



General Assembly

Distr.: General
14 February 2019
Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

British Virgin Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 December 2018. Further details are contained in previous working papers available from www.un.org/en/decolonization/workingpapers.shtml.



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The Territory at a glance

Territory: The British Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Augustus Jaspert (since August 2017).

Geography: Located approximately 100 km east of Puerto Rico and 25 km from the United States Virgin Islands, the Territory comprises a group of some 60 islands, islets and cays that form an archipelago with the United States Virgin Islands. Twenty of the islands are inhabited. The major islands are Tortola, Virgin Gorda, Anegada and Jost Van Dyke.

Land area: 153 km².

Exclusive economic zone: 80,117 km².

Population: 28,200 (2010 census), of which 39 per cent are citizens, or “belongers”. The great majority of “non-belongers” hail from countries in the Caribbean region, North America and Europe.

Life expectancy at birth: 76.5 years; 72.9 years for men and 80.8 years for women (2015 estimate).

Language: English.

Capital: Road Town, located on the largest island, Tortola.

Head of territorial Government: Premier Daniel Orlando Smith (since November 2011).

Main political parties: National Democratic Party; Virgin Islands Party.

Elections: Most recent: 8 June 2015; next: 25 February 2019.

Legislature: 15-member unicameral House of Assembly.

Gross domestic product per capita: \$36,300 (2016 estimate).

Economy: Financial services and tourism.

Main trading partners: The United States of America, the United Kingdom and the Caribbean countries and territories.

Unemployment rate: 2.8 per cent (2014).

Monetary unit: United States dollar.

Brief history: The earliest known inhabitants of the Territory were the Arawaks and the Caribs, indigenous peoples of the region. The Dutch established the first permanent European settlement in 1648. British planters took control of the islands in 1666, and the Territory attained the status of a British colony.

I. Constitutional, political and legal issues

1. In accordance with the Virgin Islands Constitution Order 2007, the British Crown appoints a governor whose responsibilities include defence, internal security, external affairs, the terms and conditions of service for persons in the public service and the administration of the courts. In some areas of external affairs that relate to certain matters falling within ministerial portfolios, the Constitution provides for the territorial Government to have delegated responsibility. The United Kingdom of Great Britain and Northern Ireland has reserved powers to make laws for the peace, order and good government of the British Virgin Islands. In terms of external relations, the territorial Government is entrusted to negotiate treaties in specific areas, such as matters related to the offshore financial services industry.

2. The 2007 Constitution provided for a more formally structured cabinet-style Government for the executive branch. The Cabinet consists of the Governor; the Premier, appointed by the Governor from among the locally elected members of the House of Assembly; four other Ministers, appointed by the Governor on the advice of the Premier; and one ex officio member, namely, the Attorney General. The Governor presides over the Cabinet but does not have a voting right. The agenda is agreed upon by the Cabinet Steering Committee, consisting of the Governor, the Premier and the Cabinet Secretary. The House of Assembly consists of a Speaker, the Attorney General (ex officio) and 13 elected members – 9 from one-member electoral districts and 4 representing the Territory at large.

3. General elections are constitutionally mandated to be held at least once every four years. Candidates are elected on the basis of a simple majority. Persons voting must be 18 years of age or over and have “belonger” status. Belonger status includes the right to work without a permit and the right to vote. In practice, a person must reside continuously in the Territory for 20 years before he or she may apply for permanent residence and, subsequently, belonger status. In the general election held on 8 June 2015, the incumbent National Democratic Party led by Premier Daniel Orlando Smith again won a majority, 11 of 13 seats, whereas the Virgin Islands Party won the remaining seats. On 24 January 2019, the Governor issued a proclamation dissolving the House of Assembly and appointed 25 February 2019 as the date for the next general election.

4. The law of the British Virgin Islands comprises the common law of England and legislation that is enacted either by the territorial legislature or by the United Kingdom on behalf of the Territory. The judiciary is administered by the Eastern Caribbean Supreme Court, which is headquartered in Saint Lucia. It consists of the High Court of Justice and the Court of Appeal. There is a magistrates’ court, which hears prescribed civil and criminal cases, a juvenile court and a court of summary jurisdiction. There are three resident High Court judges and a visiting Court of Appeal, which comprises the Chief Justice and two judges of appeal and sits twice a year in the Territory. The Privy Council of the United Kingdom is the final court of appeal. The British Overseas Territories Act 2002 provides for the granting of British citizenship to “British Overseas Territory citizens”.

