

Government of Bermuda – Written Evidence (OTJ0014)

The Government of Bermuda welcomes the 2023 UK-Overseas Territories Joint Declaration (“the Joint Declaration”) as a platform for a modern, collaborative partnership grounded in shared democratic values, equal rights, and the principle of self-determination.

We recognise the Committee’s enquiry into the principles of the Joint Declaration, effectiveness of the Joint Ministerial Council and implementation of the newly introduced Compact system. We have outlined below matters of priority that Bermuda has highlighted consistently with our engagements with the UK Government and within the Bermuda House of Assembly. These areas reflect our direction in the relationship with the United Kingdom.

1. Bermuda’s Stated Constitutional Advancement

In the House of Assembly on 24 November 2023, the Premier of Bermuda, the Hon E David Burt stated that Bermuda’s relationship with the United Kingdom must rest on two fundamental principles:

- attaining full self-governance over time; *and*
- enhanced representation of Bermuda’s global interests - within a modern partnership that devolves appropriate powers.

The Government of Bermuda has consistently stated that a modern partnership must be consistent with the attainment of full self-governance with enhanced international representation, and has called for appropriate devolution and formal consultation on UK laws and conventions affecting Bermuda.

Bermuda re-affirms that the Joint Declaration’s commitments to equal rights and self-determination require His Majesty’s Government to provide clear, structured and proactive support for Territory-led constitutional advancement, so that Bermuda may progress its own constitutional development in accordance with the principles and aspirations recognised under the United Nations (UN) Charter, Chapter XI and the UN Special Committee on Decolonisation (UNC24). Recently the Bermuda Attorney General addressed the Committee, confirming Bermuda’s positive UK partnership while highlighting the intention to move towards self-determination while emphasising domestic education and consensus building, which should be driven in partnership with the UK.

2. Consultation with Bermuda

The Premier also emphasised that, given Bermuda’s mature Constitution, there must be consultation on the application of UK laws and conventions that may affect Bermuda, in line with Joint Declaration proposals.

Bermuda therefore supports a codified consultation protocol across Whitehall, anticipating and aligning with the Declaration’s commitment that the UK will consult Overseas Territories on UK primary legislation with impact on the Territories.

Bermuda has already identified key areas where such early engagement failed clear consultation expectations, illustrating the breadth of areas where timely co-design is essential. These include but not limited to:

- beneficial ownership,
- cannabis legislation, and
- overall treaty extension and Territorial Application of Free Trade Agreements

3. Implementation Mechanisms

To translate the Joint Declaration into practice, Bermuda supports bespoke, time-bound bilateral Compacts that clarify responsibilities among UK departments, the Governor and Bermuda's elected Government, and that operationalise appropriate consultation and shared accountability.

Bermuda notes the UK's plan for an internal Charter to refresh the 2012 White Paper, guided by five principles (*devolution and democratic autonomy; "nothing about you without you"; partnership across all departments; rights paired with responsibilities; and good governance.*)

Bermuda supports the Charter as a useful internal Whitehall tool, and encourages scrutiny focus on outcomes - specifically delivery against any agreed Compacts - rather than on the Charter text itself.

4. Mobility Parity

As part of the Declaration's commitments to equality within the UK-OT partnership, Bermuda seeks full mobility parity for British Overseas Territories Citizens (BOTCs), asking His Majesty's Government to work internationally so that BOTC passport holders face the same visa requirements worldwide as British Citizens. There currently exists a two tier system between British Citizens and BOTCs, which undermines the principles of 'equal rights and self-determination of the people of BOTs as supported in the declaration.'

5. Conclusion

We view the Joint Declaration as the basis of the relationship, however there is much work to be done in attaining full self-governance and enhancing Bermuda's global interests. We are encouraged that the Compact system seems able to support Bermuda in progressing full self-governance.

29 January 2026