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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

### Turks and Caicos Islands

#### Working paper prepared by the Secretariat

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*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 2023. Further details are contained in previous working papers, available at [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 Turks and Caicos 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 Dileeni Daniel-Selvaratnam (since June 2023)

*Geography:* The Territory, which comprises 40 islands and cays, lies 145 km north of Haiti and the Dominican Republic and 925 km south-east of Miami, United States of America. Six islands are permanently inhabited: Grand Turk, where the capital is located; Providenciales, the business and tourist centre with the great majority of the population; North Caicos; Middle Caicos; South Caicos; and Salt Cay.

*Land area:* 948.2 km<sup>2</sup>

*Exclusive economic zone:* 154,068 km<sup>2</sup>

*Population:* 49,309 (2023 estimate): approximately a quarter are citizens, and three quarters are immigrants from the Bahamas, Canada, the Dominican Republic, Haiti, the United Kingdom, the United States, the Philippines and other countries

*Life expectancy at birth:* 75 years (men: 72 years; women: 78 years) (2020)

*Language:* English

*Capital:* Cockburn Town, Grand Turk

*Head of territorial Government:* Charles Washington Misick (since 20 February 2021)

*Main political parties:* People's Democratic Movement; Progressive National Party

*Elections:* Most recent: 19 February 2021

*Legislature:* House of Assembly

*Gross domestic product per capita:* \$23,956 (nominal, 2023 estimate)

*Economy:* Tourism, financial services, construction

*Unemployment rate:* 7 per cent (2023 estimate)

*Monetary unit:* United States dollar

*Brief history:* The first inhabitants of the islands were the Arawak-speaking Taino people. In 1799, the islands were annexed by Great Britain as part of the Bahamas and subsequently Jamaica. They became a separate colony of the United Kingdom in 1962, when Jamaica achieved independence, but they maintained close constitutional ties with the Bahamas. After the Bahamas became independent, in 1973, a governor replaced the former administrator of the Turks and Caicos Islands.

## **I. Constitutional, legal and political issues**

1. The Turks and Caicos Islands Constitution Order 2011, which entered into force as the Territory's fifth since 1962 on 15 October 2012, provides for a Governor as the head of the Government, a House of Assembly composed of elected and appointed members and the Attorney General, with a cabinet and ministers appointed from among those elected or appointed members.
2. The 2011 Constitution also provides for the judiciary, the public service and a number of institutions protecting good governance, notably an integrity commission, a human rights commission, an auditor general and a director of public prosecution. Provisions are also made in relation to Crown land and public financial management. Under the Order, the British Crown reserves the power, with the advice and consent of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws for the peace, order and good governance of the Territory.
3. According to the administering Power, the Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security, including the police force, the regulation of international financial services and some public service matters.
4. The legislature, the House of Assembly, comprises the Speaker, 15 elected members, 4 appointed members and the Attorney General. Ten members are elected to represent one electoral district each and the remaining five are elected by Territory-wide vote.
5. The law of the Territory consists mainly of locally enacted statutes, along with some laws enacted in the United Kingdom and applied to the Territory, and English common law. The court system includes magistrates' courts, the Supreme Court and the Court of Appeal, with ultimate recourse to the Judicial Committee of the Privy Council. On the advice of a Judicial Service Commission, the Governor appoints magistrates and the judges of the Supreme Court and the Court of Appeal.
6. According to the administering Power, the recent past has seen political turbulence in the Turks and Caicos Islands. The Territory operated on the basis of a ministerial system of government under the 2006 Constitution, negotiated between the Turks and Caicos Islands Government and the Government of the United Kingdom, until 14 August 2009, whereupon the Government of the United Kingdom brought into force legislation that, among other things, temporarily suspended parts of the Constitution, thereby removing the Turks and Caicos Islands Government and the House of Assembly. The action had been motivated by mounting evidence of systemic corruption in the Turks and Caicos Islands Government and legislature and among some public officers, which was uncovered by a commission of inquiry established in July 2008 (see also sect. IV.E below).
7. Between August 2009 and November 2012, the Governor, who had been given extended powers, worked under interim constitutional arrangements with an advisory council and a consultative forum. Each was constituted by Islanders appointed by the Governor. The arrangement was referred to as the "interim Government", the "interim Administration" or "direct rule".
8. Coinciding with the 2009 suspension of parts of the 2006 Constitution, an economic downturn and austerity measures required to "balance the books" and to ensure that public services in the Territory could continue to function led to layoffs in the public sector. According to the administering Power, doing so generated a degree of resentment among some residents, who perceived the layoffs as being a direct result of intervention by the United Kingdom.

9. The interim Administration, which started in August 2009, came to an end on 9 November 2012, when elections were held. With an 84 per cent voter turnout, the Progressive National Party, which had been in office when the previous Turks and Caicos Islands Government was removed in 2009, won eight seats, while the People's Democratic Movement won seven seats. The leader of the Progressive National Party, Rufus Ewing, was sworn in as Premier on 13 November 2012, returning elected government rule to the Territory.