5. At the Pacific regional seminar held in Quito from 30 May to 1 June 2012, the representative of the British Virgin Islands stated that the Territory’s position was to maintain its current relationship with the administering Power, built on mutual respect and a mature partnership, as the Territory continued to grow. Furthermore, speaking at the Caribbean regional seminar held in Quito from 28 to 30 May 2013, the representative of the British Virgin Islands stated that, in his view, the Special Political and Decolonization Committee (Fourth Committee) should set specific

achievable goals, taking into account the particularities of each territory, in order to further advance the decolonization process in all the territories.

6. On 6 November 2018, the Government of the British Virgin Islands submitted written evidence to the Foreign Affairs Committee of the House of Commons of the Parliament of the United Kingdom, within the framework of the inquiry entitled “The future of the UK Overseas Territories”. In the document, the territorial Government stated that a constitutional review was now due, after more than a decade since the adoption of the Virgin Islands Constitution Order 2007. It also referred to the decision by the United Kingdom to impose public registers of beneficial ownership on its overseas territories by threat of Order in Council (see para. 15 below) as a departure from conventional United Kingdom policy towards the British Virgin Islands, which had an impact on their relationship and the right to self-determination. A new and fundamentally different “constitutional construct” was required, one better suited to the strategic goals and aspirations of the Territory. The territorial Government was calling for a constitutional review to determine those desires and aspirations so that the Territory could move towards greater self-governance and to a deepening of the democratic institutions of government, as well as to enhance good governance, transparency and accountability.

II. Budget

7. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to information provided by the administering Power, the estimated expenditure of the Territory for 2018 amounted to approximately \$339 million, with an estimated revenue of about \$311 million.

III. Economic conditions

A. General

8. The two main pillars of the economy of the Territory are tourism and offshore financial services. According to the address on the 2018 budget delivered by the Premier and Minister of Finance of the territorial Government, the provisional estimate of nominal gross domestic product (GDP) for 2017 was \$988.5 million. In real terms, at the end of 2017, GDP was estimated at \$889.2 million, representing a 2.7 per cent decline compared with 2016. During the period from 7 August to 19 September 2017, the British Virgin Islands were affected by an unprecedented flood event and two (previously rare) category 5 hurricanes – Hurricane Irma and Hurricane Maria. The Territory experienced catastrophic levels of damage in the amount of an estimated \$3.6 billion in the entire economy, equivalent to more than three and a half times annual GDP. The sustained performance of the financial services industry helped to cushion the impact of the notable decline in tourism and other industries after the devastating events in 2017. According to the written evidence submitted by the territorial Government to the Foreign Affairs Committee, GDP is forecast to decline by 40 per cent in 2018 as a consequence of the hurricanes and is expected to take a minimum of five years to return to pre-Hurricane Irma levels.

9. According to a damage and loss assessment conducted by the Economic Commission for Latin America and the Caribbean presenting the economic effects and other impacts of Hurricanes Irma and Maria, approximately 17,985 persons were affected primarily as a result of damage to their homes and other possessions. There were four deaths in the Territory and about 125 related injuries after Hurricane Irma; no casualties were reported for Hurricane Maria. The total cost of Hurricane Irma in

the British Virgin Islands was estimated at \$2.3 billion. The productive sectors accounted for 41.9 per cent (\$691.6 million) of the total damage, followed by the social sectors, 40.2 per cent, and infrastructure, 17.6 per cent.

10. Following the extreme weather events that hit the Territory in 2017, the Disaster Recovery Coordinating Committee produced a preliminary recovery and development plan, which was discussed in consultation with stakeholders and the general public. In July 2018, the Committee published a document presenting its Recovery to Development Plan, which includes recovery and development projects, programmes and policy initiatives. While the Plan focuses on the recovery of the Territory, it also lays the foundation for a comprehensive development plan. The Plan contains five priority sectors and subsectors for achieving the vision for the Territory that is set out in the document: cohesive and empowered society; vibrant and innovative economy; resilient infrastructure; nurtured and sustainable environment; and good governance. The Plan was passed by the Third House of Assembly on 23 October 2018. The territorial Government established the Recovery and Development Agency through the Virgin Islands Recovery and Development Agency Act. The Agency has a limited five-year mandate and, in consultation with the territorial Government, will implement priority projects contained in the Plan.

