



ANNEXE 1 – CDOT FACTSHEETS

DECEMBER 2018



AKROTIRI AND DHEKELIA (SOVEREIGN BASE AREA IN CYPRUS)- OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 254km² Population – approximately 15,700 Location – Cyprus, Eastern Mediterranean

HISTORY

The Sovereign Base Areas of Akrotiri and Dhekelia were retained under the London and Zurich Agreements of 1959, where the areas became a British Overseas Territory for military purposes whilst the rest of Cyprus gained independence from British rule in 1960.

CONSTITUTION AND STATUS

There is no political institution governing the SBAs, rather they are ‘administered’ by the Commander of the British Forces on Cyprus who holds [executive and legislative authority](#). [As a result, unlike many other British Overseas Territories “the SBAs are administered by the Ministry of Defence.”](#)

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

“The [Human Rights Ordinance 2004](#) provides *inter alia* for the limited incorporation of the European Convention on Human Rights and Fundamental Freedoms (ECHR) in domestic law. [Protocol 1 of the ECHR has not been extended to the Sovereign Base Areas.”](#)

MEMBERSHIP OF REGIONAL ORGANISATIONS

The SBAs do not form any part of regional organisations, although they do keep legislation, currency and movement as [similar as practicable to that of Cyprus](#).



ANGUILLA - OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 91km²

Population – 16,318

Location – Caribbean, Lesser Antilles

HISTORY

First colonised by England around 1650, in 1825 Anguilla was placed under administrative control of nearby St Kitts, which was itself a British Crown Colony until the two islands, alongside Nevis, were granted internal control in 1967. Anguilla rebelled against this decision on the basis of continuing subservience to St Kitts and was formally separated from St Kitts and Nevis in 1980, continuing as a separate British Overseas Territory.

CONSTITUTION AND STATUS

The [Anguilla Constitution Order \(1982\)](#), amended in 1990 provides the basis for self-government in the majority of internal affairs which are left to the legislature and Executive Council. The Governor, holds [“reserved powers in respect of legislation, and is responsible for external affairs, offshore finance, defence and internal security \(including the police force\) and aspects of the public service.”](#) The Governor also appoints a [Deputy Governor](#) from the local population, who sits on the Executive Council and acts as a “delegated head of public service.”

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

Chapter 1 of the [Anguilla Constitution](#) includes protection of fundamental rights and freedoms. Anguilla has no Human Rights Commission.

MEMBERSHIP OF REGIONAL ORGANISATIONS

Associate Member of CARICOM (the Caribbean Community) and Associate Member of OECS – Organisation of Eastern Caribbean States. Member of OCTA

KEY HUMAN RIGHTS CASES OR ISSUES



BERMUDA – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 53.2km²

Population – 63,779

Location – North Atlantic Ocean

HISTORY

Bermuda was administered by the English Crown from 1684 following the dissolution of the Somers Isles Company, and after the unification of England and Scotland in 1707 it became a British colony. Bermuda has one of the oldest parliaments in the World, first holding session in 1620. As a result, Bermuda has retained a great deal of autonomy regarding internal affairs

CONSTITUTION AND STATUS

The [Bermuda Constitution \(1968\)](#) formulated the nature of the legislative and executive powers of the institution. A Governor, appointed by the Crown holds power to appoint three members of the upper legislative house, the Senate, and a further eight upon consultation with the Premier and Leader of the Opposition and holds reserved powers in the areas of external relations, security and defence. Nevertheless, Bermuda is able to be legislated for by [Order in Council](#), as [shown](#) by the introduction of the Sanctions and Anti-Money Laundering Bill.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Bermuda Human Rights Act \(1981\)](#) supplements the fundamental rights Chapter in the Bermuda Constitution and applies the ECHR to Bermuda. The Act provides the legal basis for the establishment of the Bermuda [Human Rights Commission](#). It makes discrimination unlawful in a number of situations. It falls short to give full effect to Article 14 of the Convention in Bermuda Law in respect of other Convention rights such as discriminated against on grounds of language.

MEMBERSHIP OF REGIONAL ORGANISATIONS

Associate Member of CARICOM (the Caribbean Community), OCTA



BRITISH ANTARCTIC TERRITORY (BAT)- OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 1,709,400km²

Population – nil

Location – Antarctica

HISTORY

BAT was first acceded in 1908 alongside various other islands in the South Pacific, with boundaries clarified in 1917. Whilst claims in Antarctica are mutually recognised by the United Kingdom, France, Australia, New Zealand and Norway; Chile and Argentina dispute Britain's claim and make their own counter-claim overlapping British territory.

