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United States Virgin Islands

Working paper prepared by the Secretariat

Contents

	<i>Page</i>
The Territory at a glance	3
I. Constitutional, political and legal issues	4
II. Budget	6
III. Economic conditions	7
A. General	7
B. Tourism	8
C. Manufacturing and construction	9
D. Trade, transportation and utilities	9
E. Agriculture and fisheries	10
IV. Social conditions	10
A. Labour	10
B. Education	10
C. Public health	11
D. Crime and crime prevention	12
V. Environmental protection and disaster preparedness	13
VI. Relations with international organizations and partners	13

Note: The information contained in the present working 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 21 December 2020. Further details are contained in previous working papers, available at www.un.org/dppa/decolonization/en/documents/workingpapers.



VII.	Future status of the Territory	13
A.	Position of the territorial Government.	13
B.	Position of the administering Power	13
VIII.	Action taken by the General Assembly	14
Annex		
	Map of the United States Virgin Islands	17

The Territory at a glance

Territory: The United States Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations. As an unincorporated, organized territory of the United States of America, it is administered by the Office of Insular Affairs of the United States Department of the Interior.

Geography: The Territory is located in the eastern part of the Caribbean Sea, 1,075 miles south-east of the south-eastern tip of the United States and 60 miles east of Puerto Rico. It is made up of four main islands: Saint Croix, Saint John, Saint Thomas and Water Island. The capital, Charlotte Amalie, is located on Saint Thomas.

Land area: 352 km²

Exclusive economic zone: 33,744 km²

Population: 104,000 (2020 estimate)

Life expectancy at birth: 81.2 years (women: 83.5 years; men: 78.6 years (2020 estimate))

Languages: English or English Creole (74.70 per cent); Spanish or Spanish Creole (16.78 per cent); French or French Creole (6.57 per cent); and other (1.95 per cent)

Capital: Charlotte Amalie

Head of territorial Government: Governor Albert Bryan Jr. (since January 2019)

Territory's delegate to the United States Congress: Stacey Plaskett (since November 2018)

Main political parties: Democratic Party; Independent Citizens' Movement; Republican Party

Elections: The most recent general elections were held in November 2020.

Legislature: Unicameral (15 senators)

Gross domestic product (GDP) per capita: \$30,336 (2018, chained (2009) dollars)

Economy: Tourism is the primary economic activity, accounting for 80 per cent of GDP and employment. The manufacturing sector consists of petroleum refining, rum distilling, textiles, electronics, pharmaceuticals and watch assembly.

Monetary unit: United States dollar

Unemployment rate: 9.4 per cent (December 2020)

Brief history: The islands belonged to Denmark from 1754 to 1917 (Danish West Indies). On 31 March 1917, the Government of Denmark transferred ownership to the United States. The United States Virgin Islands has since been an organized, unincorporated territory of the United States.

I. Constitutional, political and legal issues

1. The United States Virgin Islands is an organized, unincorporated territory of the United States of America. Under the Organic Act of the Virgin Islands (1936), its revision in 1954 and subsequent amendments to the Revised Organic Act of 1954, the Territory has a legislature, known as the Senate, which is a unicameral body comprising 15 senators elected to a two-year term by popular vote. Executive power is vested in the Governor, who, since 1970, has been elected by popular vote to a four-year term on the same ticket as the Lieutenant Governor. The Governor is limited to two consecutive terms. With the advice and consent of the Legislature, the Governor appoints the heads of the executive departments and has the power to approve or veto legislation and issue executive orders.

2. In November 2018, Albert Bryan Jr. was elected Governor and Tregenza Roach was elected Lieutenant Governor for a four-year term. The Territory also elects a delegate to the United States House of Representatives, who is able to vote in committees. Congresswoman Stacey Plaskett won the election held on 3 November 2020 and was elected to her fourth term as delegate. The Territory's senatorial elections were also held on 3 November 2020.

3. The Territory's judicial system has a district court, a superior court and a supreme court, of which the last-mentioned became operational in January 2007. The Supreme Court is the appellate court that hears appeals decided by the Superior Court. Its establishment eliminated federal judicial involvement in purely local legal matters. In December 2012, the President of the United States signed House of Representatives bill No. 6116 authorizing direct review by the United States Supreme Court of decisions made by the Supreme Court of the United States Virgin Islands. The legislation was sponsored by the Territory's congressional delegate.