10. In February 2013, the Caribbean Community (CARICOM) noted with grave concern that, although the elections of November 2012 had led to the restoration of representative government in the Territory, the overall state of political affairs remained less than desirable, and the restoration of true democracy was still a long way off. It dispatched a ministerial fact-finding mission to the Territory in June 2013. According to media reports, the mission's internal report contained a number of recommendations, including the holding of a referendum on the acceptance of British rule under the current Constitution. In March 2014, the Heads of Government of the Community received an update on the situation, undertaking to continue to monitor it and expressing their support for the full restoration of democracy in the Territory on terms driven by its people. Furthermore, they said that they continued to look forward to a response from the Government of the United Kingdom to the mission's report.

11. For its part, in September 2013, the House of Assembly established an eight-member constitutional review committee, comprising representatives of the Turks and Caicos Islands Government, the opposition and the public, which was mandated to review the 2011 Constitution, hold consultations with the public and make recommendations by 15 November 2014 to the House for constitutional changes to be debated and ratified for onward submission to the Foreign and Commonwealth Office of the United Kingdom.

12. In its report submitted to the Premier in November 2014, the constitutional review committee made a series of recommendations relating to most parts of the 2011 Constitution, which included the reinstatement of the automatic right to trial by jury enshrined in the 2006 Constitution, the inclusion of a requirement that the Premier be a Turks and Caicos Islander, the repeal of the provision disqualifying someone from running for Premier after serving two consecutive terms in that post and the removal of the reference to the Office of the Chief Financial Officer. With regard to a referendum on independence, the committee stated that it was a matter for the political hierarchy and not within its terms of reference.

13. The final report was debated and passed by the House of Assembly in January 2015, and the recommendations of the committee were forwarded to the Government of the United Kingdom for its consideration. According to the administering Power, after careful consideration, the Government of the United Kingdom did not accept those recommendations on the grounds that the current Constitution was key to ensuring that the Turks and Caicos Islands continued to meet internationally recognized standards of good governance, the rule of law and sound financial management. However, the post of Chief Financial Officer (see para. 12) was abolished in March 2017.

14. In the general election held on 15 December 2016, the People's Democratic Movement won 10 of the 15 elected seats in the House of Assembly, returning to the majority after a 13-year hiatus. Its leader, Sharlene Cartwright-Robinson, became the first female Premier of the Territory on 19 December 2016.

15. On 5 December 2018, the then Premier of the Turks and Caicos Islands participated in the oral evidence session of the inquiry entitled "The future of the UK Overseas Territories" conducted by the Foreign Affairs Committee of the House of

Commons of the United Kingdom Parliament, during which she recalled the suspension of the Territory's Constitution. She also referred to the rising cost of the Special Investigation and Prosecution Team; the involvement of the territories in the selection of governors; the Sanctions and Anti-Money Laundering Act; and concerns about the post-“Brexit” loss of funding.

16. In a speech on the occasion of the swearing-in of the Governor in July 2019, the then Premier of the Turks and Caicos Islands stated that the present Constitution had not been crafted by the Territory and that it had been nothing short of an affront to the locally elected Government. She added that it was a document that left governance to personalities and that the Territory could not afford that uncertainty. She highlighted the ambition of the people of the Turks and Caicos Islands to return to the 2006 Constitution, which, together with the current financial systems and oversight, presented a balance in the Territory's partnership with the United Kingdom, as it provided safeguards for the United Kingdom, while at the same time giving the people of the Turks and Caicos Islands their dignity.

17. In a public statement made in December 2019, the then Premier announced that a report of the Constitutional Review Committee containing proposals for changes to the Constitution had been laid before the House of Assembly. She explained that, once the report had been debated in the House, it was her intention to submit the proposals to the Government of the United Kingdom. According to the administering Power, the proposals were shared with the United Kingdom in February 2020, and its Government responded in August 2020, seeking further clarification on some of the proposed changes.

18. In the general election held on 19 February 2021, the Progressive National Party won 14 of the 15 elected seats in the House of Assembly, returning to the majority. The Progressive National Party leader, Charles Washington Misick, became Premier of the Turks and Caicos Islands.

19. Two inquiries were launched in the Parliament of the United Kingdom in April and June 2023, respectively, one by the Public Administration and Constitutional Affairs Committee, to explore the constitutional arrangements of the overseas territories and whether the relationship is fit for purpose in the twenty-first century; and the other by the House of Commons Procedure Committee, to examine options for the representation of overseas territories within the House of Commons.

## **II. Budget**

20. According to the Turks and Caicos Islands Government, the budget estimates for the fiscal year from April 2023 to March 2024 indicate revenues of \$417.8 million, operating expenditures of \$424.1 million, contributions to a development fund of \$50.0 million and an operating deficit of \$6.3 million.

21. The Turks and Caicos Islands Government levies no corporate or personal income tax, capital gains tax or inheritance tax. Foreign corporations pay licence fees to operate in the Territory.

