

Political parties: People's Rally for Progress (RPP) established in 1981; New Democratic Party (PRD) and the National Democratic Party (PND) were both established in 1992; and the Front For The Restoration of Unity and Democracy (FRUD) was legally recognized in 1994. Five additional parties were established in 2002: Djibouti Development Party (PDD); Peoples Social Democratic Party (PPSD); Republican Alliance for Democracy (ARD); Union for Democracy and Justice (UDJ); Movement for Democratic Renewal (MRD).

Suffrage: Universal at 18.

Brief Historical Perspective

The Republic of Djibouti gained its independence on June 27, 1977. It is the successor to French Somaliland (later called the French Territory of the Afars and Issas), which was created in the first half of the 19th century as a result of French interest in the Horn of Africa

On July 22, 1957, the colony was reorganized to give the people considerable self-government. On the same day, a decree applying the Overseas Reform Act (Loi Cadre) of June 23, 1956, established a territorial assembly that elected eight of its members to an executive council. Members of the executive council were responsible for one or more of the territorial services and carried the title of minister. The council advised the French-appointed governor general.

In a September 1958 constitutional referendum, French Somaliland opted to join the French community as an overseas territory. This act entitled the region to representation by one deputy and one senator in the French Parliament, and one counselor in the French Union Assembly.

The first elections to the territorial assembly were held on November 23, 1958, under a system of proportional representation. In the next assembly elections (1963), a new electoral law was enacted. Representation was abolished in exchange for a system of straight plurality vote based on lists submitted by political parties in seven designated districts. Ali Aref Bourhan, allegedly of Turkish origin, was selected to be the president of the executive council.

French President Charles de Gaulle's August 1966 visit to Djibouti was marked by 2 days of public demonstrations by Somalis demanding independence. **On September 21, 1966, Louis Saget, appointed governor general of the territory after the demonstrations, announced the French Government's decision to hold a referendum to determine whether the people would remain within the French Republic or become independent.** In March 1967, 60% chose to continue the territory's association with France.

In July of that year, a directive from Paris formally changed the name of the region to the French Territory of Afars and Issas. The directive also reorganized the governmental structure of the territory, making the senior French representative, formerly the governor general, a high commissioner. In addition, the executive council was redesignated as the council of government, with nine members.

In 1975, the French Government began to accommodate increasingly insistent demands for independence. In June 1976, the territory's citizenship law, which favored the Afar minority, was revised to reflect more closely the weight of the Issa Somali. **The electorate voted for independence in a May 1977 referendum, and the Republic of Djibouti was established on June 27, 1977.** Hassan Gouled Aptidon became the country's first president.

8. EAST TIMOR

People and Ethnicity

Nationality: Timorese.

Population (2004): 924,642.

Religion: Catholic 98%.

Languages: Portuguese, Tetum (official languages); English, Bahasa Indonesia (working languages).

Education: *Literacy*--41%.

Health: *Life expectancy*--49.5 years. *Mortality rate* (under 5)--126 per 1,000 live births.

Government

Type: Parliamentary democracy.

Independence (from Portugal): November 28, 1975.

Restoration of independence: May 20, 2002.

Constitution: March 2002.

Branches:

Executive--president (head of state), prime minister (head of government), cabinet.

Legislative--unicameral parliament.

Judicial--Supreme Court and supporting hierarchy. As the Supreme Court has not yet been formed, the Court of Appeal functions, on an interim basis, as the Supreme Court.

Major political parties: Revolutionary Front of Independent East Timor (FRETILIN), Democratic Party (PD), Social Democratic Party (PSD), Timorese Social Democratic Association (ASDT).

Brief Historical Perspective

Portuguese and Dutch traders made the first western contact with East Timor in the early 16th century. Sandalwood and spice traders, as well as missionaries, maintained sporadic contact with the island until 1642, when the Portuguese moved into Timor in strength. The Portuguese and the Dutch, based at the western end of the island in Kupang, battled for influence until the present-day borders were agreed to by the colonial powers in 1906. Imperial Japan occupied East Timor from 1942-45. Portugal resumed colonial authority over East Timor in 1945 after the Japanese defeat in World War II.

Following a military coup in Lisbon in April 1974, Portugal began a rapid and disorganized decolonization process in most of its overseas territories, including East Timor. Political tensions--exacerbated by Indonesian involvement--heated up, and on August 11, 1975, the Timorese Democratic Union Party (UDT) launched a coup d'état in Dili. The putsch was followed by a brief but bloody civil war in which the Revolutionary Front for an Independent East Timor (FRETILIN) pushed UDT forces into Indonesian West Timor.

Shortly after the FRETILIN victory in late September, Indonesian forces began incursions into East Timor. On October 16, five journalists from Australia, Britain, and New Zealand were murdered in the East Timorese town of Balibo shortly after they had filmed regular Indonesian army troops invading East Timorese territory. On November 28, FRETILIN declared East Timor an independent state, and Indonesia responded by launching a full-scale military invasion on December 7. On December 22, 1975 the UN Security Council called on Indonesia to withdraw its troops from East Timor.

Declaring a provisional government made up of Timorese allies on January 13, 1976, the Indonesian Government said it was acting to forestall civil strife in East Timor and to prevent the consolidation of power by the FRETILIN party. The Indonesians claimed that FRETILIN was communist in nature, while the party's leadership described itself as social democratic. Coming on the heels of the communist victories in Vietnam, Cambodia, and Laos, the Indonesian claims were accepted by many in the West. Major powers also had little incentive to confront Indonesia over a territory seen as peripheral to their security interests. Nonetheless, the widespread popular support shown for the guerilla resistance launched by the Timorese made clear that the Indonesian occupation was not welcome. The Timorese were not permitted to determine their own political fate via a free vote, and the Indonesian occupation was never recognized by the United Nations.