4. Since the revision of the Organic Act of the Virgin Islands by the Government of the United States in 1954, there have been four attempts to replace it with a local constitution approved by the people of the Territory that would organize the internal mechanisms of the Government. Although the United States Congress authorized the adoption of a local constitution in 1976 under United States Public Law 94-584, none of the four attempts made was successful.

5. As previously reported, on 26 May 2009, the Fifth Constitutional Convention adopted a proposed constitution of the United States Virgin Islands by a two-thirds vote. It was submitted to the Governor on 31 May 2009. With a preamble and 19 articles, the 27-page text included provisions on a bill of rights; principles, branches and subdivisions of government; Virgin Islanders; elections; education; youth; taxation, finance and commerce; economic development; public health, safety and welfare; culture; environmental protection; referendums and recalls; and the creation of a political status advisory commission. Further details can be found in previous working papers.

6. On 26 February 2010, the President of the United States submitted the proposed constitution to Congress, endorsing the conclusions reached by the United States Department of Justice that several features of the proposed text warranted analysis and comment, including: (a) the absence of express recognition of United States sovereignty and the supremacy of federal law; (b) provisions for a special election on the territorial status of the United States Virgin Islands; (c) provisions conferring legal advantages on certain groups defined by place and timing of birth, timing of residency or ancestry; (d) residence requirements for certain offices; (e) provisions guaranteeing legislative representation of certain geographical areas; (f) provisions addressing territorial waters and marine resources; (g) imprecise language in certain provisions of the proposed bill of rights; (h) the possible need to repeal certain federal laws if

the proposed constitution were adopted; and (i) the effect of congressional action or inaction on the proposed constitution.

7. On 11 September 2012, the Governor signed Act No. 7386 establishing and convening a body called the Fifth Revision Convention, formed by the 30 delegates elected to the Fifth Constitutional Convention and five attorneys. The Fifth Revision Convention was convened on 1 October and mandated to ratify and approve, no later than 31 October and by a two-thirds majority vote of all the delegates, the final revised draft constitution consistent with the nine issues identified by the Government of the United States (see para. 6). The Act established that, if the Fifth Revision Convention agreed upon a proposed revised draft constitution by the deadline, the President of that body should have it submitted to the Governor and to the President of the United States. In case of the non-adoption of the text, both the Fifth Constitutional Convention and the Fifth Revision Convention would be dissolved, and the Legislature of the United States Virgin Islands would have full authority to address the Territory's constitution. As reported in previous working papers, however, the outcome of the Fifth Revision Convention was surrounded by controversy and has continued to remain unclear. In January 2013, in his State of the Territory address, the Governor expressed the hope that the Territory would find "the means and courage that will lead us from the Organic Act to a Virgin Islands constitution".

8. According to the administering Power, in March 2016, the Office of Insular Affairs of the Department of the Interior awarded the University of the Virgin Islands \$250,000 to establish the Office of Self-Determination and Constitutional Development. The Office works with other stakeholders across the Territory to address the issue of self-determination. Major duties and responsibilities include political status and constitutional education, research and development and universal public education.

9. The Territory held its 46th Annual United States Virgin Islands-British Virgin Islands Friendship Day Celebration on 19 October 2019 on Saint Thomas. This event provides both Territories a chance to renew old acquaintances, discuss joint cooperation and reflect on the many challenges that both Territories encounter. After a two-year hiatus, as a result of the recovery from Hurricane Irma and Hurricane Maria, the annual celebration brought together families and friends separated by a small body of water.

10. At the Caribbean Regional Seminar on Decolonization held from 2 to 4 May 2019, the Lieutenant Governor said that the United States Virgin Islands required separate treatment in the decolonization process. He noted that the Congress of the United States of America had passed legislation authorizing a locally drafted constitution, but that such a constitution would require the approval of the Congress. Pursuant to General Assembly resolution [1514 \(XV\)](#), however, the United Nations would not endorse the adoption of a constitution by a Non-Self-Governing Territory that must be approved by the administering Power. He added that the current territorial Government recognized the need for the Territory to embark on a new and meaningful conversation regarding its status, which should culminate in a status referendum within the four-year term. There were challenges related to the issue of identity, and the native inhabitants should be entitled to special recognition. The Territory would welcome the presence of the United Nations as an objective and credible voice with regard to the decolonization process, as well as financial support and other resources that could serve to advance the dialogue. He added that the administering Power should also provide financial support in that regard.