## **III. Economic conditions**

### **A. General**

22. The primary pillars supporting the economy are tourism and financial services. According to the Turks and Caicos Islands Statistics Department, the gross domestic product (GDP) of the Territory in 2022, measured at current prices, stood at an

estimated \$1.14 billion, marking an increase of 9 per cent from the \$1.04 billion recorded in 2021. The Territory has witnessed consistent economic growth over the years. Despite the challenges posed by the coronavirus disease (COVID-19) pandemic, the tourism sector rebounded, experiencing growth of over 9 per cent in 2021. Substantial expansion continued in 2022, and further growth is anticipated in 2023. In July 2023, the Statistics Department presented a positive economic outlook for 2023 and 2024, in which it indicated that the forecast underscored the resilience and adaptability of the local economy in the face of adverse global circumstances. The first half of 2023 was pivotal in demonstrating the resilience of the Turks and Caicos Islands, whose real GDP growth is projected at around 1.2 per cent in 2023 and is expected to increase to 1.6 per cent in 2024. Those growth projections are dependent upon the sustained recovery of the tourism sector and a boost in private sector investments.

23. According to the administering Power, economic growth in the Turks and Caicos Islands has, in recent years, maintained a positive and stable trajectory, despite the Territory experiencing modest economic expansion. Notable exceptions include the adverse impacts of hurricanes in 2017, the COVID-19 pandemic in 2020 and Hurricane Fiona in 2022, each of which posed temporary setbacks. Despite those challenges, the Territory's economic foundations allow for future economic expansion. The susceptibility of the Turks and Caicos Islands to hurricanes, particularly during the period from June to November, must be acknowledged, since economic activities can be hindered by the associated infrastructure damage, hotel closures, flight cancellations and other disruptions. Recognizing that vulnerability, the Turks and Caicos Islands places a high value on fiscal prudence as a vital element for future growth and development. Consequently, the Turks and Caicos Islands Government aims to ensure that its short-term macroeconomic management (embodied in three-year plans) and its medium-term development strategy are intentionally aligned with its long-term development policy initiatives, as outlined in its Vision 2040 strategy.

24. According to the public consultation document for the Vision 2040 strategy, the goal of the strategy is a "high quality of life enjoyed by citizens, residents and future generations", measured through five sustainable development dimensions: high national income and wealth; a socially cohesive society; healthy natural environment and heritage and cultural assets; citizen security; and good governance. Vision 2040 and the Medium-Term Development Strategy collectively set the stage for specific strategies and actions deemed necessary to achieve the aspirations outlined in the Vision 2040 document and are aligned with the Sustainable Development Goals.

## **B. Tourism and construction**

25. Despite the challenges faced as a result of the COVID-19 pandemic, tourism continues to be the Territory's primary industry. According to the Statistics Department, the economy is largely geared towards tourism and related services because there are few natural resources available. Most foreign direct investment has, over time, been in the tourism industry, a field in which the Turks and Caicos Islands Government strongly encourages investment. Tourism and related services accounts for over 65 per cent of GDP.

26. According to the Turks and Caicos Islands Government, tourism continues to rebound. Visits to the Turks and Caicos Islands in 2022 were down by 15 per cent compared with pre-pandemic figures. In the first quarter of 2023, however, stayover of visitors who arrived by air rebounded, outpacing the first quarter of 2019 by 21 per cent. Cruise visits increased by 1.8 per cent over the same period. As of October 2023, the Turks and Caicos Islands had received over 1 million visitors for the year, between those arriving by air (540,990 visitors) and those arriving by cruise (738,444 visitors).

Stayover of visitors arriving by air in 2023 is expected to exceed 600,000 visitors. The strategic focus of the Turks and Caicos Islands Government for 2023 was to develop strategies which would increase visitor spending throughout the Turks and Caicos Islands, to allow for more economic growth within all communities and stakeholders.

27. According to the Turks and Caicos Islands Government, projections indicate a sustained positive trajectory for the construction sector in 2023 and 2024. Growth is expected to be driven by construction projects undertaken by both enterprises and individuals, and an average growth rate of 5 per cent is anticipated from 2022 to 2025. The Government's commitment to capital programmes, particularly those that are focused on infrastructure development, enhanced working conditions and community-based initiatives, is poised to contribute significantly to the industry's continued success. Furthermore, foreign direct investment in tourism and associated projects, coupled with an upswing in domestic private sector investment, is expected to further boost construction activity.

### **C. Financial services**

28. International financial services, including company registration, banking and insurance, are sources of external revenue for the Turks and Caicos Islands. According to the administering Power, a significant part of the Territory's financial services sector is the licensing of small captive reinsurance companies that operate primarily in the United States of America. The licensing, supervision and development of the international financial services sector are entrusted to the Turks and Caicos Islands Financial Services Commission, which also provides a centralized service for registering companies, partnerships, trademarks and patents in the Territory.

29. According to the administering Power, the Turks and Caicos Islands Government continued to seek treaty partners for tax information exchange agreements. The Territory signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention on Mutual Administrative Assistance in Tax Matters, in Berlin on 29 October 2014. The Territory has also signed arrangements under the Foreign Account Tax Compliance Act with the United Kingdom and the United States.