The Indonesian occupation of Timor was initially characterized by a program of brutal military repression. Beginning in the late 1980s, however, the occupation was increasingly characterized by programs to win the "hearts-and-minds" of the Timorese through the use of economic development assistance and job creation while maintaining a strict policy of political repression, although serious human rights violations – such as the 1991 Santa Cruz massacre -- continued. Estimates of the number of Timorese who lost their lives to violence and hunger during the Indonesian occupation range from 100,000 to 250,000.

On January 27, 1999, Indonesian President B.J. Habibie announced his government's desire to hold a referendum in which the people of East Timor would chose between autonomy within Indonesia and independence. Under an agreement among the United Nations, Portugal, and Indonesia, the referendum was held on August 30, 1999. When the results were announced on September 4--78% voted for independence with a 98.6% turnout--Timorese militias organized and supported by the Indonesian military commenced a large-scale, scorched-earth campaign of retribution. While pro-independence FALINTIL guerillas remained cantoned in UN-supervised camps, the militia killed approximately 1,300 Timorese and forcibly pushed 300,000 people into West Timor as refugees. The majority of the country's infrastructure, including homes, irrigation systems, water supply systems, and schools, and nearly 100% of the country's electrical grid were destroyed. On September 20, 1999 the Australian-led peacekeeping troops of the International Force for East Timor (INTERFET) deployed to the country, bringing the violence to an end.

9. ERITREA

People and Ethnicity

Nationality: *Noun and adjective*--Eritrean(s).

Population (2004 est.): 4.3 million.

Annual growth rate: 3%.

Ethnic groups: Tigrinya 50%, Tigre 31.4%, Saho 5%, Afar 5%, Beja 2.5%, Bilen 2.1%, Kunama 2%, Nara 1.5%, and Rashaida .5%.

Religions: Christian 50%, mostly Orthodox, Muslim 48%, indigenous beliefs 2%.

Education: *Years compulsory*--none. *Attendance*--elementary 57%; secondary 21%.

Health: *Infant mortality rate*--48/1,000. *Life expectancy*--51 yrs.

Work force: *Agriculture*--80%. *Industry and commerce*--20%.

Government

Type: Transition government.

Independence: Eritrea officially celebrated its independence on May 24, 1993.

Constitution: Ratified May 24, 1997, but not yet implemented.

Branches:

Executive--president, cabinet.

Legislative--National Assembly.

Judicial--Supreme Court.

Administrative subdivisions: Six administrative regions.

Political party: People's Front for Democracy and Justice (name adopted by the Eritrean People's Liberation Front when it established itself as a political party).

Suffrage: Universal, age 18 and above.

Central government budget (2000): \$442 million.

Defense: \$107 million.

Brief Historical Perspective

Prior to Italian colonization in 1885, what is now Eritrea had been ruled by the various local or international powers that successively dominated the Red Sea region. In 1896, the Italians used Eritrea as a springboard for their disastrous attempt to conquer Ethiopia. Eritrea was placed under British military administration after the Italian surrender in World War II. In 1952, a UN resolution federating Eritrea with Ethiopia went into effect. The resolution ignored Eritrean pleas for independence but guaranteed Eritreans some democratic rights and a measure of autonomy. Almost immediately after the federation went into effect, however, these rights began to be abridged or violated.

In 1962, Emperor Haile Sellassie unilaterally dissolved the Eritrean parliament and annexed the country, sparking the Eritrean fight for independence from Ethiopia that continued after Haile Sellassie was ousted in a coup in 1974. The new Ethiopian

Government, called the Derg, was a Marxist military junta led by strongman Mengistu Haile Miriam.

During the 1960s, the Eritrean independence struggle was led by the Eritrean Liberation Front (ELF). In 1970, members of the group had a falling out, and a group broke away from the ELF and formed the Eritrean People's Liberation Front (EPLF). By the late 1970s, the EPLF had become the dominant armed Eritrean group fighting against the Ethiopian Government, and Isaias Afwerki had emerged as its leader. Much of the materiel used to combat Ethiopia was captured from the Ethiopian Army.

By 1977 the EPLF was poised to drive the Ethiopians out of Eritrea. That same year, however, a massive airlift of Soviet arms to Ethiopia enabled the Ethiopian Army to regain the initiative and forced the EPLF to retreat to the bush. Between 1978 and 1986, the Derg launched eight major offensives against the independence movement--all failed. In 1988, the EPLF captured Afabet, headquarters of the Ethiopian Army in northeastern Eritrea, prompting the Ethiopian Army to withdraw from its garrisons in Eritrea's western lowlands. EPLF fighters then moved into position around Keren, Eritrea's second-largest city. Meanwhile, other dissident movements were making headway throughout Ethiopia. At the end of the 1980s, the Soviet Union informed Mengistu that it would not be renewing its defense and cooperation agreement. With the withdrawal of Soviet support and supplies, the Ethiopian Army's morale plummeted, and the EPLF--along with other Ethiopian rebel forces--began to advance on Ethiopian positions.

Having defeated the Ethiopian forces in Eritrea, EPLF troops took control of their homeland. **In May 1991, the EPLF established the Provisional Government of Eritrea (PGE) to administer Eritrean affairs until a referendum could be held on independence and a permanent government established.** EPLF leader Isaias became the head of the PGE, and the EPLF Central Committee served as its legislative body.

A high-level U.S. delegation was present in Addis Ababa for the July 1-5, 1991 conference that established a transitional government in Ethiopia. The EPLF attended the July conference as an observer and held talks with the new transitional government regarding Eritrea's relationship to Ethiopia. **The outcome of those talks was an agreement in which the Ethiopians recognized the right of the Eritreans to hold a referendum on independence.**

On April 23-25, 1993, Eritreans voted overwhelmingly for independence from Ethiopia in a UN-monitored free and fair referendum. The Eritrean authorities declared Eritrea an independent state on April 27, and Eritrea officially celebrated its independence on May 24, 1993.