11. On 7 May 2020, the territorial Legislature adopted an Act providing for a referendum vote on convening a constitutional convention to consider adopting the Revised Organic Act of the United States Virgin Islands or portions of it as the

Constitution of the Territory. The bill was signed by the Governor on 19 May 2020. At the general election held on 3 November 2020, voters were asked whether they were in favour of the legislature enacting legislation to convene a constitutional convention to adopt the Revised Organic Act of the Virgin Islands, 68 Stat. 497, or portions of it as the Constitution of the Virgin Islands. A majority of 72 per cent voted in favour.

12. The Interagency Group on Insular Areas, established through Executive Order 13537 of 14 April 2010, advises the President of the United States on the establishment or implementation of policies concerning the insular areas, solicits information and advice concerning the insular areas from the Governors of, and other elected officials in, the insular areas and from representatives of entities or other individuals, and solicits information from executive departments or agencies for purposes of carrying out its missions, in order to help to ensure coordination and collaboration among federal agencies in addressing issues of concern to, among others, American Samoa, Guam and the United States Virgin Islands. In 2020, the Interagency Group held its plenary session, co-chaired by the Secretary of the Interior and the Deputy Assistant to the President and Director of the White House Office of Intergovernmental Affairs, on 11 February with a focus on economic development and insular resilience issues. The Governor of the United States Virgin Islands attended the session.

II. Budget

13. According to the territorial Government, the proposed budget of the Government of the United States Virgin Islands for fiscal year 2021 was \$1,224,532,219, which includes \$742,779,823 for the general fund, \$33,104,434 for other appropriated funds and \$290,906,550 for non-disaster-related federal funds. The fiscal year begins on 1 October and ends on 30 September. Major sources of revenue include individual income tax, corporate income tax, real property tax and gross receipts tax.

14. According to a report prepared by the Congressional Research Service in June 2018, entitled “Economic and fiscal conditions in the United States Virgin Islands”, damage caused by Hurricane Irma and Hurricane Maria, which hit the Territory in September 2017, created additional economic and social challenges for the Territory. Public revenues were cut in half after the two hurricanes. The territorial economy had relied heavily on tourism and related business activity, which made it more vulnerable to the effects of hurricanes than jurisdictions with more diverse economies. Federal disaster assistance has included aid to public institutions, such as long-term loans to the territorial Government and two hospitals; loans and grants to individuals and small businesses; and the direct operation of the Federal Emergency Management Agency, the United States Army Corps of Engineers and the United States Coast Guard, among other federal agencies. Funding for disaster relief has been augmented by supplemental appropriations.

15. The Virgin Islands Office of Disaster Recovery was established in February 2019 within the Virgin Islands Public Finance Authority. The Office serves as the centre of coordination for the anticipated \$8 billion of federal funding to be received in support of the recovery from the devastation caused by the hurricanes in 2017. By Executive Order of the Governor, the Office oversees all federal disaster assistance funding programmes for the Territory, the largest of which are: Public Assistance Grant Program, Hazard Mitigation Grant Program, Community Development Block Grant – Disaster Recovery and Federal Highway Administration – Emergency Relief.

16. As stated in the progress report on recovery from Hurricane Irma and Hurricane Maria, published in September 2020 by the Office of Disaster Recovery, the Territory has continued to work with the federal Government and other stakeholders to advance key projects and resolve complex issues. According to the report, the Territory had received \$3.5 billion of the expected federal funding.