30. In April 2016, the Turks and Caicos Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. According to the administering Power, under the arrangement, which took effect on 1 February 2018, law enforcement authorities will have timely access to beneficial ownership information on corporate and legal entities incorporated in the Territory.

31. In May 2018, the Parliament of the United Kingdom passed the Sanctions and Anti-Money Laundering Act, pursuant to which the Secretary of State was 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. The Government of the Turks and Caicos Islands has committed itself to introducing such a register, and the Government of the United Kingdom is providing support where required. In 2020, the Government of the United Kingdom set out a reasonable expectation that the registers of the overseas territories would be in place by the end of 2023.



## **D. Agriculture and fisheries**

32. Agriculture and fisheries continue to account for less than 1 per cent of the Territory's GDP. Agricultural production is limited by the lack of fresh water and the infertility of the soil. It consists mainly of food crops (okra, corn and sweet potatoes) and fruit trees on the Caicos Islands. There have been some new innovations in farming using modern techniques, such as hydroponics and controlled environment agriculture. A few medium-size farms are now in operation, notably two layer farms, and one large commercial poultry farm and hatchery is under construction and nearing completion. In July 2022, the Territory's first public market for local fresh produce was opened on the island of Providenciales, where farmers from the Caicos Islands and Providenciales sell their produce directly to consumers. The Government has expressed interest in developing the sector to improve the country's food security and has pledged support through agricultural grants to registered farmers and funds as part of an agricultural development and food security plan. A five-year agriculture development and food security plan and a comprehensive agriculture incentive plan have been developed with the aim of facilitating the growth of the sector. Fishing is the Territory's main primary sector industry. The Turks and Caicos Islands Government has commissioned a fisheries assessment study and strategic plan, with the intention of growing the sector and addressing the long-term needs of fisherfolk. The study and plan are expected to focus on the development and implementation of a strategy for the sustainable livelihood of fishing communities within the Turks and Caicos Islands. In the initiative, livelihoods and poverty reduction are critical, and the link between healthy, well-managed and productive marine and coastal ecosystems and livelihoods is well established.

33. The Territory continues to participate regularly in regional meetings sponsored by the Caribbean Regional Fisheries Mechanism, at which planning for sustainable fisheries is discussed. The Department of Fisheries and Marine Resources Management is responsible for the safety of life at sea and the implementation of related international conventions.

34. According to the administering Power, the Turks and Caicos Islands Government has increased its enforcement efforts in recent years and has also been effective in policing fisherfolk and educating them on the risks associated with coral reef bleaching. These actions have reduced the catch of lobsters that were not of the proper size and curbed unlawful fishing. In addition to the fishing industry, the territorial Government has put in place programmes like "eat what you grow and grow what you eat", which are meant to encourage and expand the agricultural sector and increase the contribution of the agricultural industry as a whole.

## **E. Communications and utilities**

35. The Territory's transport and communications facilities are of fairly good quality. The road network covers about 370 km, with 170 km of paved roads on Grand Turk, Providenciales and the Caicos Islands. Hurricane Irma and Hurricane Maria in 2017 and, more recently, Hurricane Fiona in 2022, affected communications and the power system throughout the Territory. On islands outside Providenciales, communications are poor, owing to insufficient broadband capacity in the absence of optical fibre connectivity.

36. The Territory has two international airports: the main one on Providenciales and a smaller one on Grand Turk; the latter, however, is currently servicing domestic flights only. Flights are available to most countries in the Caribbean, including Antigua and Barbuda, the Bahamas, Cuba, the Dominican Republic, Haiti and

Jamaica, as well as to Canada, the United Kingdom and the United States (including Puerto Rico), although not all are direct. The main commercial port is South Dock, which is situated on Providenciales. Grand Turk has a commercial port and a cruise ship terminal. North Caicos has a deep-water port. Two telecommunications companies provide national and international telephone and Internet services in the Territory. There is a national radio station (Radio Turks and Caicos), and the Territory's two main weekly newspapers also maintain websites.

37. According to the administering Power, electricity generation, transmission and distribution services in the Territory (save for two cays and one island) are provided by a vertically integrated monopoly provider. All but 1.0 per cent of electricity is produced from diesel-powered generators. Numerous studies have indicated that, owing to the excessive cost of electricity generation, renewable resources, including carbon-neutral sources such as solar and wind, would not only be economically viable and environment-friendly, but also offer a less expensive alternative for private individuals. Regulatory reform to enable the uptake of sustainable energy is being undertaken as recommended in the Turks and Caicos Islands draft energy policy. The Renewable Energy and Resource Planning Bill 2023 was introduced with the aim of ensuring sustainable and clean energy through measures to reduce reliance on fossil fuels, increase energy diversity and enhance energy security. The Resilient National Energy Transition Strategy was developed, with an emphasis on building resiliency, least-cost energy generation, reliability of supply and environmental sustainability. Integrated resource planning is also being undertaken to ensure that all viable energy resources, as well as adherence to industry best standards and practices, are considered.

