



General Assembly

Distr.: General
21 March 2024

Original: English

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

British Virgin Islands

Working paper prepared by the Secretariat

Contents

	<i>Page</i>
The Territory at a glance	3
I. Constitutional, political and legal issues	4
II. Budget	9
III. Economic conditions	9
A. General	9
B. Financial services	10
C. Tourism	10
D. Agriculture and fisheries	10
E. Communications and infrastructure	11
IV. Social conditions	11
A. Labour and immigration	11
B. Education	12
C. Health	12
D. Crime and public safety	13
E. Human rights	13

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 4 December 2023. Further details are contained in previous working papers, available from www.un.org/dppa/decolonization/en/documents/workingpapers.



V.	Environment	13
VI.	Relations with international organizations and partners	14
VII.	Future status of the Territory	14
	A. Position of the territorial Government	14
	B. Position of the administering Power	15
VIII.	Consideration by the United Nations	16
	A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	16
	B. Special Political and Decolonization Committee (Fourth Committee)	16
	C. Action taken by the General Assembly	16
Annex		
	Map of the British Virgin Islands	19

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 Daniel Pruce (since January 2024).

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

Land area: 153 km²

Exclusive economic zone: 80,117 km²

Population: 33,595 (2021)

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. Natalio Wheatley (since May 2022).

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

Elections: Most recent: 24 April 2023; next: 2027.

Legislature: 15-member unicameral House of Assembly.

Gross domestic product per capita: \$31,343 (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. Ministerial Government was brought into effect in the 1967 Constitution under the new position of Chief Minister.

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 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.

3. 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. The Constitutional Review Commission was established in 2022 to conduct a full review of the 2007 Constitution. The Commission held its first meeting on 18 July 2022; public consultations commenced on 1 November 2022 and ran until January 2023. The report of the Review Commission was submitted during the eighth sitting of the first session of the Fifth House of Assembly, on 31 January 2024.

4. General elections are constitutionally mandated to be held at least once every four years. Nine district candidates are elected on the basis of a simple majority, with four elected on a territory-wide "at large" basis. 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. According to the administering Power, a 2022 Commission of Inquiry (see para. 5) found that applications for belonging based on tenure are measured against a 20-year residence requirement, which the Cabinet has required to be applied since 2004, although it is contrary to the statutory criteria in section 16 (3) of the 1977 Immigration and Passport Act of the Virgin Islands. The Commission found this policy to be unlawful. In the light of recommendations made by the Commission, the territorial Government commissioned a review of the existing policy and processes for granting residency and believer status. The report on the review, which was published in September 2023, contained 15 recommendations, including to establish a clear and comprehensive immigration policy and to correct inconsistencies between policy and law.

5. The independent Commission of Inquiry had been announced, by the then Governor, in January 2021. Its purpose was to review the Territory's governance and make recommendations for improvement. The sole Commissioner of Inquiry was appointed on 19 January 2021 (further details, including the terms of reference of the Commission, can be consulted in [A/AC.109/2023/4](#)).

6. The report of the Commission of Inquiry, which was made public on 29 April 2022, contained 936 pages in addition to supporting annexes and contained 49 recommendations on a number of governance issues. According to the administering Power, the report was thorough, evidence-based and followed closely by the media and public in the Territory. In the overarching recommendations, the Commissioner stated that, on analysis of the evidence, many of the conclusions set out in the report were not difficult to draw and that the state of governance in the Territory was appallingly bad.

7. The Commissioner further concluded that it was not simply that the people of the Territory deserved better – which they did – but that the Government of the United Kingdom owed them an obligation not only to protect them from such abuses but to assist them to achieve their aspirations for self-government as a modern democratic State. He said that he had carefully considered lesser measures but, while appreciating that the Governor and the Government of the United Kingdom would consider this only as a last resort, he had concluded that the only way in which the relevant issues could be addressed was for there to be a temporary suspension of those parts of the Constitution by which areas of Government were assigned to elected representatives. The suspension should be as short as possible to enable principled elected government to be restored. The remaining 48 recommendations included several for further reviews or criminal investigations into conduct, including of elected officials and government agencies. The Commissioner also noted the obligations of the United Kingdom under Article 73 of the Charter of the United Nations.

