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## 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 25 January 2022. Further details are contained in previous working papers, available from [www.un.org/dppa/decolonization/en/documents/workingpapers](http://www.un.org/dppa/decolonization/en/documents/workingpapers).



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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 John James Rankin (since January 2021).

*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 km<sup>2</sup>

*Exclusive economic zone:* 80,117 km<sup>2</sup>

*Population:* 31,197 (2017), of whom 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:* 77.4 years; 74.4 years for men and 81.3 years for women.

*Language:* English

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

*Head of territorial Government:* Premier Hon. Andrew A. Fahie (since February 2019).

*Main political parties:* National Democratic Party; Virgin Islands Party; Progressives United; Progressive Virgin Islands Movement.

*Elections:* Most recent: 25 February 2019; next: 2023.

*Legislature:* 15-member unicameral House of Assembly.

*Gross domestic product per capita:* \$33,294 (2021, Ministry of Finance 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:* 5.5 per cent (2019 estimate).

*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 the 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. The most recent general election was held on 25 February 2019. The Virgin Islands Party, led by Andrew A. Fahie, won 8 of the 13 seats. The National Democratic Party won three seats, the Progressive Virgin Islands Movement one seat and Progressives United also one seat.

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 citizens of British overseas territory.

5. An independent Commission of Inquiry was announced by the former Governor in January 2021 to consider whether corruption, abuse of office or other serious dishonesty may have taken place among public, elected and statutory officials in recent years. Its purpose is to review the Territory’s governance and make recommendations for improvement. The sole Commissioner of Inquiry was appointed on 19 January 2021. Under the Instrument of Appointment dated 19 January, the Commissioner was to deliver his report to the Governor within six months from the commencement of the Inquiry (19 July 2021). The Amended Instrument of Appointment dated 14 July 2021 granted a six-month extension and the Commissioner was asked to deliver his report by 19 January 2022. Following the

Amended Instrument of Appointment dated 10 January 2022 granting a 3-month extension, the report to the Governor is expected in April 2022.

## II. Budget

6. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to the territorial Government, the 2022 budget was estimated at \$397.1 million, with recurrent revenue and expenditure estimated at \$356.6 million and \$336.9 million, respectively. A recurrent surplus of about \$13.8 million has been projected. The Ministry of Natural Resources, Labour and Immigration and the Ministry of Education, Culture, Youth Affairs, Fisheries and Agriculture, each received a 14 per cent share of the appropriations, while the Ministry of Transportation, Works and Utilities was allocated 12.3 per cent of the recurrent budget.

## III. Economic conditions

### A. General

7. 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 across the entire economy, equivalent to more than three and a half times the annual gross domestic product (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 of 2017. As outlined in the 2021 budget estimates produced by the territorial Government, despite the slight contraction of the economy in 2018, the economy was well on its way to recovery following the devastating losses in 2017. Growth in nominal GDP was estimated at 5.4 per cent in 2019 and was expected to continue into 2020. However, as reflected in the 2022 budget estimates, the coronavirus disease (COVID-19) pandemic severely impacted the territorial economy. The domino effect caused by the measures taken to curb the pandemic was immediately evident in the tourism sector, one of the main economic pillars, as ports of entries closed, curfew measures were implemented and lockdowns took effect. The GDP target for 2020 was revised downwards as a result of the pandemic and is estimated to have contracted by 9.3 per cent. In 2021, as the pandemic continued, some sectors operated with certain constraints. At the same time, other sectors such as mining and quarrying, construction, transportation and storage showed signs of increasing economic activity that was largely driven by public and private sector capital projects. Owing to the rise in economic activity in those sectors, nominal GDP growth for 2021 is now projected to be 2.2 per cent. For the medium term, GDP is projected to increase by 1.8 per cent, 2.1 per cent and 1.7 per cent for 2022, 2023 and 2024, respectively, over the previous year's level.

8. The “COVID-19 human and economic assessment of impact” report for the British Virgin Islands was published on 15 June 2020. The report was produced by the United Nations Development Programme (UNDP) in partnership with the territorial Government and with the collaboration of the United Nations Children's Fund (UNICEF) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). In the report, a number of interventions aimed at ensuring that the territory can weather further shocks and rebuild in the wake of the crisis were outlined, and a GDP decline of 13–17 per cent was projected for

2020. According to the report, the economic impact of the pandemic had been felt most strongly in the tourism sector, which accounts for roughly a third of GDP.