III. Economic conditions

A. General

17. On 17 December 2019, the United States Bureau of Economic Analysis released estimates of gross domestic product (GDP) for the United States Virgin Islands for 2018, in addition to estimates of GDP by industry and compensation by industry for 2017. The Bureau noted that the Territory had suffered extensive damage caused by two major hurricanes in September 2017, which had affected the availability of various data sources used for GDP estimates, including financial statements of the territorial Government and its independent agencies. The estimates indicated that real GDP had increased by 1.5 per cent in 2018, after decreasing by 0.6 per cent in 2017. The growth in the territorial economy reflected increases in government spending, private fixed investment and consumer spending. The increases were partly offset by a decrease in exports of services. Spending by the territorial Government increased by 38.7 per cent, reflecting spending on hurricane response and recovery activities that were largely funded by public assistance grants from the Federal Emergency Management Agency. Major projects included emergency work and longer-term repairs to the electrical system. Spending by the federal Government also increased significantly as a result of disaster recovery activities, including debris removal and oil spill clean-up. Private fixed investment increased by 51.4 per cent, reflecting growth in business purchases of equipment and in construction, including homes. Federal grants supported the reconstruction and major repairs of businesses and homes that were destroyed or heavily damaged by the 2017 hurricanes. Consumer spending also increased, reflecting growth in household purchases of goods, including motor vehicles and food.

18. For fiscal year 2020, the financial services sector employment rate declined by 2.8 per cent, with 1,795 people employed compared with 1,846 employed in fiscal year 2019. Prior to the 2017 hurricanes, there were 2,400 people employed in the financial services sector, on average. Since then, however, several financial services entities have asked the Economic Development Commission of the United States Virgin Islands to allow them to reduce provisionally the number of people they employ while they restructure their operations.

19. The United States Department of the Treasury approved 14 neighbourhoods in both the Saint Thomas and Saint John districts as federal opportunity zones. Qualified opportunity zones, which are economically distressed communities where new investments, under certain conditions, may be eligible for preferential tax treatment, were created in accordance with the Tax Cuts and Jobs Act of 2017. The programme is designed to encourage investment in communities designated as economically distressed by allowing investors who reinvest the proceeds of capital gains in qualifying properties or businesses located in designated opportunity zones to defer and reduce their capital gains taxes. Local government officials view the programme as a complement to the programme of the Economic Development Commission. Under the new tax law, United States investors who invest in qualified property in an opportunity zone may defer capital gains tax on the new investment for up to seven years; reduce the amount of those capital gains by as much as 15 per cent; and pay no federal capital gains tax on any appreciation in the value of that new investment. The

Department of the Treasury approved the creation of opportunity zones for American Samoa and the United States Virgin Islands, among others. The areas for the United States Virgin Islands include Christiansted and the entire western end of Saint Croix, as well as most of the southern half of Saint Thomas. Qualified opportunity zones retain their designation for 10 years.

20. According to the Division of Economic Research of the Office of Management and Budget of the United States Virgin Islands, after the 2017 hurricanes, the Territory began a period of economic recovery, fuelled mostly by federal disaster assistance, a resurgence in tourism expenditure and activities related to refinery construction. However, the recovery ended abruptly in March 2020 owing to the coronavirus disease (COVID-19) pandemic. In an effort to slow the spread of COVID-19, the Governor issued an executive stay-at-home order for the Territory, which stalled economic activity until June 2020. The territorial Government instituted several initiatives to stimulate business activity and provide economic relief to the residents. The Territory continues to experience long-term fiscal and budgetary concerns. Furthermore, the fiscal sustainability of the territorial Government's pension system is uncertain in 2021.

21. According to the territorial Government, the Territory is a small open economy dependent on tourism and rum exports. The economy is vulnerable to external shocks and has exhibited volatility in real economic growth rates. Over the period 2008–2018, it saw positive real growth in five of the years, and negative real growth in six of the years. The economy has experienced three major shocks that led to economic downturns (the 2008 financial recession, the closing of the Hovensa oil refinery over the course of 2012 and 2013, and the 2017 hurricanes) that resulted in an estimated \$10.76 billion of economic damages. The main challenges for the economy continue to be how to diversify the economic structure, create better-paying jobs, reduce public debt loads, improve the financial position of the territorial Government, improve competitiveness and improve the quality of public services.

22. On 20 October 2020, the Governor announced the commission of a 20-year economic development plan for the Territory. The purpose of the plan is to create a road map for a diversified, self-sufficient and prosperous economy and it is expected to focus on economic advancement in five key areas: services, technology, energy, agriculture and manufacturing.