11. In a message delivered on the first anniversary of the passing of Hurricane Irma, the Premier and Minister of Finance said that the disaster of 2017 had raised awareness about preparedness and the critical need for longer-term environmental protection. While significant strides had been made in rebuilding the Territory's infrastructure and utilities, much more was planned. He also underlined the progress made towards recovery in the tourism and finance sectors, as well as with regard to human and social services.

B. Financial services

12. According to the Medium-Term Fiscal Plan 2018–2020, the challenges faced by the financial services industry in 2016 were evident in the notable decline in new company incorporations. Even though new company incorporations fell by about 30.8 per cent in 2016, the sustained performance of re-registrations and other company transactions meant that overall economic activity and revenue from companies did not face as steep a decline as they might have done. Incorporations and revenue figures for 2017 demonstrated a modest recovery from the challenges faced in 2016, despite the passage of two category 5 hurricanes in September 2017. Some businesses in the financial services sector were able to relocate operations outside the Territory in the aftermath of the hurricanes. The territorial Government facilitated the return of these businesses to assist in stabilizing the economy and strengthening the economic recovery. A total of 389,459 active companies were registered at the end of 2017.

13. In April 2016, the British Virgin Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. The arrangement came into effect in June 2017 and allows law enforcement authorities to have near real-time access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions.

14. In the communiqué adopted at the sixth meeting of the United Kingdom-Overseas Territories Joint Ministerial Council, held in London on 28 and 29 November 2017, the overseas territories and the United Kingdom welcomed the progress made by the territories with financial centres in implementing the arrangements set out in the exchange of notes on law enforcement exchange of beneficial ownership information, including establishing new and secure systems for the collection, exchange and use of beneficial ownership data, where they did not

already exist. The Joint Ministerial Council committed itself to reviewing the effectiveness of the arrangements six months prior to their implementation deadline. It welcomed the cooperation of the territories in international efforts to promote tax transparency and tackle financial crime and the constructive engagement of the territories with the Code of Conduct Group (Business Taxation) of the European Union and at the first meeting of the Global Forum on Asset Recovery. The Joint Ministerial Council reiterated its commitment to showing leadership in tackling corruption and committed itself to prioritizing further work to enable the timely extension to the territories of the application of the United Nations Convention against Corruption, in particular when territories had requested such an extension, and to set a clear path for that process, building on the meeting held during the seventh session of the Conference of the States Parties to the Convention, held in Vienna from 6 to 10 November 2017.

15. In May 2018, the Parliament of the United Kingdom passed the Sanctions and Anti-Money Laundering Act, pursuant to which the Secretary of State is required to provide all reasonable assistance to the Governments of overseas territories to enable each of those Governments to establish a publicly accessible register of the beneficial ownership of companies registered in its jurisdiction and to prepare, no later than 31 December 2020, a draft Order in Council requiring any overseas territory that has not introduced such a register to do so.

C. Tourism

16. According to the Medium-Term Fiscal Plan 2018–2020, total tourist arrivals decreased by 33.8 per cent in 2017 owing to the impacts of the extreme weather events in 2017. Cruise and day tripper tourist arrivals decreased by 42.9 per cent, and overnights decreased by 17.9 per cent. Another hard year for the tourism sector is expected in 2018. In particular, cruise tourism and the hotels portion of overnights may face further declines in 2018. As properties are restored and infrastructure improvements are completed, tourist arrivals are expected to rebound in 2019, with overall tourist arrivals expected to exceed 1 million in 2019 and to continue a growth trajectory thereafter.

17. According to the Economic Commission for Latin America and the Caribbean, overall, the sector most affected by Hurricane Irma was tourism, sustaining 46.6 per cent of total costs, 41.3 per cent of all damage and 81.5 per cent of total losses. The total cost of Hurricanes Irma and Maria to the tourism sector was \$1.06 billion.