## **IV. Social conditions**

### **A. General**

38. According to the Statistics Department of the territorial Government, the total estimated population for 2023 was 49,309. According to a report issued by the Economic Commission for Latin America and the Caribbean (ECLAC) in collaboration with the Statistics Department, the Turks and Caicos Islands has one of the fastest growing populations in the Caribbean and could reach over 55,000 people by 2027. According to the report, Turks and Caicos Islanders, formerly called "belongers", constitute a declining proportion of the population. Having represented 69 per cent of the total population in 1990, their numbers fell to 37 per cent in 2012 and, if current trends continue, they could represent less than a quarter of the population by 2027.

39. The Turks and Caicos Islands National Insurance Board, a statutory body of the territorial Government, is the sole provider of social insurance benefits to persons between 16 and 65 years of age who are gainfully employed within the Territory.

### **B. Labour and immigration**

40. The public sector continues to be one of the Territory's main employers. Other major employment sectors include tourism, construction and international financial and business services. According to the Labour Force Survey Report 2017 of the Turks and Caicos Islands, 25,418 persons were in the labour force, of whom 6 per cent were accounted as being unemployed.

41. According to the national skills audit for 2017, the hotel and service industry is the Territory's largest employer. Turks and Caicos Islanders account for 76 per cent of persons employed in the financial service sector, the largest employer of Turks and

Caicos Islanders by percentage in the Territory. The national skills audit also revealed that Turks and Caicos Islanders accounted for 9 per cent of upper-level management.

42. According to the administering Power, since 2012, the Territory has put in place a transparent and simplified system for obtaining British Overseas Territory Citizenship. In 2015, the new Turks and Caicos Islander Status Ordinance was passed, which articulated the circumstances for acquiring Islander status by right or by grant, in keeping with the Turks and Caicos Islands Constitution Order 2011. In 2023, further amendments were made to the Turks and Caicos Islands Ordinance to fill gaps identified in the Ordinance. According to the Ministry of Home Affairs, Public Safety and Utilities of the Turks and Caicos Islands Government, Turks and Caicos Islander status is the highest immigration status accorded to persons who acquired the status or were bestowed the status upon application in accordance with the laws of the Turks and Caicos Islands. As such, only Turks and Caicos Islanders can vote in an election, apply and be considered for the acquisition of residential crown land, and apply and be considered for a business licence to operate in the restricted business licence category. In addition, an Immigration Ordinance, passed by the House of Assembly in September 2015, contained provisions on asylum. In the view of the administering Power, this attests to the Territory's commitment to its obligation under the Convention relating to the Status of Refugees of 1951. A Status Commission responsible for processing applications for Islander status came into effect on 1 June 2021 and has completed the review of applications received from 2016 to 2021.

43. According to the administering Power, border security remains a major concern. The Coastal Radar Station was upgraded. Diplomatic engagement with the countries of origin of undocumented migrants is considered by the administering Power as a necessary initiative to mitigate illegal activities. The working relationships with the marine branch of the Royal Turks and Caicos Islands Police Force and other response agencies has proved to be an important tool in the interception and screening of persons seeking to cross borders by sea. A National Security Strategy was launched in January 2020 and updated in 2021. The Territory has increased capacity, placing greater emphasis on one single newly designed, future-ready and intelligence-driven border force team, increasing training that supports upskilling of human resources and further developing stakeholder relationships with regional and international partners. The implementation of a robust border management system with e-gates and biometric capabilities is among the objectives of the territorial Government. This approach to border management is further emphasized by the use of the preclearance process, supported by data-sharing through bilateral agreements, ensuring that greater support for security is achieved. On 30 October 2023, the first phase of the Border Force was launched, resulting in significant changes at all ports of entry across the Turks and Caicos Islands. The second and final phase of the launch is expected to be implemented in early 2024. Once the Border Force has been fully launched, four key objectives of the territorial Government will have been achieved: a single border force, a comprehensive border management system, biometrics and e-gates.

## **C. Education**

44. Education in the Territory is free and compulsory for children from 4 to 16 years of age. There are 47 schools covering preschool to tertiary education. Of those, 11 primary schools and 5 secondary schools are operated by the territorial Government. Three of the secondary schools are five-year schools offering classes from forms 1 to 5, and one is a junior high school offering classes from forms 1 to 3. While there are more private schools than public schools, approximately 61 per cent of pupils are enrolled in public schools. There are also two schools for children with special needs.

The adult literacy rate among Islanders is estimated at 98 per cent, while that of immigrants is much lower.

45. With regard to higher education, the Turks and Caicos Islands Community College, which has campuses on Grand Turk and Providenciales, offers two-year and four-year courses of study. Studying at the Community College is free of charge to all Turks and Caicos Islanders. The Community College (Amendment) Ordinance 2023, enacted on 28 December 2023, came into force in January 2024. The amendments introduced are aimed at facilitating the transition from a community college to a university. The changes will also strengthen the College's governance structure and ensure that appointed members of its board of governors are suitably qualified. The College currently has a satellite campus on South Caicos and plans to establish a satellite campus on North Caicos as well. The goal of those campuses is to ensure access to tertiary-level education and skills development on all islands.

46. 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 2023/24 academic year. Eligible students are encouraged to ensure that they hold a British passport before applying for home fee status to study in the United Kingdom.