9. The “Virgin Islands Strategic Blue Economy Roadmap 2020–2025”, developed by the territorial Government with support from UNDP, sets out an integrated approach to ocean-based sustainable development that brings together economy, environment and society, consistent with the 2030 Agenda for Sustainable Development, Aichi Target 11 of the Strategic Plan for Biological Diversity 2011–2020 and the Paris Agreement on climate change.

10. On 15 January 2022, the territorial Government launched a public consultation exercise on the draft National Sustainable Development Plan, developed with technical support from the Economic Commission for Latin America and the Caribbean. The plan is expected to guide the sustainable development of the Territory for the next 15 years. According to the draft, the Development Plan is based on the vision expressed in broad-based public consultations, in-depth interviews and in responses to a survey. Numerous public consultations were undertaken during the process to firstly engage in comprehensive education on the Sustainable Development Goals and then to ensure citizen participation in setting the priorities and articulating an aspirational vision for the Territory in its sustainability and resilience endeavours. Some of the issues discussed include providing opportunity for the youth; preserving the environment while developing the blue economy; managing diversity while maintaining customs and traditions; sustainable infrastructure given the ravages of recent hurricanes; restarting the economy given the climate risks and COVID-19; and the preparation and movement towards more autonomy and the implications of such governance advancements. The Development Plan is also based on the Sustainable Development Goals and took into consideration continued recovery from Hurricanes Irma and Maria, as well as, reenergizing and reimagining the Territory after the COVID-19 pandemic. The draft document indicates that the constitutional evolution of the Territory was also given due consideration and that pertinent to the Development Plan is the Special Committee on decolonization.

## **B. Financial services**

11. According to the Medium-Term Fiscal Plan 2022–2024, the financial services industry rebounded in mid-2020. The trend from 2020 continued into the first half of 2021, with company incorporation figures that were similar to pre-pandemic levels. The industry continues to face many challenges including: (i) the digital tax initiative of the Organisation for Economic Co-operation and Development which proposes a global corporate minimum tax for multi-national enterprises; (ii) uncertainty over publicly accessible registers of beneficial ownership; (iii) the Territory’s OECD Peer Review, launched in December 2020; and (iv) preparations for the Caribbean Financial Action Task Force mutual evaluation scheduled for the second quarter of 2022.

12. 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. On 14 December 2020, the Government of the United Kingdom published a draft Order in Council setting out a framework for the registers. By that date, the Governments of the permanently inhabited overseas territories had already committed themselves to introducing publicly accessible

registers; the Government of the United Kingdom is assisting the overseas territories in order to meet the commitments, where required.

### **C. Tourism**

13. According to the 2022 budget estimates, at the beginning of 2020, the tourism sector was poised to continue its growth momentum from 2019, which ended with almost 900,000 visitors, representing a 118.8 per cent growth over 2018. However, following the closure of the borders in March 2020 owing to the COVID-19 pandemic, the number of tourists in 2020 stood at 305,356, a 65.9 per cent decline from 2019. This level of significant decline in tourist arrivals has had a strong negative effect on the economy. Based on the estimated tourism revenue for the Territory in 2016 of around \$609 million, tourism revenue in 2020 declined by at least 77.0 per cent from the 2016 level. With the reopening of borders to international travel in December 2020 through the Terrence B. Lettsome International Airport, and the reopening of other ports of entry to international travellers from April 2021, it was anticipated that the number of tourist arrivals to the Territory would continue to climb. However, owing to the occasional spikes in cases from COVID-19 variants, global border closures, stay-at-home orders and curfews became the norm again. Although, the borders in the Territory were not closed, curfews were implemented, many businesses were closed, persons were temporarily unemployed, and normal life was disrupted as cases increased on various occasions. With the vaccination rollout and with the implementation of strict safety protocols for entry, the number of tourists began to slowly increase in 2021. By the end of the second quarter of 2021, 14,166 tourists had visited the Territory representing a 280.5 per cent increase from the first quarter of 2021. However, with the very slow uptick in tourists, tourism revenue in 2021 is estimated to fall by 88 per cent compared with the 2016 benchmark.