D. Agriculture and fisheries

18. According to the administering Power, agriculture and fishing accounted for approximately 1.45 per cent of the Territory's GDP in 2014. Most food requirements are met through imports. Approximately 800 ha of land are cultivated, and another 4,000 ha are devoted to pasture. The main crops are fruits and vegetables, produced for both local consumption and export. The United States Virgin Islands is the main importer of the agricultural and fishing products of the British Virgin Islands.

19. The Territory's Fisheries Act of 1997 and Fisheries Regulations of 2003 govern small-scale commercial and recreational fisheries, which serve mainly the local market.

20. According to the Recovery to Development Plan, the fisheries sector was adversely affected by the hurricanes in 2017, from both a supply and a demand standpoint. The Fishing Complex sustained structural damage to the building and all

freezers were lost. The total cost to fisheries was estimated at \$2.9 million. The agricultural industry was severely affected by Hurricanes Irma and Maria, which destroyed farm structures (such as pens and slaughterhouses), fencing, roads, equipment, water tanks, crops, trees and other agricultural inputs. The total cost to the agricultural subsector was estimated at about \$10.7 million.

E. Communications and infrastructure

21. The British Virgin Islands has more than 200 km of surfaced roads. There are three international airports, including the main international airport, Terrance B. Lettsome International Airport, located on Beef Island. Direct shipping services operate from the Netherlands, the United Kingdom and the United States of America. A deepwater harbour is located in Road Town. A regular ferry service links Tortola with some of the other islands in the Territory and with the United States Virgin Islands.

22. The extension of the cruise pier in Tortola, along with landside development, which had commenced in 2014, was completed in early 2016 and commissioned for service in March 2016.

23. Physical planning in the British Virgin Islands is governed by the Physical Planning Act of 2004, under which all development in the Territory must be approved by the Physical Planning Authority.

24. Broadband telecommunications, including Internet service, is available throughout the Territory. There are three major service providers, which are governed by a telecommunications regulatory regime established in 2006.

25. According to the Recovery to Development Plan, the road infrastructure on the major islands was severely affected by Hurricanes Irma and Maria and the earlier floods. The estimated damage to roads and sea walls was approximately \$69.0 million. The main airport on Beef Island (Terrance B. Lettsome International Airport) sustained the most damage. The total cost associated with the damage to the roads, airports, ports and transportation equipment was \$274.4 million. The water distribution system (especially service lines) and pumps were severely damaged, thus affecting the distribution of water to households. The interruption of power to all the islands prevented the production of water at desalination plants for long periods of time, affecting the supply of water to households and businesses. In terms of sewerage, the main pumping station in Road Town was damaged, and the sewerage treatment plants at Burt Point and Cane Garden Bay were not functioning as a result of electrical power issues. Overall damage and other costs to the water and sewerage sector were estimated to exceed \$63.9 million. In the telecommunications sector, the majority of damage sustained by the telecommunications network was to above-ground wire and cables, antenna masts, satellite dishes and cell towers. The sum of damage, losses and additional costs from Hurricane Irma was estimated at \$66.7 million.

IV. Social conditions

A. Labour and immigration

26. According to the Medium-Term Fiscal Plan 2018–2020, the total number of persons employed in 2016 increased by approximately 2.0 per cent from the total number in 2015, which was 20,029. Average earnings increased by approximately 1.2 per cent in 2016, up from \$26,748 in 2015. Gini coefficients demonstrated reduced

inequality in the labour force between 2014 and 2015, with lower Gini coefficient values in 2015 than in 2014 for both men and women. However, between 2015 and 2016 only the Gini coefficient for women showed an improvement, with increased wage inequality among men and in the overall figures. From 2014 to 2016 the Gini coefficient values for both men and women decreased. The wage dynamics for 2015 and 2016 revealed that the proportion of women in the low-income category of earnings was higher than the proportion of men in that category, and the proportion of men in the middle-income and high-income categories of earnings was higher than the proportion of women in those categories from 2014 to 2016. This, in addition to average earnings figures, suggests a disparity between women's earnings and men's earnings in the labour market. The level of the Gini coefficients, along with the growing disparity in earnings between men and women point to a widening gender pay gap.