## **D. Public health**

47. According to the Turks and Caicos Islands Government, medical facilities in the Turks and Caicos Islands have maintained operations through the Turks and Caicos Islands hospitals and primary health-care clinics across the islands. Serious cases requiring tertiary care not available in the Territory are referred overseas, including regionally to the Bahamas, the Dominican Republic, Jamaica or the Cayman Islands, and occasionally to Colombia or the United States. If a service is not available regionally, serious cases are referred to facilities outside the Caribbean.

48. According to the Turks and Caicos Islands Government, work is currently under way to develop the 2024–2027 National Health Sector Strategic Plan, aimed at ensuring access to sustainable, high-quality and affordable health care for residents. This plan is supported by the Pan American Health Organization (PAHO).

49. The Government of the United Kingdom supported the overseas territories throughout the COVID-19 pandemic. The support 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 was in line with its enduring commitment to the peoples of its overseas territories.

## **E. Crime and public safety**

50. According to the Royal Turks and Caicos Islands Police Force, the overall crime rate in the Turks and Caicos Islands decreased in 2023, with the annual murder rate having fallen from 33 in 2022 to 22 as of 15 December 2023. In response to a surge in firearms- and gang-related crimes in 2022, support continues to be provided from both the region and the United Kingdom Government. The Royal Turks and Caicos Islands Police Force continues to develop its capabilities, with significant investment in the areas of intelligence, investigations, digital forensics and operations. This

includes enhancements of its tactical unit and marine branch, the latter leading the work to protect the border and territorial waters.

51. According to PAHO, the Turks and Caicos Islands Government has enacted legislation that criminalizes trafficking in persons and mirrors the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. The Domestic Violence Ordinance, which came into effect in 2015, provides greater protection for victims of domestic violence. The Turks and Caicos Islands Government has also recently enacted new national security laws, including in relation to the interception of communications, anti-gang legislation and the extension of minimum sentences for firearms-related offences, and it has amended the Police Force Ordinance to widen the police power to stop and search.

52. According to the Turks and Caicos Islands Government, the Royal Turks and Caicos Islands Police Force continues to collaborate with law enforcement partners both regionally and internationally, most notably with the Royal Bahamas Defence Force, the Royal Canadian Mounted Police, United States Customs and Border Protection (Air and Marine Operations) and the Royal Cayman Islands Police Service, in the protection of the maritime borders of the Turks and Caicos Islands. The Royal Turks and Caicos Islands Police Force has deepened its relationship with the Royal Bahamas Defence Force in particular through joint operations and the signing of a shiprider agreement. The Royal Turks and Caicos Islands Police Force, in collaboration with partners, has continued to focus on child protection. In late 2021, two child safeguarding practice reviews were undertaken.

53. Throughout 2023, the Government of the United Kingdom funded specialist training to develop the capabilities of the Royal Turks and Caicos Islands Police Force for the investigation of organized crime and murder. The United Kingdom has invested in the Force's senior leadership with training, liaised with international partners to support anti-gang and policing operations and facilitated the Women in Policing Network in support of gender and diversity.

54. The 2021–2024 Policing Strategic Plan, launched in April 2021, continues to provide a framework for enhancing service delivery and developing other aspects of policing. The Plan is anchored in the core values of integrity and accountability and is aimed at reducing crime and the fear of crime, promoting collaboration with the community, protecting borders from local and transnational crime, investing in staff and performance management, and optimizing technology.

55. 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 2023, HMS *Dauntless* was 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.

56. According to the administering Power, a large criminal investigation by the Special Investigation and Prosecution Team, appointed during the interim Administration, has led to the prosecution of nine individuals from the former Government. The trial began in January 2016 and was expected to last between 12 and 18 months. However, owing to a number of delays, including those caused by changes of counsel and illness among the judiciary, Hurricanes Irma and Maria and COVID-19, the trial continued until the passing of the presiding judge in early 2021, when two new smaller trials were established, the first of which started in June 2021 and concluded in October 2023. The second trial is due to commence in 2024.

57. The Turks and Caicos Islands Government established the Turks and Caicos Islands Regiment in 2020. The Regiment is tasked with supporting operations aimed at countering illegal migration and with responding to natural disasters.

## **F. Human rights**

58. In addition to the Convention for the Protection of Human Rights and Fundamental Freedoms, major international human rights instruments have been extended to the Turks and Caicos Islands. The right of individual petition to the European Court of Human Rights has also been extended to the Territory.

59. To strengthen the human rights framework in the Territory, the 2011 Constitution included a preamble in which the people of the Turks and Caicos Islands affirmed their intention to commit to the democratic values of a just and humane society, pursuing dignity, prosperity, equality, love, justice, peace and freedom for all. In addition, according to the administering Power, the section therein covering fundamental rights and freedoms of the individual provided a more comprehensive and inclusive legal framework that was more aligned to the protections guaranteed by the Convention than that of the previous 2006 Constitution, as evidenced, for example, by the addition of sexual orientation as a protected right.