CONSTITUTION AND STATUS

[The British Antarctic Territory Order \(1989\)](#) made provision for a Commissioner to act as executive through Order in Council. The Commissioner is appointed through advice from the Foreign and Commonwealth Office (FCO).

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

As BAT is not permanently inhabited human rights legislation is often not extended to it.

MEMBERSHIP OF REGIONAL ORGANISATIONS

[Antarctic Treaty](#) signed in 1962 does not accept nor dispute any territorial claims.



BRITISH INDIAN OCEAN TERRITORY (BIOT) – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 60 km²

Permanent Population - nil

Location – Indian Ocean

HISTORY

The Islands of the Chagos Archipelago that make up BIOT were charted by Vasco de Gama in C16th and administered by France from Mauritius during the late C18th. France ceded the islands to the UK along with Mauritius and Seychelles in 1814. They were administered as a dependency of the colony of Mauritius until 1965 when they were detached on the independence of Mauritius. BIOT has been used by the UK and US Governments for Defence purposes and the inhabitants of the islands were relocated in the late 1960s and early 1970s. The Chagos Islanders right to return and/or to increased compensation has been the subject of ongoing litigation in the UK and European Courts and the status of BIOT is currently the subject of litigation in the ICJ.

CONSTITUTION AND STATUS

The BIOT was acquired by cession from Mauritius. The government of the territory is provided for by Royal prerogative powers. The current Constitution is set out in the BIOT (Constitution) Order 2004. A Commissioner (usually a senior official in the FCO) is appointed by the Queen and supported by an Administrator in London and a Representative who is the officer in charge of the Royal Navy contingent on Diego Garcia.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

International human rights law has not been extended to BIOT. There is a court structure to enforce laws.

MEMBERSHIP OF REGIONAL ORGANISATIONS



CAYMAN ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 260 km²

Population – 61,466

Location – Caribbean

HISTORY

The Cayman Islands were discovered by Christopher Columbus in 1503. They were unsettled for many years but significant settlement by British settlers started in the 18th Century. They were first administered by Justices of the Peace administered by the Governor of Jamaica a territory of which the Cayman Islands were a dependency. Since 1962 when Jamaica gained independence, the Cayman Islands have been a British Overseas Territory in their own right.

CONSTITUTION AND STATUS

The Cayman Islands were acquired by settlement. The current power to provide for government of the Cayman Islands by Order in Council derives from the West Indies Act 1962.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The Cayman Islands Constitution Includes a chapter on fundamental rights and freedoms implementing the ECHR plus additional rights including the right to a healthy environment and the right to good administration.

The Cayman Islands has its own [Human Rights Commission](#).

MEMBERSHIP OF REGIONAL ORGANISATIONS

Associate Member CARICOM, Member Caribbean Development Bank

OCTA



FALKLAND ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 12,000km² Population – 3,398 Location – South Atlantic

HISTORY

The first recorded sighting of the Falkland Islands was in 1592 and first recorded English landing was in 1690. In 1764 a French settlement was established. British and Spanish settlements were established over the following decades and in 1811 the Islands were left without inhabitants or any form of administration. In 1820, the Islands were claimed in the name of the Government of Buenos Aires. In 1833 Great Britain sent a mission to establish British sovereignty. The Islands have been in uninterrupted possession of the UK since that time. But in 1982 the Islands were invaded by Argentine forces although they were ultimately rebuffed by British forces. Argentina continues to claim sovereignty of the Islands but this is firmly rejected by the UK. In 2013 Falkland Islanders voted overwhelmingly to remain as a British Overseas Territory in a referendum on their status.

CONSTITUTION AND STATUS

The Falkland Islands were acquired by settlement. The current [Constitution](#) was updated in 2008.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

[Constitution](#) includes enforceable fundamental rights provisions (before the UK HRA 1998). The Constitution allows for the Governor to appoint a Complaints Commissioner on an ad hoc basis from time to time.

MEMBERSHIP OF REGIONAL ORGANISATIONS

OCTA



GIBRALTAR – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 5.8km²

Population – 32,462

Location – Europe

HISTORY

Gibraltar was captured by a Berber commander in 711 who built a Moorish Castle on the rock. It was occupied by the Moors until 1462 when it was captured by Spain. In 1704 it was surrendered to British and Dutch troops and the first British Governor was appointed in 1707. In 1713, it was ceded to Great Britain under the Treaty of Utrecht and has been under British sovereignty ever since. Spain continues to have interests in the sovereignty of Gibraltar but transfer of sovereignty has been firmly rejected by the Gibraltarian population in referendums in 1967 and 2002.