27. Work permit exemptions are granted by the territorial Government on the basis of enrolment in the school system (entrance at the primary level and completion at the secondary level), marriage to a believer for a period of no less than three years or residency in the Territory of the British Virgin Islands for 20 years or more by a person who has demonstrated good character. According to the administering Power, the number of exemptions granted is considered on an annual basis. On 8 January 2017, the Immigration Department of the territorial Government announced that a multi-year entry permit would be granted to eligible individuals. Government-contracted employees, employees of statutory bodies and persons who have been granted an indefinite work permit exemption and have lived in the Territory consistently for five years or more would be eligible for a multi-year entry permit. The multi-year entry permit would be granted in three-year intervals, as opposed to an annual permit, and would be given after the expiry date of the individual's present entry permit.

B. Education

28. The education system in the Territory is guided by the Education Act 2004 and its amendments, including the Education (Amendment) Act 2014. The regulations contained therein are expected to provide guidance to the education system and its stakeholders regarding the implementation of programmes and services, the monitoring of the delivery of education programmes operated under the Act and the conduct of school supervision, including complaint investigations requested by the public.

29. Primary and secondary education is free and compulsory for children aged 5 to 17 years. Tertiary education is offered for free to Virgin Islanders at the local community college (H. Lavity Stoutt Community College), which has campuses on Tortola and Virgin Gorda islands. The college also collaborates with several universities outside the Virgin Islands that offer programmes at the bachelor's degree level.

30. Students from overseas territories benefit from the home student rate for tuition fees at British universities, provided that they have lived in a British overseas territory, the European Economic Area or Switzerland for the three years prior to the first academic year of their course of study. In addition, those students have access to funding provided by the European Union for higher or vocational education.

31. According to the Recovery to Development Plan, the hurricanes in 2017 caused considerable damage mainly to the public school infrastructure. Six of the eighteen public schools were destroyed and were rendered unusable, and the others sustained mild to moderate damage to roofs, windows and doors. The main secondary school,

Elmore Stouitt High School, lost most of its buildings and will have to be reconstructed. Private primary and secondary schools sustained some damage but were, for the most part, usable. The only tertiary institution, H. Lavity Stouitt Community College, suffered major damage to the main building as well as to the Virgin Gorda satellite campus. The total cost to the education sector was approximately \$60.0 million.

C. Health

32. The Health Services Authority of the Territory, a statutory body, was established in 2005 to manage public health-care delivery services. The National Health Insurance, providing universal health-care coverage, was launched in September 2015 and became operational in January 2016.

33. According to information from the Pan American Health Organization, zika, chikungunya and dengue fever are health issues of concern for the Territory's health system. The first case of zika was reported in July 2016, with 22 confirmed cases as at September 2016. Chikungunya was introduced in 2014, and 47 cases have been confirmed in the Territory. The number of dengue cases spiked in 2012, but showed a significant decline in 2014 and 2015; there were 710 reported cases of dengue fever between 2010 and 2015. Malaria is not endemic, and no imported cases were reported. Chronic, non-communicable diseases, mainly cancer, diabetes and hypertension, contribute significantly to morbidity and mortality in adults. The prevalence of obesity, owing mainly to a sedentary lifestyle and a diet high in processed or refined foods, is one of the leading health risks for chronic conditions in the British Virgin Islands, where it primarily affects women and children. The Ministry of Health and Social Development is implementing a 10-year strategy for the prevention of chronic non-communicable diseases that relies on a multisectoral approach. No maternal deaths have been recorded in the Territory in the past 10 years. There are no training facilities, so health professionals are trained elsewhere in the Caribbean, the United Kingdom and the United States. In order to fill the necessary health personnel positions in the public and private sectors, staff are recruited from the Caribbean, the United States, Canada, the Philippines and some African countries.

34. At its sixth meeting, the Joint Ministerial Council welcomed the fact that the Department of Health of the United Kingdom had continued its support for and commitment, in partnership with the territories and Public Health England, to raising awareness of international health regulations and to developing the relevant capacity to respond to major public health incidents, including outbreaks. The United Kingdom and the overseas territories also welcomed the contributions of the Department and Public Health England to the emergency response to Hurricane Irma through the swift deployment of technical public health experts to support territorial Governments. They committed themselves to further engaging on public health matters as the affected territories continued their recovery efforts. The United Kingdom and the overseas territories discussed the importance of raising awareness of and building capacity and expertise in the territories for tackling non-communicable diseases, such as obesity and mental health problems, and the impact of those challenges on the populations of the territories. They committed themselves to working together on those important issues so as to share best practices and resources on preventive approaches and the ways in which they could be adapted to respond to local needs.