60. The Human Rights Commission was established in 2008 as one of the institutions tasked with the protection of good governance under the framework primarily set out in the 2011 Constitution. Its primary responsibility is to promote understanding and the observance of human rights. Its operation and functions are governed by subordinate legislation under the revised Turks and Caicos Islands Human Rights Commission Ordinance of 2018.

## **V. Environment**

61. The Department of Environment and Coastal Resources of the Turks and Caicos Islands Government is responsible for the conservation, protection and management of the Territory's natural resources, including wetlands, which cover nearly half of the surface of the islands. Most of the Territory's tourism-based economy hinges on maintaining a natural environment of high quality. While Providenciales and, to a lesser extent, Grand Turk are undergoing rapid development, many of the other islands, such as North Caicos, Middle Caicos and South Caicos, are experiencing less development. East Caicos is uninhabited, remains largely untouched and is ecologically intact.

62. The Department continues to require an environmental impact assessment to be conducted for all development projects to ensure that such development will not cause undue damage to the environment, that the best options are taken into account and that inevitable impacts are mitigated. According to the administering Power, careful attention is given to the delicate balance between development and environmental preservation.

63. The Government of the United Kingdom continues to provide support on environmental sustainability. For example, in 2023 the Maritime and Coastguard Agency of the United Kingdom assisted policymakers in their efforts to manage the risks of maritime pollution.

64. The Turks and Caicos Islands Government has begun work on several important pieces of environment legislation, especially around species management, with regard to the Convention on International Trade in Endangered Species of Wild Fauna and Flora and biosecurity. In addition to the United Kingdom-funded conservation work

to protect indigenous species, the Territory is conducting trials on tackling coral tissue disease, which threatens its reefs and the tourism and fishing industries. The Department is currently managing a number of projects supported by international agencies responsible for the environment. The Territory will finalize its five-year environmental strategy for the enhanced management of the environment. In 2022, the Territory hosted its first annual international conference on climate change and signed its revised national climate change charter. The Territory also became the first Caribbean overseas Territory to join the United Kingdom Government's Blue Belt initiative for marine conservation in 2022. This will focus on enhancing protection for biodiversity in the Territory, including by tackling coral diseases, creating a new marine protected area, combating illegal, unregulated and unreported fishing and mitigating the effects of marine pollution and climate change.

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

65. The Turks and Caicos Islands is an associate member of ECLAC, including the Commission's Caribbean Development and Cooperation Committee.

66. The Turks and Caicos Islands is an associate member of CARICOM. It is also a member of the Caribbean Development Bank, the International Criminal Police Organization (INTERPOL) and the Caribbean Financial Action Task Force. In addition, it is a member of the Caribbean Regional Fisheries Mechanism and an associate member of the Association of Caribbean States.

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

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

67. Information on constitutional, legal and political developments is contained in section I above.

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

68. In 2023, two meetings of the United Kingdom-Overseas Territories Joint Ministerial Council were held in London, on 11 and 12 May and on 14 and 15 November 2023, when the administering Power hosted the representatives of the Governments of its overseas territories.

69. In the communiqué adopted at the meeting held in May, 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.

70. The Government of the United Kingdom and the leaders of the overseas territories stated that they would continue 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 so wished, the United Kingdom would continue to support their requests for removal from the list of Non-Self-Governing Territories.

71. In the joint declaration issued on 14 December 2023, following the meeting held in November, the Government of the United Kingdom and the leaders of the overseas

territories stated that the United Kingdom would support the democratically elected Governments of the overseas territories, if they so wished, in accepting additional responsibilities and greater autonomy, alongside accountability. The United Kingdom would take such steps in line with its sovereign responsibilities and international law, while ensuring that obligations were met under the Charter of the United Nations and relevant international conventions, as well as under the constitution of each overseas territory.

72. At the 8th meeting of the Special Political and Decolonization Committee (Fourth Committee), on 10 October 2023, during the seventy-eighth session of the General Assembly, the representative of the United Kingdom stated that the United Kingdom had a modern relationship with all its overseas territories based on partnership, shared values and the right of the people of each Territory to choose to remain British.

73. He added that the overseas territories had a large measure of internal self-government, subject only to the United Kingdom retaining powers that enabled it to carry out its obligations under international law. The United Kingdom Overseas Territories Joint Ministerial Council met annually to monitor and drive forward collective priorities for action, and the United Kingdom was committed to supporting the territories in achieving those collective priorities, including environmental protection, and to carrying out its responsibilities, including ensuring security. His Government provided financial and practical support to build local capacity and resilience, and various infrastructure projects were under way (see [A/C.4/78/SR.8](#)).

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

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

74. At its 7th meeting on 9 October 2023, the representative of Saint Vincent and the Grenadines, speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that CELAC remained concerned at the situation in the Turks and Caicos Islands and underscored the need to guarantee a truly inclusive, democratic and representative governmental approach to allow the people of that Territory to participate meaningfully in determining their own future (see [A/C.4/78/SR.7](#)).