10. GEORGIA

People and Ethnicity

Nationality: Georgian(s).

Population: 4.4 million (2002 census preliminary results. Does not include Abkhazia or

South Ossetia.)

Population growth rate (2001 est.): -0.9%.

Ethnic groups: Georgian 70.1%, Armenian 8.1%, Russian 6.3%, Azeri 5.7%, Ossetian 3%, Abkhaz 1.8%, other 5%. (1989 est.)

Religion: Georgian Orthodox 65%, Muslim 11%, Russian Orthodox 10%, Armenian Apostolic 8%, other 6%.

Language: Georgian (official), Abkhaz also official language in Abkhazia.

Education: *Years compulsory*--11. *Literacy*--99%.

Health: *Infant mortality rate* (2001 est.)--52.37 deaths/1,000 live births. *Life expectancy*--64.63 yrs.

Government

Type: Republic.

Constitution: October 17, 1995.

Branches:

Executive--president with State Chancellery. *Legislative*--unicameral parliament, 235 members.

Judicial--supreme court, Constitutional Court, and local courts.

Subdivisions: 67 districts, including those within the two autonomous republics (Abkhazia and Ajara) and eight cities.

Political parties and leaders: National Democrats [Mikhail Saakashvili]; Rightist Opposition [Davit Gamkrelidze]; Labor Party [Shalva Natelashvili].

Suffrage: Universal over 18.

Brief Historical Perspective

Georgia has been a democratic republic since the presidential elections and constitutional referendum of October 1995. The President is elected for a term of 5 years, limited to 2 terms; his constitutional successor is the Chairman of the Parliament.

11. KYRGYZ REPUBLIC

People and Ethnicity

Nationality: Kyrgyzstani.

Population (Jan. 2004): 5,037,800.

Annual growth rate (2003): 0.99%.

Ethnic groups (Jan. 2003): Kyrgyz 67%; Russian 11%; Uzbek 14%; Dungan (ethnic Chinese Muslims) 1%; Uighurs 1%; Tatars 0.9% German 0.3%; other 4.8%.

Main religions: Islam; Russian Orthodox .

Language: State--Kyrgyz; official (2001)--Russian.

Education: Nine years compulsory. *Literacy*--98.7%.

Health (2003): *Infant mortality rate*--21.2 deaths/1,000 live births. *Life expectancy*--68.2 years.

Population distribution (2003): Urban 64.6%; rural 35.4%.

Government

Type: Republic.

Independence: August 31, 1991 (from the Soviet Union).

Constitution: May 5, 1993.

Branches:

Executive--president, prime minister.

Legislative--parliament. *Judicial*--Supreme Court, Constitutional Court, local courts, Procurator-General.

Administrative subdivisions: Seven oblasts and the municipality of Bishkek.

Brief Historical Perspective 1990's

The early 1990s brought measurable change to the Kyrgyz Republic following the collapse of the Soviet Union. The Kyrgyzstan Democratic Movement (KDM) had developed into a significant political force with support in parliament. In an upset victory, Askar Akayev, the president of the Kyrgyz Academy of Sciences, was elected to the presidency in October 1990. The following January, Akayev introduced new government structures and appointed a new government comprised mainly of younger, reform-oriented politicians. In December 1990, the Supreme Soviet voted to change the republic's name to the Republic of Kyrgyzstan. (In 1993, it became the Kyrgyz Republic.) In February 1991, the name of the capital, Frunze, was changed back to its pre-revolutionary name--Bishkek.

Despite these moves toward independence, economic realities seemed to work against secession from the U.S.S.R. **In a referendum on the preservation of the U.S.S.R. in March 1991, 88.7% of the voters approved a proposal to retain the U.S.S.R. as a "renewed federation."**

On August 19, 1991, when the State Committee for the State of Emergency (SCSE) assumed power in Moscow, there was an attempt to depose Akayev in Kyrgyzstan. After the coup collapsed the following week, Akayev and Vice President German Kuznetsov announced their resignations from the Communist Party of the Soviet Union (CPSU), and the entire politburo and secretariat resigned. This was followed by the Supreme Soviet vote declaring independence from the U.S.S.R. on August 31, 1991. Kyrgyz was announced as the state language in September 1991. (In December 2001, through a constitutional amendment, the Russian language was given official status.)

In January 1994, Akayev initiated a referendum asking for a renewed mandate to complete his term of office. He received 96.2% of the vote.

A new constitution was passed by the parliament in May 1993. In 1994, however, the parliament failed to produce a quorum for its last scheduled session prior to the expiration of its term in February 1995. **Akayev scheduled an October 1994 referendum, overwhelmingly approved by voters, which proposed two amendments to the constitution--one that would allow the constitution to be amended by means of a referendum,** and the other creating a new bicameral parliament.

On December 24, 1995, President Akayev was reelected for another 5-year term with wide support (75% of vote) over two opposing candidates. President Akayev used government resources and state-owned media to carry out his campaign. Three (out of six) candidates were de-registered shortly before the election.

A February 1996 referendum--in violation of the constitution and the law on referendums--amended the constitution to give President Akayev more power. Although the changes gave the president the power to dissolve parliament, it also more clearly defined the parliament's powers. Since that time, the parliament has demonstrated real independence from the executive branch.

An October 1998 referendum approved constitutional changes, including increasing the number of deputies in the lower house, reducing the number of deputies in the upper house, providing for 25% of lower house deputies to be elected by party lists, rolling back parliamentary immunity, introducing private property, prohibiting adoption of laws restricting freedom of speech and mass media, and reforming the state budget.