8. Natalio Wheatley was appointed Premier on 5 May 2022 and formed a coalition Government of National Unity. According to the administering Power, the Government of the United Kingdom worked with the new Premier and his Government and the Governor to develop a response to the report.

9. According to the administering Power, a framework for implementation of the recommendations made on the report was agreed by the Government of the British Virgin Islands on 1 June 2022. On 8 June 2022, the Foreign Secretary of the United Kingdom informed the Parliament of the United Kingdom that the United Kingdom and the then Governor had worked with the Government of National Unity since its formation to turn its public commitments to reform into a strong implementation plan with a strict and comprehensive set of milestones that needed to be met. If they were, it would protect against corruption and ensure the return of good governance. As a result, the new government should have an opportunity to demonstrate its commitment to reform through the implementation of the 48 recommendations made and through further measures. However, if it became clear that this approach was not delivering the reform that the people of the Territory wanted and deserved, the Governor and the Government of the United Kingdom would take action. This might require the swift implementation of the final report recommendation. In order to be able to do so quickly if required, the Government of the United Kingdom had submitted an Order in Council to the Privy Council that would allow this administration to be introduced – if required.

10. On 4 October 2022, in his first quarterly review of progress on the implementation of the Commission of Inquiry recommendations, the former Governor of the British Virgin Islands stated that there had been good progress made in a number of areas. The Governor noted that all but two of the reviews recommended

in the report of the Commission of Inquiry had been initiated and that there were areas where there had been less or no progress made (see [A/AC.109/2023/4](#)).

11. According to the administering Power, on 17 October 2022, in response to the Governor's first review of progress, the then Minister for the Americas and the Overseas Territories of the United Kingdom stated that, overall, he agreed that the progress in that initial period was sufficient to continue with the current approach, but that it was vital that it be maintained, and in some cases improved, with commitments and deadlines met.

12. On 13 February 2023, the former Governor published his second quarterly review of the implementation of the recommendations of the Commission of Inquiry, in which he summarized some of the positive progress made over the previous four months, including on procurement practices. According to a press statement, as at the end of December 2022, 15 of 48 recommendations had been completed. The Governor stated that he was encouraged by the positive trend towards open and transparent public procurement, while noting that more work was, however, required (*ibid.*).

13. The then Minister for Overseas Territories, Commonwealth, Energy, Climate & Environment responded to the Governor's second quarterly review in a letter that was published on 6 April 2023, in which he stated that progress on implementing the recommendations had been too slow. He expressed concerns that there had been signs of insufficient commitment in some areas and that much of what had been delivered did not yet represent genuine legislative reform and safeguards to prevent future abuse. He stated that there had been progress made in some areas and that the trend towards best practice in procurement was a good example of meaningful change in a short space of time. Overall, the former Minister agreed with the Governor that serious effort and the prioritization of time and resources were required to pick up the pace and deliver the reform that the people of the Territory wanted and deserved. He agreed to delivery deadline extensions requested by the Premier and the Governor and asked the Governor to agree on a refreshed timetable for delivery with the territorial Government to ensure that the necessary reforms would take root no later than May 2024, which should allow for the Order in Council to be lifted. The Minister stressed his Government's commitment to taking the necessary actions to ensure that reform was delivered and asked the Governor to consider whether there was anything that he would need to support and/or accelerate those reforms, such as resources, a grant of additional powers or technical expertise.

14. On 9 June 2023, the former Governor published his third quarterly review of the implementation of the recommendations of the Commission of Inquiry. In it, the Governor welcomed the Premier's continued commitment to reform and the positive steps that had been made since his previous review, including an agreement on a protocol for statutory board appointments and the finalization of the Public Service Management Code. Overall, however, the Governor agreed with the then Minister's assessment (see para. 13) that progress in implementing the recommendations lagged substantially behind in too many areas. He stated that he had been working with the Premier to ensure that the new deadlines were achievable and realistic. He stressed that it was vital that the pace of reform increase to compensate for delays and to ensure that action would not be left to the last minute. The Governor expressed concern about the time it was taking to publish some of the reviews, noting that the publication of a review was not, in itself, reform. There was a need to take action on the recommendations stemming from reviews to address the governance failings identified in the report of the Commission of Inquiry. The Governor noted that a number of recent reviews and audits had exposed systems that were open to abuse and a culture whereby elected officials and well-connected persons appeared to have been able to use their positions to benefit closely connected individuals and/or their families – in some instances, to a great degree. The Governor highlighted two areas