35. According to the Recovery to Development Plan, the hurricanes in 2017 had a considerable effect on the delivery of health services owing to significant impacts on the Territory's health infrastructure, including equipment and vehicles, and on its personnel. While operations at the sole public hospital, Peebles Hospital, continued uninterrupted despite some structural damage, the network of community health

clinics, with a few exceptions, suffered significant damage, and four were closed for repairs. The private hospital on Tortola, Bougainvillea Clinic, and private medical clinics also sustained significant damage.

D. Crime and public safety

36. According to the Medium-Term Fiscal Plan 2018–2020, recent records indicate that overall levels of crime in the Territory have decreased compared with previous years. Notwithstanding that decrease, there has been a concerning upsurge specifically in relation to violent crime.

37. In 2018, the United Kingdom continued to provide funding for the law enforcement adviser post based in Miami, United States, to coordinate, manage and facilitate training and the provision of strategic advice in order to introduce new techniques and skills to the Territory's law enforcement agencies. Furthermore, RFA *Mounts Bay* has been stationed in the Caribbean since January 2017, as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom and providing humanitarian assistance, disaster relief and crisis communications support in the region. The vessel is expected to remain in the vicinity of the Caribbean throughout the 2018/19 hurricane season. RFA *Mounts Bay* also worked with other regional navies and coast guards to combat illegal activities on the high seas. RFA *Mounts Bay* and HMS *Ocean* provided vital humanitarian relief to the region, in particular to the three Territories – Anguilla, the British Virgin Islands and the Turks and Caicos Islands – affected by Hurricanes Irma and Maria, in September 2017.

E. Human rights

38. Major international and European human rights conventions have been extended to the British Virgin Islands. Chapter 2 of the 2007 Constitution enshrines fundamental rights and freedoms of the individual and provides for the establishment by law of a human rights commission.

39. A national policy on gender equity and equality, was adopted in 2013, complementing the Domestic Violence Protocol, which was approved by the Cabinet in November 2010. The Domestic Violence Act 2011, which came into force on 31 October 2012, broadens the definition of domestic violence to include economic abuse, intimidation, harassment, stalking and damage to and destruction of property, while offering protection to persons in visiting relationships. The Partnership for Peace is a 16-week court-connected violence prevention, psychoeducational programme for men who are abusive towards women. In October 2011, the Cabinet approved the After-Support Programme for men who have completed the Partnership for Peace Programme.

40. At the sixth meeting of the Joint Ministerial Council, the United Kingdom and the leaders of the overseas territories committed themselves to ensuring the political, economic, social and educational advancement of the people of the territories and their just treatment and protection from abuses and discussed their shared resolve to continue to promote respect for human rights and compliance with international obligations in the territories. In the communiqué adopted at that meeting, they welcomed the constructive engagement of the territories in the preparations for the universal periodic review process of the Human Rights Council in that regard. The leaders of the territories also reaffirmed their commitment to ensuring the highest possible standards for the protection of children and promotion of children's welfare in the territories. At the meeting, the United Kingdom and the territories discussed

the progress made in promoting inter-agency cooperation in the territories and the development of national response plans to define policy priorities, noted the particular challenges for those territories affected by the recent hurricanes and agreed that children's welfare should remain a central priority for recovery plans, including through the reconstruction of schools. In addition, they welcomed the progress made under a memorandum of understanding to promote more effective collaboration between the territories for the safeguarding of children.

V. Environment

41. The British Virgin Islands has acceded to several multilateral environmental agreements, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Biological Diversity and the Convention on Wetlands. According to the administering Power, since 2015, the Territory has been actively involved in global initiatives and specific projects on climate change adaptation, including the passage of the 2015 Climate Change Trust Fund Act, and in sustainable land management in partnership with the European Union and the Organisation of Eastern Caribbean States.