The most recent elections were parliamentary, held February 27 and March 13, 2005. Sporadic protests against perceived fraud during the parliamentary runoff elections in late March 2005 erupted into widespread calls for the government's resignation that started in Southern provinces. On March 24, 15,000 pro-opposition demonstrators called for the resignation of the President and his regime in Bishkek. Some injuries were reported during police clashes along with widespread looting. Protestors seized the presidential administration building, after which President Akayev fled to Russia. President Akayev signed a letter of resignation in Moscow on April 4, which was accepted by Kyrgyzstan's new parliament on April 12, 2005.

SECTION 5

This section comprises details of various Caribbean countries that will be of interest to BIC.

12. ANTIGUA AND BARBUDA

People and Ethnicity

Nationality: Antiguan, Barbudan.

Population (2001 Antiguan census): 75,401.

Annual population growth rate (1999): 1.1%.

Ethnic groups: Almost entirely of African origin; some of British, Portuguese, and Levantine Arab origin.

Religions: Principally Anglican, with evangelical Protestant and Roman Catholic minorities.

Language: English.

Education: *Years compulsory*--9. *Literacy*--about 90%.

Health: *Life expectancy*--71 yrs. male; 75 yrs. female. *Infant mortality rate*--18/1,000.

Work force (31,300): Commerce and services, agriculture, other industry.

Unemployment (Labor Commission est. 2002

Government

Antigua and Barbuda constitute an independent sovereign nation within the Commonwealth, with the British monarch as head of state. The constitution came into effect with independence in 1981. The governor general, representing the British monarch, is appointed on the advice of the Antiguan prime minister, who is chosen by the governor general as the person most likely to have the support of the legislature. The parliament is similar to Britain's, with a prime minister and cabinet answerable to it. It consists of a Senate and a House of Representatives, each having 17 members.

Senators are appointed for a five-year term by the governor general, 11 on the advice of the prime minister, four on the advice of the leader of the opposition, one at the governor general's own discretion, and one on the advice of the Barbuda Council, the main instrument for local government.

Members of the house of representatives are elected by universal suffrage for a similar term.

Brief Historical Perspective

The original inhabitants of Antigua and Barbuda were Carib Indians. The first Europeans to visit Antigua were with Christopher Columbus in 1493, although they did not go ashore. He named the island after the church of Santa María de la Antigua at Seville.

Antigua was first colonized by Britain in 1632. Charles II leased Barbuda in 1685 to the Codrington family, who ran a sugar plantation on Antigua. Barbuda was a source of stock and provisions for the plantation and was inhabited almost entirely by black slaves, who used the relatively barren land cooperatively. The Codringtons finally surrendered the lease in 1870. Barbuda reverted to the crown in the later 19th century.

The Antiguan slaves were freed in 1834 but remained poor, totally dependent on the sugar crop market. Between 1860 and 1959 the islands were administered by Britain within a federal system known as the Leeward Islands. Antigua and Barbuda was made

an associated state of the UK and given full internal independence in 1967, with Britain retaining responsibility for defence and foreign affairs. Barbuda, with a population of about 1,200 people, started a separatist movement in 1969, fearing that Antigua would sell Barbudan land to foreign developers.

Independence from Britain

In the 1971 general election, the Progressive Labour Movement (PLM) won a decisive victory, and its leader, George Walter, replaced Vere Bird, leader of the Antigua Labour Party (ALP), as prime minister. The PLM fought the 1976 election on a call for early independence while the ALP urged caution until a firm economic foundation had been laid. The ALP won and declared in 1978 that the country was ready for independence.

Opposition from the inhabitants of Barbuda delayed the start of constitutional talks, and the territory eventually became independent as Antigua and Barbuda in 1981.

13. THE BAHAMAS

People and Ethnicity

Nationality: Bahamian(s).

Population (2002): 310,000.

Annual growth rate (2002): 0.77%.

Ethnic groups: African 85%, European 12%, Asian and Hispanic 3%.

Religions: Baptist predominant (32%), Roman Catholic, Anglican, Evangelical Protestants, Methodist, Church of God.

Language: English; some Creole among Haitian groups.

Education: *Years compulsory*--through age 16. *Attendance*--95%. *Literacy*--93%.

Health (2001): *Infant mortality rate*--17.0/1,000. *Life expectancy*--71.9 years.

Work force (2000): 157,640; majority employed in the tourism, government, and financial services sectors.

Government

Type: Constitutional parliamentary democracy.

Independence: July 10, 1973.

Branches:

Executive--British monarch (nominal head of state), governor general (representative of the British monarch), prime minister (head of government), and cabinet.

Legislative--bicameral Parliament (40-member elected House of Assembly, 16-member appointed Senate).

Judicial--Privy Council in U.K., Court of Appeal, Supreme Court, and magistrates' courts.

Political parties: Free National Movement (FNM), Progressive Liberal Party (PLP), Coalition for Democratic Reform (CDR).
Suffrage (2000): Universal over 18; 140,000 registered voters.

Brief Historical Perspective

In 1492, Christopher Columbus made his first landfall in the Western Hemisphere in The Bahamas. Spanish slave traders later captured native Lucayan Indians to work in gold mines in Hispaniola, and within 25 years, all Lucayans perished. In 1647, a group of English and Bermudan religious refugees, the Eleutheran Adventurers, founded the first permanent European settlement in The Bahamas and gave Eleuthera Island its name. Similar groups of settlers formed governments in The Bahamas until the islands became a British Crown Colony in 1717.

The first Royal Governor, a former pirate named Woodes Rogers, brought law and order to The Bahamas in 1718 when he expelled the buccaneers who had used the islands as hideouts. During the American Civil War, The Bahamas prospered as a center of Confederate blockade-running. After World War I, the islands served as a base for American rumrunners. During World War II, the Allies centered their flight training and anti-submarine operations for the Caribbean in The Bahamas. Since then, The Bahamas has developed into a major tourist and financial services center.