B. Tourism

23. According to the administering Power, the shelter-in-place directives issued by the United States and other countries have affected travel by tourists to the Territory. For the fiscal year ending September 2020, the number of visitors was down 36.2 per cent, or 1,342,229 visitors as compared with 2,104,547 visitors in the same period in fiscal year 2019. The number of visitors arriving by air fell by 30.5 per cent, from 637,876 to 445,409. Pre-pandemic data indicate that the Territory has been experiencing positive growth in the number of air travellers. The stay-at-home order affected travel during the period from April to June 2020. The average number of seats per week available on daily scheduled flights arriving from outside of the Caribbean during the first week of a given month during this period was 7,340, compared with 13,380 during the same time period in 2019, a decline of 45.3 per cent. However, by the end of fiscal year 2020, the weekly average number of available seats was 12,730, compared with 12,630 in fiscal year 2019. There were 898,820 cruise passengers during the 2020 fiscal year, compared with 1,466,670 during the previous fiscal year, or a decline of 38.7 per cent.

24. During the months when the Territory was shut down owing to the pandemic in the period from March to June 2020, the leisure and hospitality sector reported an average of 4,900 net jobs, a decrease of 9.7 per cent compared with the corresponding period in fiscal year 2019.

C. Manufacturing and construction

25. According to the Division of Economic Research, in fiscal year 2020, jobs in the construction sector continued to grow owing to ongoing disaster-related infrastructure restoration and recent construction work in connection with the restart of the Lime Tree Bay Terminals refinery operations. The number of construction jobs rose to 3,765 by the end of fiscal year 2020, representing an increase of 49.8 per cent over the total of 2,513 jobs reported in fiscal year 2019. The construction sector now accounts for 9 per cent of non-agricultural employment. In prior years, the Territory's construction sector accounted for only 4 per cent of non-agricultural employment.

26. According to the Division of Economic Research, the rum industry consists of two companies. Both distilleries have a combined production capacity of 29 million proof gallons of rum per year. Rum produced in the Territory is exported to the United States primarily in bulk and sold to local and regional bottlers for sale under a variety of brands. Shipments in fiscal year 2020 totalled 19.9 million proof gallons. The federal Government imposes and collects federal excise taxes on rum produced in the United States Virgin Islands and exported to the United States. The Territory received \$256.8 million in excise taxes for fiscal year 2019 and is expected to receive \$230.9 million for fiscal year 2020.

27. According to the administering Power, at the end of the third quarter of fiscal year 2020, the United States Department of the Interior was holding approximately \$138.6 million in rum tax cover-over payment for the United States Virgin Islands.

D. Trade, transportation and utilities

28. The United States Virgin Islands has some 1,250 km of roadways. The Territory also enjoys one of the deepest natural harbours in the Caribbean and is strategically located along the Anegada Passage, a key route for ships bound for the Panama Canal. The Territory has five major docking facilities, which can accommodate cruise ships and some naval vessels. Three of the docks are on Saint Croix: South Shore, Gallows Bay and Frederiksted. The other two are on Saint Thomas: the facilities operated in Crown Bay by the Virgin Islands Port Authority, a semi-autonomous government agency, and the West Indian Company, which is owned by the United States Virgin Islands.

29. According to the 2020 progress report prepared by the Office of Disaster Recovery (see para. 16 above), the 2017 hurricanes damaged more than 90 per cent of the above-ground power lines and knocked down more than half of all the wood utility poles. Initial recovery efforts were focused on providing an uninterrupted energy supply to hospitals and restoring power to water treatment plants and other critical facilities and eventually to personal residences and businesses. The resiliency plan of the Virgin Islands Water and Power Authority is multifaceted, with over \$742 million in mitigation projects in place and involves: (a) increasing underground power; (b) installing composite utility poles; (c) hardening the infrastructure; and (d) deploying emergency backup generators. The Authority continues to work towards its goal of transitioning 50 per cent of customers to underground power with the remaining above-ground connections leveraging composite utility poles. Over

2,500 composite poles rated for winds of up to 200 mph have been installed across the Territory.