that required urgent attention. First, the Royal Virgin Islands Police Force needed sufficient resources to carry out investigations in line with the recommendations. In that regard, the Governor reported that the Premier had committed to providing additional resources. Second, there was an urgent need to deal with the backlog of residency and belongingship applications. In response, the Premier had committed to an early action plan to do that. In a statement issued on 9 June, the Governor referred to the Minister's request for him to consider whether he needed additional resources, a grant of additional powers or technical expertise to support and/or accelerate reform. He indicated that he did not see any such immediate need, but that if significant progress was not made in the next few months, additional action would be necessary.

15. At a press conference held on 25 July 2023, the Premier explained that some of the deadlines had been too ambitious and had not taken into account such factors as the dissolution of the House of Assembly and the time required for public consultation. Ministries had now submitted more realistic deadlines and were making steady progress on the path to reform. He stressed that the reform process was not a "box-ticking exercise" – the ultimate goal was one of meaningful change and improvements. He added that the territorial Government had allocated substantial resources towards the implementation of the recommendations. Recognizing that the issue of processing residency and belongingship applications was an area of concern, he said that the Government was appointing a new Chair and additional members to the Board of Immigration and that a plan of action had been submitted to the Governor to address the pending applications. The Premier said that the focus had shifted to cross-ministry collaboration and stakeholder consultation so as to begin the process of creating policies and making deeper reformative changes stemming from the completed reports and audits. The Premier had launched the "Government Business at its Best" initiative, to inform stakeholders about the implementation of the recommendations through 10 key themes. The Premier stressed his Government's commitment to doing things better.

16. On 7 September 2023, the Premier made a statement to the House of Assembly, in which he confirmed that work had begun on all the recommendations, that 10 of the 12 reviews had been completed and that five of the seven audits had been completed. The Premier stressed that the "Government Business at its Best" initiative would serve to communicate how the reform work would effect change and create new policies that would transform the public service for greater transparency, sustainability and accountability. The Premier provided details on changes to the Board of Immigration and said that the Immigration Department had engaged five new staff members and that approximately 200 applications had been screened and were ready to be reviewed by the Board.

17. On 29 September 2023 the former Governor published his fourth quarterly review of implementation of the recommendations of the Commission of Inquiry. In his review, the Governor noted that, although no additional recommendations had been completed since his previous review, progress had been made. He stated that policy development was under way on social assistance, scholarships, Crown land distribution and statutory boards. Public consultation had taken place and action plans were brought to the Cabinet. Three reviews had been placed before the House of Assembly and published, and a further three reviews on statutory boards had been received. The audit on coronavirus disease (COVID-19) assistance grants had been published in July. He reiterated that the completed audits and reviews provided further evidence of the need for governance reform. For example, through the audit, it was found that the absence of controls had led to multiple abuses and the award of public funds to disingenuous applicants. The Governor stated that the reforms must be appropriately resourced and prioritized. He expressed concern that the scale of legislative changes required risked creating bottlenecks. Expressing his pleasure that

the specific issues raised in his previous review had been addressed, he welcomed the agreement by the House of Assembly on additional funding for the police force and the Premier's action plan to deal with the residency and belongingship application backlog. In a related statement to the press, the Governor said that the vital next step was to turn the recommendations in the completed audits and reviews into practical action to achieve reform that would prevent the abuses that the Commission of Inquiry exposed from happening again. The Governor expressed concern that, on occasion, some elected officials had questioned the need for reforms and audit findings. He stressed that the next few months were crucial and that both he and the Government must not waiver in their commitment to reforms. The Governor welcomed the Government's new "Government Business at its Best" structure for reporting on the implementation of the recommendations. The Governor concluded that there was no immediate need for him to be granted additional powers. However, if significant progress was not made in the coming months, additional action might be necessary.