Bahamians achieved self-government through a series of constitutional and political steps, attaining internal self-government in 1964 and full independence within the Commonwealth on July 10, 1973.

It must be noted however that following Independence the Bahamas government decided that it must hold referendums when altering its constitution. Further Chapter III (Articles 15-28) of the Constitution details the protection of fundamental rights and freedoms in the Bahamas, including the right to life, liberty, security, and protection of the law; freedom of conscience, expression, assembly, and association; and protection of the privacy of the home and other property from deprivation without compensation. Moreover, the Constitution provides for protection of these rights and freedoms without discrimination based on race, national origin, political opinion, color, creed, or sex. These provisions were not just theoretical considerations but were actually carried out in practice, according to the Department of State's *Country Reports on Human Rights Practices for 1986*.

Constitutional amendments require a combination of an act of Parliament and popular referendum. Entrenched constitutional provisions, such as those relating to the establishment of the civil service or the qualifications for members of Parliament, require a two-thirds majority in both houses and passage by a popular referendum. Specially entrenched provisions, such as those relating to citizenship, fundamental rights, and the establishment and powers of Parliament, the cabinet, and the judiciary, require a three-fourths majority in both houses and passage by referendum.

14. BARBADOS

People and Ethnicity

Nationality: Barbadian(s); also "Bajan(s)." Population (2003 estimate): 276, 607 (WF).

Avg. annual growth rate (2001): 0.4%.

Ethnic groups: Black 90%, White 4%, Asian or mixed 6% (WF).

Religions: Protestant 67% (Anglican 40%, Pentecostal 8%, Methodist 7%, other 12%), Roman Catholic 4%, none 17%, other 12% (WF).

Language: English.

Education: *Attendance*--primary school 100%, secondary school 93%. Adult literacy--99%.

Health: *Infant mortality rate* (1998)--7.8/1,000. *Life expectancy*--70.9 yrs. (WF) men; 76.12 yrs. women (2002 est. WF).

Work force (2001, 142,000): *Commerce, tourism, government, manufacturing, construction, mining, agriculture, fishing.*

Unemployment (2001): 9.9%.

Government

Type: Parliamentary democracy; independent sovereign state within the Commonwealth.

Independence: November 30, 1966.

Constitution: 1966.

Branches:

Executive--governor general (representing Queen Elizabeth II, head of state), prime minister (head of government), cabinet.

Legislative--bicameral Parliament.

Judicial--magistrate's courts, Supreme Court (High Court and Court of Appeals), privy council in London.

Subdivisions: Eleven parishes and the city of Bridgetown.

Political parties: Barbados Labor Party (BLP, incumbent), Democratic Labor Party (DLP), National Democratic Party (NDP).

Suffrage: Universal at 18.

Brief Historical Perspective

British sailors who landed on Barbados in the 1620s at the site of present-day Holetown on the Caribbean coast found the island uninhabited. As elsewhere in the eastern Caribbean, Arawak Indians may have been annihilated by invading Caribs, who are believed to have subsequently abandoned the island.

From the arrival of the first British settlers in 1627-28 until independence in 1966, Barbados was a self-funding colony under uninterrupted British rule. Nevertheless, Barbados always enjoyed a large measure of local autonomy. Its House of Assembly, which began meeting in 1639, is the third-oldest legislative body in the Western Hemisphere, preceded only by Bermuda's legislature and the Virginia House of Burgesses.

As the sugar industry developed into the main commercial enterprise, Barbados was divided into large plantation estates, which replaced the small holdings of the early British settlers. Some of the displaced farmers relocated to British colonies in North America. To work the plantations, slaves were brought from Africa; the slave trade ceased a few years before the abolition of slavery throughout the British empire in 1834.

Plantation owners and merchants of British descent dominated local politics. It was not until the 1930s that the descendants of emancipated slaves began a movement for political rights. One of the leaders of this movement, Sir Grantley Adams, founded the Barbados Labor Party in 1938. Progress toward more democratic government for Barbados was made in 1951, when the first general election under universal adult suffrage occurred. This was followed by steps toward increased self-government, and in 1961, Barbados achieved internal autonomy.

From 1958 to 1962, Barbados was one of 10 members of the West Indies Federation, and Sir Grantley Adams served as its first and only prime minister. When the federation was terminated, Barbados reverted to its former status as a self-governing colony. **Following several attempts to form another federation composed of Barbados and the Leeward and Windward Islands, Barbados negotiated its own independence at a constitutional conference with the United Kingdom in June 1966.** After years of peaceful and democratic progress, Barbados became an independent state within the British Commonwealth on November 30, 1966.

15. ST. KITTS AND NEVIS

People

Nationality: Kittitian(s), Nevisian(s).

Population (2002 est.): 46,710.

Annual growth rate (2000): 4.8%.

Ethnic groups: Predominantly of African origin; some of British, Portuguese, and Lebanese descent.

Religions: Principally Anglican, with Evangelical Protestant and Roman Catholic minorities.

Languages: English (official).

Education (2001): *Years compulsory*--9. *Literacy*--98%.

Health (2000): *Infant mortality rate*--12.7/1,000. *Life expectancy*--70 yrs.

Unemployment (2001): 5%.

Government

Type: Constitutional monarchy with Westminster-style Parliament.

Constitution: 1983.

Independence: September 19, 1983.

Branches:

Executive--governor general (representing Queen Elizabeth II, head of state), prime minister (head of government), cabinet.

Legislative--an 11-member senate appointed by the governor general (mainly on the advice of the prime minister and the leader of the opposition) and an 11-member popularly elected house of representatives.

Judicial--magistrate's courts, Eastern Caribbean supreme court (high court and court of appeals), final appeal to privy council in London.