30. For the entire fiscal year 2020, the number of trade, transportation and public utilities sector jobs averaged 6,661 compared with 7,073 during the same period one year earlier, or a decline of 20.5 per cent, according to the Division of Economic Research.

E. Agriculture and fisheries

31. The Virgin Islands Department of Agriculture provides basic agricultural services and technical support to the Territory's farming community. The Department is primarily responsible for expanding agricultural activity relating to the production and marketing of agricultural commodities and the processing of agricultural products throughout the Territory; enforcing environmental protection laws relating to land, water and soil; and enforcing regulatory practices relating to veterinary services.

IV. Social conditions

A. Labour

32. According to the Division of Economic Research, 41,297 persons were employed in civilian jobs in fiscal year 2020. This was a 2 per cent increase from the 40,493 persons employed in fiscal year 2019. The jobless rate in the Territory for fiscal year 2020 was 9.4 per cent, compared with the rate of 6.0 per cent reported in fiscal year 2019.

33. Monthly unemployment insurance claims grew to an average of 704 during fiscal year 2020 in comparison with the average of 137 reported during the same period one year earlier. The increase in initial benefit claims is attributed to the loss of jobs during the first local stay-at-home order issued in March 2020 in connection with the global outbreak of COVID-19. The average Territory-wide jobless rate for April–July 2020 was 12.2 per cent. In the Saint Croix district, the unemployment rate was 9.8 per cent, while in the Saint Thomas and Saint John district the rate was 13.8 per cent.

34. Small-business owners who needed assistance as a result of the pandemic were granted the opportunity to apply for the federal Paycheck Protection Program offered by the United States Small Business Administration. According to a report of the Small Business Administration on the Program, approximately 2,000 small businesses in the Territory had received loans totalling \$127.8 million through the Program as of August 2020.

B. Education

35. Education in the United States Virgin Islands is compulsory and free for all children between 5 and 16 years of age. The Territory's Department of Education comprises a State-level education agency and two local education agencies, one for the Saint Thomas-Saint John district and the other for the Saint Croix district. Each district has 2 high schools, 3 middle schools and 10 elementary schools. The University of the Virgin Islands has campuses on Saint Thomas and Saint Croix and a combined full-time and part-time body of some 2,500 students.

36. According to the 2020 recovery progress report prepared by the Office of Disaster Recovery (see para. 16 above), an educational facility master plan that will

guide the future investment of federal recovery funds intended for the reconstruction of the school system was completed on 30 June 2020, after it was presented to the general public, the Legislature and the Governor.

37. According to the administering Power, 10,907 students were enrolled for the 2019–2020 school year: 5,492 in the Saint Croix district and 5,415 in the Saint Thomas–Saint John district. This total represents an increase of approximately 189 students from the 2018–2019 school year. Adult basic education and adult secondary education courses were offered in both districts as part of the adult education programme. A total of 275 certificates were issued to graduates of the career and technical education programme in June 2020.

38. On 13 August 2020, the territorial Department of Education published its guide to reopening public schools in virtual mode. On 14 January 2021, the Department announced that public schools would reopen on a rolling basis throughout the months of February and March using a hybrid instructional model, with some students receiving in-person instruction while others continue to attend classes from home. On 29 January 2021, the Governor announced the official launch of a programme to reimburse public school educators for out-of-pocket expenses incurred in connection with teaching remotely during the 2020–2021 school year.

C. Public health

39. The Territory's Department of Health maintains facilities on Saint Thomas, Saint John and Saint Croix, as well as a long-term care facility on Saint Thomas. Outreach efforts include educational, preventive and treatment services using clinics and subdivisions to address maternal and child health, family planning, environmental health, sexually transmitted infections, HIV, tuberculosis, mental health and substance abuse. The Department administers 33 activity centres and 16 federal programmes under the auspices of the Office of the Commissioner and the divisions dealing with fiscal affairs, support services, public health services, health promotion and statistics.

40. According to the 2020 progress report prepared by the Office of Disaster Recovery (see para. 16 above), the United States Federal Emergency Management Agency approved full replacement of the Governor Juan F. Luis Hospital and Charles Harwood Medical Center on Saint Croix, and for complete restoration of all components of the Schneider Regional Medical Center. In order to facilitate the development of a fully integrated hospital system and to ensure that standards are applied consistently, the Territory-wide hospital redevelopment team was established to oversee all design and construction processes for restoring the storm-damaged facilities.