CONSTITUTION AND STATUS

Gibraltar was acquired by cession. It is the only Overseas Territory that is also a member of the European Union. Government is provided for by Royal prerogative powers. The current Constitution of Gibraltar is set out in Annex 1 to the Gibraltar Constitution Order 2006 and came into force in 2007.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The Gibraltar Constitution includes enforceable fundamental rights provisions but does not provide for a Human Rights Commissioner. It does have a [Public Services Ombudsman](#).

MEMBERSHIP OF REGIONAL ORGANISATIONS

EU



MONTserrat – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 102 km²

Population – 5,177

Location – Caribbean (Lesser Antilles)

HISTORY

Originally inhabited by Carib Indians, Montserrat was discovered uninhabited by Christopher Columbus in 1493. The first settlers were English and Irish who came from St Kitts in 1632. They were joined by Catholic settlers from Virginia and some Irish political prisoners sent by Oliver Cromwell in 1649. The island was captured twice by the French but restored to Britain in 1783 and it has been continuously under British control since then.

In 1816 it was under the same government as Antigua and Barbados. In 1957 it became a colony within the Federation of the West Indies. There was some discussion of independence in the 1980s and the 1989 Constitution recognised that in its Preamble. But in 1989 the island was devastated by a hurricane and then, from 1995, the Island was struck by serious volcanic eruptions which destroyed much of the island's infrastructure.

CONSTITUTION AND STATUS

Montserrat was acquired by settlement. Power to provide for the government by Order in Council is derived from the West Indies Act 1962. The current Constitution is contained in the Montserrat Constitution Order 2010.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Montserrat Constitution](#) contains a Fundamental Rights chapter. It has a [Complaints Commission](#).

MEMBERSHIP OF REGIONAL ORGANISATIONS

Full Member of CARICOM and the Organisation of Eastern Caribbean states (OECS), OCTA



PITCAIRN, HENDERSON, DUCIE AND OENO ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 4.6km²

Population - 50

Location – Pacific Ocean

HISTORY

Pitcairn was discovered in 1767 and secretly settled in 190 by Fletcher Christian and a group of HMS Bounty mutineers and Polynesian men and women they brought with them from Tahiti. The island was uninhabited between 1856 and 1859 when the population was resettled in Norfolk Island but two parties returned in 1859 and 1864 since when Pitcairn has been continuously occupied. Henderson, Ducie and Oeno were discovered later and made dependencies of Pitcairn.

CONSTITUTION AND STATUS

Pitcairn, Henderson, Ducie and Oeno Islands were acquired by settlement. The Governor is appointed by the British Crown. In practice, the High Commissioner of the United Kingdom of Great Britain and Northern Ireland to New Zealand is appointed concurrently as Governor of Pitcairn, and overall responsibility for the administration of the island is accordingly vested in this function.

The Current Constitution is set out in Schedule 2 to the [Pitcairn Constitution Order 2010](#).

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Pitcairn Constitution](#) sets out Fundamental Rights and Freedoms and the law provides for the appointment of [Ombudsmen](#).

MEMBERSHIP OF REGIONAL ORGANISATIONS

[Overseas Countries and Territories Association \(OCTA\)](#)



ST HELENA, ASCENSION AND TRISTAN DE CUNHA - OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 394km²

Population – 5633

Location – South Atlantic Ocean

HISTORY

St Helena was first colonised by Britain in 1659, with Ascension and Tristan de Cunha ceding to Britain following the end of the Napoleonic Wars in 1815 and 1816 respectively. Ascension then became a dependency of St Helena by letters patent in 1922, and Tristan de Cunha followed in 1938.

CONSTITUTION AND STATUS

[The 2009 Constitution Order](#) gave Ascension and Tristan de Cunha equal recognition to St Helena, changing the name of the overseas territory from ‘St Helena and its dependencies’ to ‘St Helena, Ascension and Tristan de Cunha’. It also provided for a Governor of St Helena who acts as the executive, meanwhile Ascension and Tristan de Cunha each have Administrators who serve as representatives of the Governor. Democratically elected Island Councils can provide advice to their Administrators on Ascension and Tristan de Cunha, whilst St Helena has its own Legislative Council, one-fifth of which is appointed by the Governor. [“Unless the law expressly provides otherwise, English laws do not apply if there is a local Ordinance making different provision on the same subject. The decision on whether an English law applies to St Helena is for the St Helena courts, or possibly the Judicial Committee of the Privy Council if the matter is taken there.”](#)

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The territory has incorporated ECHR into its Constitution and has its own [Human Rights Commission](#).