Administrative subdivisions: 14 parishes.

Political parties: St. Kitts and Nevis Labor Party (ruling), People's Action Movement (PAM), Concerned Citizens Movement (a Nevis-based party), and Nevis Reformation Party.

Suffrage: Universal at 18.

Brief Historical Perspective

At the time of European discovery, Carib Indians inhabited the islands of St. Kitts and Nevis. Christopher Columbus landed on the larger island in 1493 on his second voyage and named it after St. Christopher, his patron saint. Columbus also discovered Nevis on his second voyage, reportedly calling it Nevis because of its resemblance to a snowcapped mountain (in Spanish, "nuestra senora de las nieves" or our lady of the snows). European colonization did not begin until 1623-24, when first English, then French colonists arrived on St. Christopher's Island, whose name the English shortened to St. Kitt's Island. As the first English colony in the Caribbean, St. Kitts served as a base for further colonization in the region.

The English and French held St. Kitts jointly from 1628 to 1713. During the 17th century, intermittent warfare between French and English settlers ravaged the island's economy. Meanwhile Nevis, settled by English settlers in 1628, grew prosperous under English rule. St. Kitts was ceded to Great Britain by the Treaty of Utrecht in 1713. The French seized both St. Kitts and Nevis in 1782.

The Treaty of Paris in 1763 definitively awarded both islands to Britain. They were part of the colony of the Leeward Islands from 1871-1956, and of the West Indies Federation from 1958-62. In 1967, together with Anguilla, they became a self-governing state in association with Great Britain; Anguilla seceded late that year and remains a British dependency. **The Federation of St. Kitts and Nevis attained full independence on September 19, 1983.**

St. Kitts and Nevis has enjoyed a long history of free and fair elections, although the outcome of elections in 1993 was strongly protested by the opposition and the Eastern Caribbean Regional Security System (RSS) was briefly deployed to restore order. The elections in 1995 were contested by the two major parties, the ruling People's Action Movement (PAM) and the St. Kitts and Nevis Labor Party. Labor won seven of the 11 seats, with Dr. Denzil Douglas becoming prime minister. In the March 2000 elections, Denzil Douglas and the Labor Party were returned to power, winning eight of the 11 seats in Parliament. The Nevis-based Concerned Citizens Movement (CCM) won two seats and the Nevis Reformation Party (NRP) won one seat. The PAM party was unable to obtain a seat. Under the constitution, Nevis has considerable autonomy and has an island assembly, a premier, and a deputy governor general.

Under certain specified conditions, it may secede from the federation. In accordance with its rights under the Constitution, in 1996 the Nevis Island Administration under the Concerned Citizens' Movement (CCM) of Premier Vance Amory initiated steps towards secession from the Federation, **the most recent being a referendum in 1998 that failed to secure the required two-thirds majority for secession.** The March 2000 election results placed Vance Amory, as head of the CCM, the leader of the country's opposition party.

In September 7, 2001 elections in Nevis for the Nevis Island Administration, the CCM won four of the five seats available, while the NRP won one. **In 2003, the Nevis Island Administration again proposed secession and initiated formal constitutional procedures to hold a referendum on the issue. While opposing secession, the Government acknowledged the constitutional rights of Nevisians to determine their future independence.** Constitutional safeguards include freedom of speech, press, worship, movement, and association.

SECTION 6

This section examines various countries that have held referendums in the not too distant past to gauge support and to make major changes to their respective constitutions. We have listed below those countries that have held referendums. The BIC will note that the government of the day was not always successful, the most notable being the recent French referendum on the European Constitution. Of particular interest is that in the UK Prime Minister Tony Blair repeatedly expressed his unwillingness to hold a referendum on the EU Constitution, but following great pressure from pro-referendum campaigns, the opposition and the press, on April 20, 2004 he announced his decision to hold a referendum.

NOTE: The information on the European constitutional referendums was extracted from <http://democracy-international.org>.

Generally

1. The province of Quebec held an independence referendum in 1995.
2. The Danish Government held a referendum on the single European currency.
3. The UK Government held referendums in Scotland and Wales on sovereignty issues (most recently in 1998).
4. Australia held a referendum on becoming a Republic.

European Constitution

5. The French government held a referendum on the European Constitution on 29th May 2005 – the French rejected the Government line.
6. Spain held a referendum on the European Constitution on February 20, 2005. The results were 76,7% in favour, 17,2% against and 6% of blank votes. The question asked was: “Are you in favour of the Treaty establishing a Constitution for Europe?” Parliamentary approval could happen before June 2005.
7. Denmark is holding a referendum on the European Constitution on September 27, 2005. De facto there is a constitutional obligation for a referendum on international treaties. Binding referendum is mandatory where the Treaty to be ratified transfers new competences to an external body – in this case the EU – or where the character of an existing competence is changed. Only a huge majority of 5/6 from members of parliament approving the change may approve the treaty and prevent a referendum. The Danish Constitution sets out the criteria for organising a referendum. The Treaty is rejected if a majority of electors votes ‘no’ and if they represent 30% of the electoral population.
8. Poland will be holding a referendum on the European Constitution. No official decision taken so far by the Sejm on the ratification procedure. All political parties are in favour of holding a referendum. Agreement on ratification can be reached by way of a referendum based on a Sejm resolution or by a decision of the Parliament. The two-chamber Parliament (the Sejm and the Senat) must approve, with a legislative act, the ratification by the President of an important treaty. Polish government is proposing to hold the referendum in tandem with the Presidential elections on September 25, 2005 o secure the vote is valid: The turnout must be at least fifty per cent of the population. Otherwise the result is not valid. Parties opposing the constitution have recently demanded that the referendum should be held in 2006.
9. The United Kingdom will be holding a consultative referendum and Parliamentary approval on the European constitution. In the beginning Prime Minister Tony Blair expressed repeatedly his unwillingness to hold a referendum on the EU Constitution but he was facing great pressure of pro-referendum campaigns and the oppositional parties and the press. On April 20,

2004 he announced in the parliament to hold a referendum. A date is not fixed yet but the referendum is supposed to take place after a debate and decision in parliament. The referendum will be binding. It will be held after the bill to ratify the European Constitution has passed through Parliament.