41. The Governor declared a state of emergency on 13 March 2020, after the first case of COVID-19 in the Territory was confirmed, followed by a stay-at-home order and other measures. A five-part advisory plan designed to safely resume all operations in the Territory was put in place; the phases are: total quarantine; stay at home; safer at home; open doors and new normal. As of 15 February 2021, the Territory was in the third phase: safer at home.

42. According to the administering Power, the Government of the United States provided considerable financial assistance to the United States Virgin Islands to assist the Territory in responding to the COVID-19 pandemic. The Coronavirus Aid, Relief and Economic Security Act included \$55 million in funding assistance for insular areas, which included the United States Virgin Islands, to support efforts to prepare, prevent and respond to the COVID-19 pandemic. Specific agency responses for the United States Virgin Islands included, but were not limited to, the following:

(a) By late April 2020, the United States Department of the Interior had provided \$7.8 million in funding under the Coronavirus Aid, Relief and Economic Security Act;

(b) The United States Department of Health and Human Services and the Centers for Disease Control and Prevention had provided more than \$1.7 million to the United States Virgin Islands through the Coronavirus Aid, Relief and Economic Security Act;

(c) By mid-April 2020, the Small Business Administration had issued more than \$62.2 million in loans to 240 small businesses in the United States Virgin Islands. On 21 March 2020, the Small Business Administration declared an economic disaster in the United States Virgin Islands at the request of the Governor, which enabled small businesses across the Territory to have access to low-interest loans. As at 19 April 2020, the Small Business Administration had approved 404 economic injury disaster loan advances of up to \$10,000 each for small businesses in the United States Virgin Islands affected by COVID-19, totalling more than \$1.7 million. These advances were authorized under the Coronavirus Aid, Relief and Economic Security Act and do not need to be repaid;

(d) By late April 2020, the Department of the Treasury and the Internal Revenue Service had issued more than 267,000 combined economic impact payments totalling more than \$501 million to eligible individuals in all Territories and overseas, including in the United States Virgin Islands;

(e) The Department of Housing and Urban Development had made more than \$1.8 million in COVID-19 funding available to United States Virgin Islands grantees through Coronavirus Aid, Relief and Economic Security Act authorizations;

(f) The United States Department of Labor expanded paid sick, family and medical leave and, as of late April 2020, had awarded over \$174,000 in emergency administrative unemployment insurance grants to the United States Virgin Islands;

(g) By April 2020, the Department of Education announced allocations from the higher education emergency relief fund established under the Coronavirus Aid, Relief and Economic Security Act totalling more than \$1.7 million to support students in post-secondary education and institutions of higher education in the United States Virgin Islands;

(h) During the same period, the Department of Transportation had allocated more than \$4.1 million in Federal Transit Administration funds to help the public transportation systems of the United States Virgin Islands respond to the challenges of COVID-19 and provided more than \$41.1 million from the Federal Aviation Administration to help fund continuing operations at airports in the United States Virgin Islands and compensate for lost airport revenue;

(i) During the same period, the Department of Justice allocated more than \$2.9 million to the United States Virgin Islands through the Coronavirus Emergency Supplemental Funding Program, in order to support the territorial Government's response to the pandemic.

D. Crime and crime prevention

43. According to the proposed executive budget for fiscal year 2021, the mission of the Virgin Islands Police Department is to protect life and property and to ensure a safe and secure environment. The Department's primary emphasis is on providing basic police services: maintaining and increasing police control, responding quickly to incidents and calls for assistance, conducting effective investigations and solving

crimes, and apprehending criminals in a timely manner. The Department comprises seven divisions: the Office of the Commissioner, the Division of Police Operations – Saint Thomas–Water Island, the Division of Administration Support and Logistics, the Division of Police Operations – Saint Croix, the Division of Highway Safety, the Division of Training and the Division of Police Operations – Saint John.