### **D. Agriculture and fisheries**

14. Agriculture and fishing accounted for approximately 1.6 per cent of the Territory's GDP in 2018 and are undertaken on a small scale, supplementing a small component of local demand. Most food requirements are met through imports from the United States of America and the Caribbean. There is some agricultural production, albeit on a small scale, of mostly fruits, vegetables and small livestock, in particular poultry, produced primarily for local consumption. The United States Virgin Islands is the main importer of the agricultural and fishing products of the British Virgin Islands. The Virgin Islands Fisheries Act, 1997, and Fisheries Regulations, 2003, govern commercial, pleasure and sport fisheries, which mainly serve the local market.

### **E. Communications and infrastructure**

15. 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. 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.

16. 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.

17. 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.

18. 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.

## **IV. Social conditions**

### **A. Labour and immigration**

19. According to the Medium-Term Fiscal Plan 2020–2022, overall employment levels increased by an average of 2.4 per cent annually in the four years prior to the impact of the 2017 hurricanes. With the net loss of 4,691 jobs due to the closure of businesses after the hurricanes, there was a 23.3 per cent drop in employment over the period from September to December 2017 compared with the employment levels at the end of August 2017. According to the 2021 budget estimates, the number of employed persons reached 19,317 by the end of 2018 and 21,088 by the end of 2019, representing increases of 24.9 per cent and 36.2 per cent, respectively, compared with 2017. The number of persons employed in 2019 was the highest ever recorded in the Territory.

20. According to the 2022 budget estimates, at the beginning of 2020, growth in the number of employees was expected to follow a similar trend from 2019 due to ongoing and planned development projects continued into 2020. However, mitigations measures implemented due to the COVID-19 pandemic contributed to a 1.3 per cent drop of employment compared with 2019. The number of men and women employed declined by 2.1 per cent and 0.3 per cent, respectively, compared with 2019. Historically, women occupied the larger share of the work force, but there was a shift in 2018 owing to the need for construction workers for the extensive recovery works required in the Territory after the 2017 hurricanes. The impact of the pandemic also resulted in a 27.8 per cent increase in the number of part-time workers and a 17.6 per cent decrease of full-time workers in 2020, compared with 2019. This turnaround in the work status trend was a direct result of workers that were normally employed full-time being furloughed and hence relegated to part-time status because of the temporary and sometimes permanent closure of businesses, no business activity, limited hours of work due to curfews, and the disruption of business activity due to the closure of the borders. Within the part-time workers group in 2020, the number of women grew by 32.6 per cent and that of men by 24.6 per cent. While for the category of full-time workers, men recorded a more pronounced rate of decline (20.5 per cent) compared with the 14.7 per cent drop recorded for women. Compared with 2019, in 2020 there was an 8.5 per cent reduction in the overall average earnings. Men's average earnings declined by 11.0 per cent, and the average earnings of women declined by 5.6 per cent.

21. According to the National Sustainable Development Plan, the Survey of Living Conditions conducted in 2019 revealed that women are more likely to be unemployed than men. Tourism workers were the most affected by the COVID-19 pandemic, the impact on the tourism sector is expected to be broader and last longer and the recovery is expected to be gradual, continuing into 2022 and 2023. Unemployment was projected to reach between 12 per cent and 17 per cent in 2020. With an ease on restrictions that rate is expected to decrease to 7 per cent in 2021.

22. According to the human and economic assessment of impact report, a quarter of working women are service workers and shop and market sales workers, and a fifth

are skilled professionals. Because many women work in sectors that pay lower wages, 50 per cent more women than men earn a salary of between \$700 and \$1,400, and twice as many women as men earn less than \$700. The average monthly wage for women is roughly 10 per cent lower than that for men: \$2,332.77 as compared with \$2,573.05. The expected decline in GDP caused by the COVID-19 pandemic was anticipated to result in a fourfold or fivefold increase in the rate of unemployment in 2020, with a disproportionate impact expected on female workers and migrants.

23. 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 of 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. In a statement before the House of Assembly on 15 April 2021, the Minister for Natural Resources, Labour and Immigration provided updates to the existing work permit exemption policy, including the addition of a term-limit to the exemption, and re-establishing the connection of an approved work permit exemption to a specific employer. On 8 January 2018, 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**

24. The education system in the Territory, including Early Childhood and Special Needs Education, 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.

25. 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.

26. 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. Students will be eligible for tuition fee loans in England provided that they have settled status upon arrival in the United Kingdom and are starting full-time or part-time undergraduate courses in the 2022/23 academic year.