The question (also translated in Welsh) to be asked in the referendum is “Should the United Kingdom approve the Treaty establishing a Constitution for the European Union?” Even if no date has been set, holding it in early 2006 is usually mentioned. Polls show that voters in Britain are very strongly opposed to the EU Constitution.

10. Czech Republic will probably be holding a referendum on the European Constitution. Prime Minister Stanislav Gross has announced that he plans to hold a referendum on the Constitution in June 2006, to coincide with the legislative elections. It was already his predecessor Vladimir Spidla who called for a referendum. The government will submit a bill which enables people to express their will towards the draft EU Constitution. The referendum might be called in June 2006. The government has recently adopted a new constitutional draft law on referendum. According to this new constitutional law, the referendum on the Constitution that is due to take place in 2006 as initially planned would have a binding legal force.
11. Ireland will be holding a referendum on the European Constitution that will also require parliamentary approval. According to the Irish Constitution, Article 46, the government is required to put any issue to a referendum if it will alter the Constitution. The Irish Parliament’s EU Affairs Committee held its first detailed discussion on the Constitution on 9 February. The Minister of State for European Affairs, Mr Treacy recently said that the Government would not set a referendum date until after a proper public awareness campaign.
12. Latvia will be holding a referendum of the European constitution. According to the Latvian Constitution a referendum should take place if the conditions for Latvia’s membership in the EU ‘change significantly’. But Latvian President Vaira Vike-Freiberga said that she sees no need to organise a referendum on the EU Constitution as it would not fundamentally change the content of the Accession Treaty, hence, Latvia’s membership conditions. The biggest oppositional party, the Peoples Party, however, says it will consider to push for a vote on the EU Constitution because it paves the way for the EU to become a federal state, said the party leader Atis Slakteris.
13. Luxembourg will be holding a **Consultative referendum on the European Constitution on July 10, 2005**. Premier Minister Jean Claude Juncker has announced to hold a referendum on the European Constitution in his 2003 state-of-the-nation speech. A huge majority approved a motion submitted to the parliament demanding a referendum on the EU Constitution. Juncker has stated that he will accept the result of the referendum as binding. The Luxembourg Government decided on 27 June 2003 to submit the European

Constitution to ratification by a national referendum. According to the opinion of the Council of State, on 12 October, the referendum on the European Constitution must be organised on the basis of a specific law. The government on 28 January 2005 has approved the draft law. On 20th January 2005, the parliament unanimously adopted a bill that lays down the terms and conditions relative to the organisation of referenda. The participation of enlisted voters is compulsory.

14. The Netherlands held a referendum on the European Constitution on **June 1, 2005**. The Netherlands has never before held a nation-wide referendum. The constitution didn't provide for referendums. But the Dutch European Referendum Campaign pushed for a referendum on the EU Constitution. This group consists of members of the very active non-parliamentary initiatives, the Referendum Platform and Amsterdams Initiatief. This group succeeded in implementing participatory democracy on all political levels in the Netherlands. This was the first referendum ever in this country and the voters overwhelmingly rejected the European Constitution. On 25 January, the Senate voted in favour of the holding of a consultative referendum (47 votes in favour, 27 against).
15. Portugal will be holding a referendum on the European constitution in December 2005. In June 2003 the two biggest parties, Social Democratic Party, PSD, and the Popular Party, PP, consented to hold a referendum on the EU Constitution. Former Prime Minister Jose Manuel Barroso, who resigned in July to become head of the European Union Commission, told parliament last June that his government would hold a referendum. On the 17th of December, the Constitutional Court decided that the referendum question that had been endorsed by the Portuguese Parliament prior to its dissolution was not in line with the "clarity" principle and was therefore "unconstitutional" (the proposed question was the following: "Do you agree with the charter of fundamental Rights, the rule of voting by qualified majority and the new institutional framework of the European Union, in the terms included in the European constitution?").

The right to call a referendum belongs to the President, acting on the proposal of Parliament or of the government or of a group of citizens. The constitutional referendum act regulates the details of the scope of referenda, the arrangements for calling them, the questions that may be asked and their organisation.

SECTION 7

The United Bermuda Party's Submission to the Governor on the matter of major and minor constitutional change, as requested by the British Government following the Boundaries Commission Report in 2001/02 is set out below:

January 28, 2004

Sir John Vereker, KCB
Governor and Commander in Chief
Government House
11 Langton Hill
Pembroke HM 13

Dear Sir John,

PROCEDURE FOR CONSIDERING FUTURE PROPOSALS FOR CONSTITUTIONAL AMENDMENT

I write on behalf of the United Bermuda Party Opposition in response to your letter dated October 28, 2003 and the enclosed discussion paper inviting submissions on future constitutional change in Bermuda.

We are pleased to make this preliminary submission, which provides our view of the best route to follow in considering future proposals for constitutional amendment. However, we recognize that certain aspects of our submission would benefit from further discussion and elaboration. With this in mind, we note the continuing commitment of the British Government to "freedom for the Territories to run their own affairs to the greatest degree possible," as expressed in the White Paper *Partnership for Progress and Prosperity*. In accord with this principle and given the importance of the topic to Bermuda, we respectfully urge that you hold meetings with local stakeholders following receipt of the various submissions. The purpose of these meetings, as we discussed with the Deputy Governor in a meeting on December 17, would be to seek local consensus between Bermuda's two political parties and include input from other interested groups and individuals submitting proposals.