42. In 2014, the territorial Government passed legislation to establish a permanent shark sanctuary in its territorial waters and prohibit commercial fishing of all shark and ray species throughout those waters. According to the Government, there are approximately 51 designated protected areas in the current system of protected areas, including national and marine parks, fisheries protected areas, a forestry reserve (Sage Mountain National Park) and water areas. Depending on their designation, protected areas are currently managed by the National Parks Trust, the Conservation and Fisheries Department or the Department of Agriculture.

43. According to the Pan American Health Organization, the management of solid waste is a critical issue in the British Virgin Islands. The Territory has little land available for landfill use, and the situation is aggravated by the rolling terrain, which makes it difficult and expensive to engineer landfills. The Territory has experienced a three-fold increase in waste volume in the last decade; waste is either dumped or incinerated, and there are no recycling facilities currently in place. Waste disposal is handled mainly through incineration at the Pockwood Pond incinerator on Tortola, which has a 100 ton/day capacity, with additional landfills on the main islands of Tortola, Virgin Gorda and Anegada.

44. In the communiqué adopted at the sixth meeting of the Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories recognized that the destruction wrought by Hurricanes Irma and Maria had served as a reminder of the vulnerability of the overseas territories to climate change-related events and the devastating effect that they could have on the lives and livelihoods of those who lived there. They committed themselves to continuing the practice of mutual engagement ahead of international forums on climate change to ensure that the views and priorities of the overseas territories were fully reflected in negotiations. The United Kingdom reiterated its commitment to working with the overseas territories on the issue of extending the application of treaties concerning climate change to the territories, including taking forward the work to extend its ratification of the Doha Amendment to the Kyoto Protocol to those territories that had indicated their readiness for it. The importance of work in the territories on climate change adaptation and mitigation and collaboration between the territories to share best practices on environmental management and climate change issues, including through the annual meetings of ministers of the environment of the territories, was emphasized.

45. According to the Recovery to Development Plan, the Territory's natural resources sustained considerable damage from the disasters in 2017. Ecosystems such as coral reefs, mangroves, beaches, seagrass beds, salt ponds, ghuts and moist and dry forests were severely impacted by strong winds, storm surge, flood waters and associated sedimentation, pollution and debris. The total damage and losses to the environmental sector were estimated at \$6.9 million.

VI. Relations with international organizations and partners

46. The British Virgin Islands has associate membership in the Economic Commission for Latin America and the Caribbean, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization.

47. The Territory is an associate member of the Caribbean Community and the Organisation of Eastern Caribbean States and is a borrowing member of the Caribbean Development Bank.

48. The Territory participates in meetings of the Inter-Virgin Islands Council between the British Virgin Islands and the United States Virgin Islands, with a view to addressing mutual interests and challenges and fostering and promoting cooperation between the two Territories. Topics addressed in the meetings include law enforcement, pleasure boating and sport fishing, other maritime matters, cooperation in tourism, energy and utilities and culture and education.

49. The representative of the British Virgin Islands attended the thirty-ninth regular meeting of the Conference of Heads of Government of the Caribbean Community, held in Montego Bay, Jamaica, from 4 to 6 July 2018. The Conference issued a communiqué in which Heads of Government noted with great concern the amendments to legislation of the United Kingdom under the recently adopted Sanctions and Anti-Money Laundering Act and expressed their solidarity with the territories adversely affected by that unilateral action to legislate in areas of domestic policy having been constitutionally devolved to the territories, without the consent and involvement of their peoples, and noted that the action ran counter to an alternative arrangement on public registers that had been previously agreed upon with the Government of the United Kingdom and put into place at great cost to the overseas territories.

50. According to the communiqué adopted at the sixth meeting of the Joint Ministerial Council, the United Kingdom and the overseas territories continued their dialogue on the implications for the latter of the decision by the United Kingdom to leave the European Union (known as "Brexit"). In addition, it was indicated that a clear objective of the exit negotiations was to achieve an agreement that worked for all parts of the United Kingdom family, and the United Kingdom affirmed that it would seek to ensure that the security and economic sustainability of the overseas territories was preserved and, where possible, strengthened post-"Brexit".

VII. Future status of the Territory

A. Position of the territorial Government

51. The position of the territorial Government regarding the future status of the British Virgin Islands is reflected under section I above.