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

75. On 7 December 2023, the General Assembly adopted resolution [78/98](#) 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 2023 ([A/78/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the Assembly:

(a) Reaffirmed the inalienable right of the people of the Turks and Caicos 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 Turks and Caicos 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 Turks and Caicos 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) Took note of the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

(e) Noted the continuing debate on constitutional reform within the Territory, and stressed the importance of participation by all groups and interested parties in the consultation process;

(f) Stressed the importance of having in place in the Territory a constitution that reflected the aspirations and wishes of its people, based on the mechanisms for popular consultation;

(g) 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;

(h) Welcomed the active participation of the Territory in the work of ECLAC;

(i) 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;

(j) Welcomed the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory;

(k) Stressed the importance of the Special Committee being apprised of the views and wishes of the people of the Turks and Caicos Islands and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Turks and Caicos Islands and the administering Power;

(l) 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 Turks and Caicos Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(m) 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;

(n) 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 supported, 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;

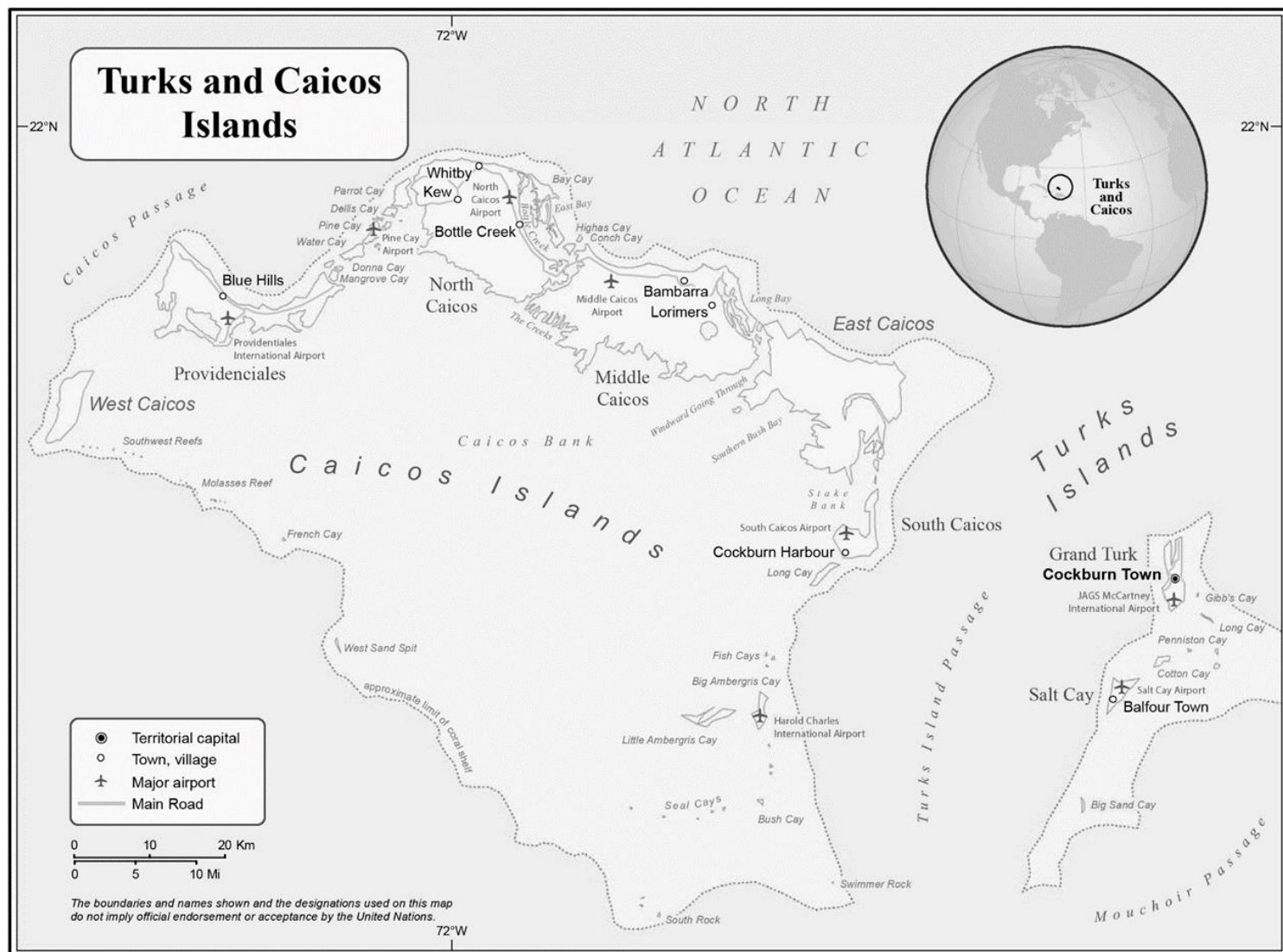
(o) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance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

(p) 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;

(q) Requested the Special Committee to continue to examine the question of the Turks and Caicos Islands and to report thereon to the General Assembly at its seventy-ninth session and on the implementation of the resolution.

## Annex

## Map of the Turks and Caicos Islands



Map No. 2976 Rev. 2 UNITED NATIONS  
June 2017

Department of Field Support  
Geospatial Information Section (formerly Cartographic Section)