In the interest of transparency and in the hope that it will stimulate further thought and discussion on this important topic, we plan to make the United Bermuda Party submission available to the public and hope that you will release copies of other submissions, unless confidentiality has been specifically requested.

United Bermuda Party Proposals

In your Discussion Paper of October 30, you indicated that proposals should be consistent with two principles: that there is an agreed signal that Bermuda wishes an amendment to its Constitution, and that the signal be followed by a transparent process of consultation with all interested parties, on the basis of all relevant information.

1. The Signal for Change

In regard to the first principle, we believe that the signal should emanate from the elected members of Parliament, by way of a motion introduced in the House of Assembly. This would allow either the Government or the Opposition to initiate the signal. In addition, an elected member of the House could sponsor a motion (similar to the current process used for petitions) from an individual or group in the community. A signal could also come from a provision in a political party's election platform, but we believe it should still be formally introduced by way of a motion in the House of Assembly, following the election. The motion would ensure that attention is focused on the proposed change and allow for a more substantive discussion of the issue for the benefit of the broader public.

2. The Process of Consultation

As Baroness Scotland of Asthal stated in her speech to the Overseas Territories delegates on April 3, 2000, at Wilton Park, "Constitutional change is not a matter to be entered into lightly." She went on to state the need for a process that incorporates "full consideration and consultation across political parties and the community as a whole," and adoption only of changes "that have been fully discussed locally, that command wide local support," and in addition, "are consistent with good government."

We agree that constitutional change should not be entered into lightly and, by definition, should require a higher threshold than that required to introduce new legislation. Our view is that any proposed constitutional amendment should, as a minimum, require a two-thirds majority of the 36 members of the House of Assembly. However, we believe

that there is a distinction to be drawn between constitutional changes of a *major* nature and constitutional changes of a *minor* nature.

For the purposes of this submission, we wish to put aside the issue of independence, which we have always believed must be decided by way of a referendum. A subsequent constitutional conference would deal with the related matters if and when appropriate.

Under our proposed approach, if the proposer of a constitutional amendment thought it was *minor* in nature then a motion to that effect would be moved in the House of Assembly. In order for the House of Assembly to decide it was a *minor* amendment we believe it should be passed by a 75 percent majority of the House of Assembly. Clearly, the British Government would also have to agree. In order to have a 75 percent majority the Government and the Opposition in Bermuda would have to be in agreement. If this route were followed and the *minor* status agreed, the proposed change would be put to the House of Assembly by way of a substantive motion; and if that motion passed by a two-thirds majority, it would be put to the British Government for a change to the Constitution.

Secondly, if the proposed amendment is a *major* matter (or it is decided by the House of Assembly to be a *major* matter), it would then be put to a committee (a select committee or joint select committee, or some type of Constitutional conference) to settle the form of the amendment (perhaps to produce a White Paper), and it would go to the House of Assembly as a substantive motion. It would require a two-thirds majority in the House of Assembly before being put to the public in the form of a referendum.

With respect to the referendum, the minimum requirements would need to be decided in advance. Following either route, an Order in Council would be required to put into effect either *major* or *minor* changes to the Bermuda Constitution.

We view this as a simple and effective manner of achieving constitutional change. It requires the involvement of the elected representatives of the Bermudian people and, in the case of *major* matters, it requires the direct consultation of Bermudians. This is consistent with the approach that the United Bermuda Party has always supported. We

would also support efforts to embed provisions for future constitutional amendments within Bermuda's Constitution Order.

3. Consultation by the Constituency Boundaries Commission with the Public

Finally, in regard to the question of how future Constituency Boundaries Commissions should consult, we believe that the invitation for the views of the public should be extended in such a way as to make their participation meaningful.

We submit that this can only be accomplished in the following two ways:

1. The public should be given the opportunity to make both written and oral submissions to the Commission during its deliberations; and
2. A draft report should be made available for public inspection and comment prior to the submission of a final report and recommendations to the Governor. To facilitate public participation, the Commission should make the draft report available for review at all Bermuda post-offices and hold a series of at least three public meetings in the western, central and eastern parishes.

It is our position and understanding that this practice would be consistent with that undertaken by similar bodies in other modern, democratic jurisdictions when electoral districts are redrawn (see *Fixing The Boundaries: Defining and Redefining Single-Member Electoral Districts*, ed: Ian MacLean and David Butler, Dartmouth, 1966).

Consideration should be given to whether the Bermuda Constitution Order should be amended to direct the Commission on how it should permit the public to participate. In this regard, we draw your attention to ss. 53(6) and (8) of the Order, which read as follows:

“A *Constituency Boundaries Commission* may regulate its own procedure and, with the consent of the Governor, confer powers and impose duties on any public officer or any authority of the Government for the purpose of the discharge of its functions.” and,

“In the exercise of its functions under this Constitution, a *Constituency Boundaries Commission* shall not be subject to the direction or control of any other person or authority.” (Emphasis ours)

In the absence of any amendment to the Bermuda Constitution Order and in light of the above, it will fall to the Commission upon appointment to determine how it shall discharge its duties, including the requirement under s.53(6A) which compels the Commission to invite views from members of the public.

Any attempt to give a Commission any prior direction, or any direction at all, on how it should proceed, no matter how well intended, would offend s.53(8) and could properly be ignored and rejected by that Commission.

We thank you for your attention and look forward to further discussion at your convenience.

Yours sincerely,

The Hon. E. Grant Gibbons, JP, MP
Opposition Leader

ACKNOWLEDGEMENTS

- **United States Department of State**
- **Democracy International**

- **Bermudians for Referendum**
- **Royal Gazette**
- **Bermuda Sun**
- **United Nations**