MEMBERSHIP OF REGIONAL ORGANISATIONS

[Overseas Countries and Territories Association \(OCTA\)](#)



SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 3,755km² Population - 30 Location – South Atlantic

HISTORY

South Georgia was discovered in 1675 and the first landing was by Captain Cook in 1775. Most activities on the islands were for meteorological and other scientific activities. South Georgia was the centre for land-based whaling in the Southern Hemisphere though commercial whaling ended in the 1960s.

Argentina asserts a claim to sovereignty over the territory which is rejected by the UK. The British Antarctic Survey maintains a permanent presence on South Georgia at a scientific research station with an average population of 30.

CONSTITUTION AND STATUS

The Islands were previously administered as Dependencies of the Falkland Islands. They were acquired by settlement and annexation. The current Constitution is in the South Georgia and South Sandwich Islands Order 1985 which establishes the office of Commissioner. In practice, the Commissioner is the Governor of the Falkland Islands.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The ECHR but not its protocols extend to SGSSI.

MEMBERSHIP OF REGIONAL ORGANISATIONS



TURKS AND CAICOS ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 430km²

Population – 36.930

Location – Atlantic Ocean

HISTORY

The Turks and Caicos Islands were discovered in 1512 though some claim they were discovered earlier by Columbus in 1492. Originally inhabited by Taino Indians, they were uninhabited by 1512. In the 17th Century, visitors came regularly from Bermuda to collect salt and some settled there. British occupation of the islands was more or less continuous from then with occasional occupation by the French and Spanish. In 1799, governance of the islands was given to the Government of the Bahamas. In 1848, the islands became a separate colony and in 1873 they were annexed to Jamaica. In 1962 they were given their own Constitution when Jamaica became independent.

CONSTITUTION AND STATUS

The Islands were acquired by settlement but power to provide for Government is derived from the West Indies Act 1962. Following limitations on ministerial government in the Islands, the 2006 Constitution gave more independence to the Islands' legislature. But, due to concerns about systemic corruption, parts of the Constitution were suspended. The current Constitution was made in 2011 and brought into force in 2012. It restored the House of Assembly and ministerial government but with stronger checks and balances and increased powers for the Governor and the UK Government.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The Constitution contains provisions on fundamental rights and freedoms enforceable under domestic courts.

Turks and Caicos has its own [Human Rights Commission](#) established under the Constitution.

MEMBERSHIP OF REGIONAL ORGANISATIONS

Associate Member CARICOM, OCTA



VIRGIN ISLANDS – OVERSEAS TERRITORY

GEOGRAPHY

Land Mass – 153km²

Population – 31,137

Location – Caribbean

HISTORY

The Virgin Islands were discovered by Columbus in 1492. They had been settled by Arawak and Carib Indians but were uninhabited by 1492. There were Dutch settlements in the Islands in the 17th Century but during the Anglo-Dutch War the British Governor of the Leeward Islands annexed Tortola for the Crown and in 1680 English planters settled on Virgin Gorda and Anegada. They have remained under British control since then.

The Virgin Islands opted not to join the Federation of the West Indies and their Constitution was granted in 1967. The Islands were hit very hard by Hurricane Irma in 2017.

CONSTITUTION AND STATUS

The Islands were acquired by settlement. The current Constitution is set out in the [Virgin Islands Constitution Order 2007](#) as amended. The Queen is represented by a Governor who is assisted by a Deputy Governor who must be a Virgin Islander. Executive government is shared between the Governor, the Cabinet and Ministers.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Virgin Islands Constitution](#) includes a chapter on fundamental rights and freedoms including provision for the establishment of a Human Rights Commission but a Commission has yet to be established. The rights and freedoms set out in the Constitution are enforceable by the High Court of the Eastern Caribbean Supreme Court.