V. Environmental protection and disaster preparedness

44. The responsibility for ensuring the Territory's resilience to disasters lies with the Virgin Islands Territorial Emergency Management Agency. The Agency ensures the Territory's ability to recover rapidly from large and small disasters by assessing and mitigating hazards, enhancing preparedness, ensuring an effective response and building the capacity to recover.

VI. Relations with international organizations and partners

45. The United States Virgin Islands is an associate member of the Economic Commission for Latin America and the Caribbean. The Territory has observer status with the Association of Caribbean States and the Alliance of Small Island States, which serves as a platform to promote action on environmental issues, including climate change. According to information provided by the administering Power, the United States Virgin Islands received acceptance as a territorial Government with observer status at the Organisation of Eastern Caribbean States in 2009.

46. 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 at the meetings include law enforcement, pleasure boating and sport fishing, other maritime matters, cooperation in tourism, energy and utilities and culture and education. The 8th meeting of the Inter-Virgin Islands Council was held on 4 February 2020 in Tortola, British Virgin Islands. The Council discussed tourism strategies and the potential for regional collaboration on tourism marketing, airport and seaport development, inter-territorial cooperation between charter yacht companies, border security and fisheries, and response to the potential threat of COVID-19.

VII. Future status of the Territory

A. Position of the territorial Government

47. Developments regarding discussions on the future status of the United States Virgin Islands are reflected in section I.

B. Position of the administering Power

48. In a letter dated 2 November 2006 addressed to the delegate of American Samoa to the United States House of Representatives, the Assistant Secretary of State for Legislative Affairs elaborated on the position of the Government of the United States. He indicated that the status of the insular areas regarding their political relations with the federal Government was an internal United States issue and not one that came within the purview 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. He said that the Special Committee had no authority to alter in any way the relationship between the United States and those territories and had no mandate to engage the United States in negotiations on their status. He also said that, at the same time, in accordance with its obligations under the Charter of the United Nations to provide regularly to the United Nations statistical and other information of a technical nature relating to the economic, social and educational conditions in the Non-Self-Governing Territories, the federal Government submitted annual updates on the Territories under its administration to the Special Committee as a demonstration of its cooperation as an administering Power and as a way of correcting any errors in information that the Special Committee might have received from other sources.

49. At the 10th meeting of the Fourth Committee, on 6 November 2020, the representative of the United States reiterated his delegation's concern that the draft resolutions to be adopted at the meeting placed too much weight on independence as a one-size-fits-all status option for Territories in pursuit of self-determination. He said that, as stated in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the people of a Non-Self-Governing Territory could validly opt for free association as an alternative to independence or any other political status, including integration with the administering State, provided that that status was freely determined by the people, and that therefore the United Nations must not seek to influence the outcome of decolonization processes, but rather respect the free will of the people (see [A/C.4/75/SR.10](#)).

VIII. Action taken by the General Assembly

50. On 10 December 2020, the General Assembly adopted its resolution [75/120](#) without a vote, on the basis of the report of the Special Committee for 2020 ([A/75/23](#)) and the subsequent recommendation by the Fourth Committee. In the resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the United States 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 United States 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 United States 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) Welcomed the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requested the

administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

(e) Requested the administering Power to facilitate the process for approval of the proposed constitution and its implementation, once agreed upon in the Territory, and to regularly provide the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples with relevant updates in this regard;

(f) Also requested the administering Power to assist the Territory by facilitating its work concerning public educational 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;

(g) Welcomed the establishment of the Office of Self-Determination and Constitutional Development in the University of the Virgin Islands, with funding from the administering Power, to address the issue of self-determination, including political status and constitutional education;

(h) Recalled the closing of the Hovensa plant in 2012, which had had a negative economic impact on the Territory;

(i) Reiterated its call for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

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

(k) Stressed that the Territory should continue to participate in the activities of the Special Committee, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

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

(m) 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 United States Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(n) 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;

(o) 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 were not aligned with the interest of the people of the Territory;

(p) 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;

(q) Reiterated its call upon the administering Power, the specialized agencies and other organizations of the United Nations system and regional organizations to provide all the assistance necessary 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;

(r) Requested the Special Committee to continue to examine the question of the United States Virgin Islands and to report thereon to the General Assembly at its seventy-sixth session and on the implementation of the resolution.

Annex

Map of the United States Virgin Islands