27. According to the human and economic assessment of impact report, a survey covering 2,765 households with school-age children conducted by the territorial Ministry of Education in the wake of the COVID-19 pandemic found that at least 340 households lacked Internet access and a further 446 had limited packages. According to the 2021 budget estimates, the Ministry of Education provided support to students

who required assistance, including through a loan programme that allowed parents to purchase laptops at a minimal cost and provisions to facilitate Internet access.

### **C. Health**

28. 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.

29. According to information from the Pan American Health Organization (PAHO), 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. According to information from the Pan American Health Organization published in 2017, no maternal deaths had been recorded in the Territory in the 10 years prior to 2017. 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.

30. According to PAHO, the impact of the 2017 hurricanes on the British Virgin Islands highlighted the need to improve mental health and psychosocial support in disaster management among health and community workers, as well as the general population. In this context, the Ministry of Health and the Caribbean Development Bank, with the support of PAHO, conducted an intervention in 2019 to support the recovery and build resilience to confront any future threats. With the advent of the COVID-19 pandemic, psychosocial and mental health needs on the ground persisted and intensified, and the project was adapted to reduce suffering and promote the mental health and psychosocial well-being of people affected by the pandemic and disasters. A key component of this adaptation was a series of webinars designed to improve the knowledge and skills needed to cope with mental health problems during the pandemic and its inherent challenges. Participants included shelter managers, health workers, clinical staff, parents, teachers and people from the British Virgin Islands.

31. The Government of the United Kingdom has been supporting the overseas territories throughout the COVID-19 pandemic. The support has included the funding and supply of testing kits, laboratory consumables, medical equipment, medical supplies and COVID-19 vaccines, including booster doses, and the provision of public health expertise. According to the administering Power, its support is in line with its enduring commitment to the peoples of its overseas territories.

32. According to the administering Power, the United Kingdom has provided the British Virgin Islands over £1.4m in medical supplies, including testing kits, personal protective equipment, a field hospital kit and five ventilators. The administering Power has also supplied sufficient vaccines for all adults in the Territory and has delivered the first batch of boosters and vaccines for children. United Kingdom health experts continue to provide advice and information to the Health Service Authority to help inform the Territory's COVID-19 response. The United Kingdom Healthcare Ambassador to the overseas territories, Ian Cumming, visited the Territory in June 2021, and again in November 2021, when he was accompanied by Natalie Wright

from the United Kingdom Health Security Agency. As well as supporting health professionals, the Healthcare Ambassador held public meetings and media interviews to answer questions on COVID-19 and vaccines.

#### **D. Crime and public safety**

33. The Government of the United Kingdom has indicated its commitment to providing assistance to the overseas territories to deal with major storms and other disasters. In 2021, HMS *Medway* and RFA *Wave Knight* were stationed in the Caribbean as part of the North Atlantic patrol tasking of the Royal Navy, ensuring a year-round maritime presence of the United Kingdom to support the overseas territories to prepare for and respond to the threat of hurricanes and other disasters and to provide humanitarian assistance, disaster relief and crisis communications support in the region.

#### **E. Human rights**

34. 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.

35. 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.

#### **V. Environment**

36. Several multilateral environmental agreements have been extended to the British Virgin Islands, 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.

37. 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 or the Department of Agriculture and Fisheries. In December 2020, the National Parks Trust launched the first “Environmental Atlas”, which is expected to promote greater awareness of the Territory’s natural landscape and biodiversity.

38. 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 threefold increase in waste volume in the past decade; waste is either dumped or incinerated, while recycling facilities are being established on a pilot basis. Waste disposal is handled mainly through incineration at the Pockwood Pond incinerator on Tortola, which has a capacity of 100 tons per day, with additional landfills on the main islands of Tortola, Virgin Gorda and Anegada.

39. 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 affected by strong winds, storm surge, flood waters and associated sedimentation, pollution and debris.

40. According to the administering Power, over the past 10 years the United Kingdom's Darwin Plus Fund, also known as the Overseas Territories Environment and Climate Fund, has supported 22 projects in the British Virgin Islands, including four projects launched in 2021. The four new projects are focused on facilitating the production of marine spatial plans; developing marina habitat maps; managing stony coral tissue loss disease; and managing the influx of sargassum (algae).

## **VI. Relations with international organizations and partners**

41. 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.

42. 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.