B. Position of the administering Power

52. In the communiqué adopted at the sixth meeting of the Joint Ministerial Council, in 2017, the Government of the United Kingdom and the leaders of the overseas territories indicated that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom.

53. They had committed themselves to exploring ways in which the overseas territories could maintain international support in countering hostile sovereignty claims. It was also stated that, for those Territories with permanent populations who wished it, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories. The Government of the United Kingdom and the leaders of the overseas territories agreed that the fundamental structure of their constitutional relationships had been the right one – powers were devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities. According to the administering Power, at the seventh meeting of the Joint Ministerial Council, held in London on 4 and 5 December 2018, the Government of the United Kingdom and the leaders of the overseas territories reiterated the positions reflected in the communiqué of the sixth meeting, and the United Kingdom affirmed that it would continue to engage on constitutional issues more regularly with individual Governments and representatives of overseas territories to ensure that the constitutional arrangements worked and developed effectively, to promote the best wishes of those territories and the United Kingdom.

54. At the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 15 October 2018, during the seventy-third session of the General Assembly, the representative of the United Kingdom stated that the relationship of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. He said that the Joint Ministerial Council was the primary forum for high-level political dialogue between the United Kingdom and the territories and was mandated to monitor and advance collective priorities, in the spirit of partnership.

55. He went on to say that, in the communiqué adopted at the sixth meeting of the Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories had confirmed their commitment to a modern political partnership based on the principle of equal rights and self-determination of peoples and their continued support for the constitutional arrangements in the territories, under which powers were devolved to the maximum extent possible consistent with British sovereignty. He also stated that his Government had undertaken to help the overseas territories to counter hostile sovereignty claims and to support the request of any Territory with a permanent population that wished to be removed from the list of Non-Self-Governing Territories.

56. He stated that his Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples and that territorial Governments were expected to meet the same high standards as the Government of the United Kingdom in maintaining the rule of law, respect for human rights and integrity in public life, delivering efficient public services and building strong and successful communities and were being supported by his Government in those areas.

VIII. Action taken by the General Assembly

57. On 7 December 2018, the General Assembly adopted resolution [73/110](#) without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2018 ([A/73/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of the British Virgin Islands to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that, in the process of decolonization of the British Virgin Islands, there was no alternative to the principle of self-determination, which was also a fundamental human right, as recognized under the relevant human rights conventions;

(c) Further reaffirmed that it was ultimately for the people of the British Virgin Islands to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(d) Recalled the 2007 Constitution of the British Virgin Islands, and stressed the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Stressed that the Territory should continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

(h) Also stressed the importance of the Special Committee being apprised of the views and wishes of the people of the British Virgin Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the British Virgin Islands and the administering Power;

(i) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts

to promote self-government in the British Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(j) Reaffirmed the responsibility of the administering Power under the Charter to promote the economic and social development and to preserve the cultural identity of the Territory, and requested the administering Power to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economy of the Territory;

(k) Took into account the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals, stressed the importance of fostering the economic and social sustainable development of the Territory by promoting sustained, inclusive and equitable economic growth, creating greater opportunities for all, reducing inequalities, raising basic standards of living, fostering equitable social development and inclusion and promoting the integrated and sustainable management of natural resources and ecosystems that supports, inter alia, economic, social and human development, while facilitating ecosystem conservation, regeneration, restoration and resilience in the face of new and emerging challenges, and strongly urged the administering Power to refrain from undertaking any kind of illicit, harmful and unproductive activities, including the use of the Territory as an international financial centre, that are not aligned with the interest of the people of the Territory;

(l) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance to the Territory, consistent with their prevailing rules of procedure;

(m) Called upon the administering Power, the specialized agencies and other organizations of the United Nations system and regional organizations to provide all the necessary assistance to the Territory, support the recovery and rebuilding efforts and enhance capabilities for emergency preparedness and risk reduction, in particular in the aftermath of Hurricane Irma and Hurricane Maria that impacted the Territory in 2017;

(n) Requested the Special Committee to continue to examine the question of the British Virgin Islands and to report thereon to the General Assembly at its seventy-fourth session and on the implementation of the resolution.