MEMBERSHIP OF REGIONAL ORGANISATIONS

Associate Member CARICOM and OECS, OCTA



BAILIWICK OF GUERNSEY (INCLUDING SARK AND ALDERNEY) – CROWN DEPENDENCY

GEOGRAPHY

Land Mass – 75 km²

Population – 65,500

Location – English Channel

HISTORY

The island of Guernsey and the other Channel Islands formed part of the lands of William the Conqueror. The islands represent the last remnants of the medieval Duchy of Normandy. In 1565, Helier de Carteret, Seigneur of St. Ouen in Jersey, was granted the fief of Sark in perpetuity, on condition that he kept the island free of pirates and that the island was occupied by at least forty men to defend it.

CONSTITUTION AND STATUS

Within the Bailiwick of Guernsey there are three separate jurisdictions. There is no written constitution. All three legal jurisdictions need Royal Assent from the Privy Council on its primary legislation. The island of Guernsey is the legal and administrative centre of the Bailiwick of Guernsey and can legislate for the other jurisdictions in some areas. The parliament of Guernsey and of the nearby inhabited islands of Herm, Jethou and Lihou is the [States of Guernsey](#). Alderney has its own parliament, the [States of Alderney](#), which has ten elected members and an elected president. Sark has a population of around 600 who live in 5.2 km². Its parliament is the [Chief Pleas](#) of Sark, with 28 elected members.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Human Rights \(Bailiwick of Guernsey\) Law](#) was brought into force in 2006. There is no human rights commission.

MEMBERSHIP OF REGIONAL ORGANISATIONS

British-Irish Council



BAILIWICK OF JERSEY – CROWN DEPENDENCY

GEOGRAPHY

Land Mass – km²

Population – 105,500

Location – English Channel

HISTORY

The island of Jersey and the other [Channel Islands](#) formed part of the lands of [William the Conqueror](#). The islands represent the last remnants of the medieval Duchy of Normandy. In the [Treaty of Paris](#) (1259), the English king formally surrendered his claim to the duchy of Normandy and ducal title, and since then the islands have been internally self-governing territories of the English crown and latterly the British crown.

CONSTITUTION AND STATUS

There is no written constitution. The Assembly of the [States of Jersey](#) includes 49 elected members: 8 senators, 12 Connétables and 29 deputies. There are also five non-voting members appointed by the Crown: the [Bailiff](#), the [Lieutenant Governor of Jersey](#), the [Dean of Jersey](#), the Attorney General and Solicitor General.

The government is a [Council of Ministers](#), consisting of a [Chief Minister](#) and nine ministers.¹ Each minister may appoint up to two assistant ministers. A Chief Executive is head of the civil service. Some government functions are carried out in the island's 12 [parishes](#).

The Bailiff is President (presiding officer) of the States Assembly, head of the [judiciary](#) and as civic head of the island carries out various ceremonial roles.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Human Rights \(Jersey\) Law 2000](#) came into force in 2006. There is no human rights commission.

MEMBERSHIP OF REGIONAL ORGANISATIONS

British-Irish Council



ISLE OF MAN – CROWN DEPENDENCY

GEOGRAPHY

Land Mass – 572km²

Population – 83,314

Location – Irish Sea

HISTORY

The Isle of Man was a feudal dominion of the English Crown for approximately three hundred and fifty years prior to the Act of Revestment of 1765, which purchased most rights from the Lord of Man and passed them directly to the Crown. However, the Isle of Man retained a degree of internal self-control through the House of Keys, the representative lower legislative house on the Island whilst the Lieutenant Governor, appointed by the Crown, controlled the Legislative Council.

CONSTITUTION AND STATUS

The Isle of Man has no formal constitution, which has allowed for a gradual transfer of power from the Lieutenant Governor to the House of Keys. The Council of Ministers act as the executive body on the Island led by a Chief Minister, all of whom are Members of the House of Keys. The appointment of the Lieutenant Governor is now controlled by Island representatives, namely the Chief Minister, President of Tynwald and the First Deemster. Nevertheless, HM Government is responsible for the defence and international relations of the Islands. The Crown, acting through the Privy Council, is ultimately responsible for ensuring their good government. The Lord Chancellor and Secretary of State for Justice is the Privy Counsellor with special responsibility for Island affairs and is also responsible for the conduct of Islands' business within Whitehall.

DOMESTIC HUMAN RIGHTS LEGISLATION AND INSTITUTIONS

The [Human Rights Act 2001](#) enshrines much of the ECHR which had already been extended to the Island upon ratification by the United Kingdom. However, there is currently no separate human rights institution on the Island.

MEMBERSHIP OF REGIONAL ORGANISATIONS

[British-Irish Council](#)