43. 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. The 8th meeting of the Council was held on Tortola on 4 February 2020.

44. In November 2020, UNDP and the British Virgin Islands formally signed a memorandum of understanding strengthening their partnership for the opening of a project office in order to further address the socioeconomic impacts of COVID-19 and other external shocks, such as natural disasters, financial crises or pandemics. In addition, the agreement reinforces support for the achievement of the Sustainable Development Goals and the 2030 Agenda, including mainstreaming the Goals in policies and plans, accelerating their implementation and providing technical assistance for sectoral analyses, the promotion of the blue economy and additional relevant activities.

45. Saint Vincent and the Grenadines opened a consular office in the British Virgin Islands on 16 October 2020.

## **VII. Future status of the Territory**

### **A. Position of the territorial Government**

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

### **B. Position of the administering Power**

47. The 2021 meeting of the United Kingdom-Overseas Territories Joint Ministerial Council was held in London on 16 and 17 November 2021, when the administering Power hosted the representatives of the Governments of its overseas territories. The Prime Minister of the United Kingdom gave the opening address and participants held wide-ranging discussions on such topics as climate change and the environment, economic resilience and health care, including the response to the pandemic. According to the administering Power, the statement made by the Duke of Cambridge at the meeting, following discussions at the twenty-sixth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, hosted in 2021 by the United Kingdom, showed the importance placed by the United Kingdom on the need to tackle climate change, its relationship with the overseas territories and its recognition of their significant contribution to its biodiversity.

48. In the communiqué adopted at the meeting, 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 those peoples to self-determination, a collective responsibility of all parts of the Government of the United Kingdom.

49. The Government of the United Kingdom and the leaders of the overseas territories committed themselves to continuing to explore 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 that wished so, the United Kingdom would continue to support their requests for removal of the Territory from the list of Non-Self-Governing Territories.

50. At the 11th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 25 October 2021, during the seventy-sixth session of the General Assembly, the representative of the United Kingdom stated that the relationship of his Government 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.

51. He stated that his Government's responsibility was to ensure the security and good governance of the overseas territories and their peoples and that, during the pandemic, the United Kingdom had ensured that none of its overseas territories ran short of personal protective equipment, testing supplies or medical equipment and had delivered vaccines to all of them, including Pitcairn and Tristan da Cunha, which were among the most remote island communities on Earth. He also stated 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.

52. He added that, while the United Kingdom would carry out all the responsibilities of the sovereign Power, the Governments of the United Kingdom and its overseas

territories were in agreement that the overseas territories were internally self-governing, subject only to the United Kingdom retaining powers to enable it to carry out its obligations under international law. He also added that the Joint Ministerial Council met annually to monitor and drive forward collective priorities.

## **VIII. Consideration by the United Nations**

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

53. The representative of the Government of the Territory delivered a statement at the Caribbean regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism, held in the Parish of Saint John, Dominica, from 19 to 21 May 2021.

54. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of the British Virgin Islands at its 3rd and 7th meetings, on 14 and 24 June 2021. At the 3rd meeting the Deputy Premier of the British Virgin Islands and one petitioner made statements. At the same meeting, a statement was made by the representative of Antigua and Barbuda. At the 7th meeting, the Chair drew attention to the agreed text of draft resolution [A/AC.109/2021/L.14](#), which the Special Committee adopted without a vote (see [A/AC.109/2021/SR.7](#)).

### **B. Special Political and Decolonization Committee (Fourth Committee)**

55. At its 3rd meeting, on 6 October 2021, on the basis of a decision taken at its 2nd meeting, the Committee heard statements on the question of the British Virgin Islands by the Deputy Premier of the British Virgin Islands and one petitioner.

56. At its 16th meeting, on 11 November 2021, the Committee adopted draft resolution VII, entitled “Question of the British Virgin Islands”, contained in chapter XIII of the report of the Special Committee ([A/76/23](#)), without a vote.

### **C. Action taken by the General Assembly**

57. On 9 December 2021, the General Assembly adopted resolution [76/93](#) 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 2021 ([A/76/23](#)) 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 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;

(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) Also called upon the administering Power to facilitate a visiting mission to the Territory, and requested the Chair of the Special Committee to take all the steps necessary to that end;

(k) 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;

(l) 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;

(m) 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;

(n) 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 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;

(o) 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-seventh session and on the implementation of the resolution.

Annex

Map of the British Virgin Islands