18. The Premier gave an update to the House of Assembly on the implementation of the Commission of Inquiry recommendations, as published on 31 October 2023. He reiterated his Government's commitment to implementing the reforms and noted that, as at the end of September, 24 of 50 recommendations (including two proposals that were part of the implementation framework) had been completed, and work was under way on the remaining 26. The Premier stated that the completed reviews were being considered by the appropriate ministries and that action plans were being submitted to the Cabinet to carry forward actions emanating from those reviews. He noted the request by the former Minister for Overseas Territories, Commonwealth, Energy, Climate & Environment for updated deadlines as compared with those agreed in June 2022 and provided details on the reasons for delays in implementing several recommendations.

19. On 5 January 2024, the former Governor published his fifth quarterly review of the implementation of the recommendations of the Commission of Inquiry. In the review, the Governor noted that, although his previous reports had been relatively positive, progress in implementing the recommendations had stalled. Since September 2023, only one additional recommendation had been implemented. Key recommendations were far behind schedule, and the ability and resolve of the territorial Government to move forward and complete reforms was questionable. The Governor noted that the May 2024 deadline appeared difficult to meet and proposed an extension to the end of November 2024. Although he was not recommending that the Order in Council be triggered to establish an interim administration headed by the Governor, he had concluded that additional powers for the Governor were necessary to ensure that the territorial Government met its commitments.

20. On 5 January 2024, the Premier made a statement in which he indicated that: (a) the territorial Government had been working diligently on governance reforms since May 2022, with good progress made and the work involved still ongoing; (b) some deadlines had been adjusted and a number of the reforms that were still in progress fell under the responsibility of the Governor; (c) a reform exercise of the scale being undertaken could not be completed in its entirety in two years; and (d) granting the Governor additional powers would go directly against the political declaration agreed with the United Kingdom (see para. 58) and would do considerable damage to the relationship. In a statement to the press on 8 January, he added that, as at 30 November 2023, 50 per cent of the recommendations and 61 per cent of the actions into which they were broken down had been fully implemented.

21. The Parliamentary Under Secretary of State for the Americas, the Caribbean and the Overseas Territories visited the Territory from 4 to 6 February 2024 to discuss governance reforms. In a statement made on 9 February, the Premier indicated that his Government was still working with May 2024 as the deadline for the full

implementation of the recommendations. He noted that the majority of the remaining work was well on the way to timely completion and that the implementation strategy had been updated with the targeted completion date of May 2024. He reiterated that the implementation of the recommendations was not a box-ticking exercise and that reforms had to be properly implemented for them to be effective.

22. The Caribbean Community (CARICOM) stated its position on the question of the British Virgin Islands in communiqués issued at the forty-third regular meeting of the Conference of Heads of Government, held in Paramaribo from 3 to 5 July 2022; the thirty-third intersessional meeting of the Conference of Heads of Government, held in San Pedro, Belize, on 1 and 2 March 2022; the forty-second regular meeting of the Conference of Heads of Government, held virtually on 5 and 6 July 2021; and the thirty-second intersessional meeting of the Conference of Heads of Government, held virtually on 24 and 25 February 2021.

23. 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.

24. In its written submission in response to the first inquiry, the territorial Government argued, *inter alia*, that: (a) contrary to the United Kingdom position, the overseas territories were not self-governing, and the role of the administering Power was to progressively prepare the territories for a full measure of self-government rather than to legitimize dependency, which made the current constitutional arrangements unsatisfactory and inappropriate for the twenty-first century; (b) the unilateral power of the Parliament of the United Kingdom to legislate for the Territory left the British Virgin Islands with limited autonomy to enact legislation, even in areas where the Territory had delegated authority, such as financial services, marriage and local citizenship; (c) the British Virgin Islands prefers having its own parliament of locally elected representatives rather than representation in the Parliament of the United Kingdom, as the latter would reduce the autonomy of the Territory and retard progress towards a full measure of self-government; (d) the current constitutional arrangements did not effectively protect the rights and interests of the people of the Territory.

II. Budget

25. According to the administering Power, the Governments of the United Kingdom and the British Virgin Islands have agreed upon protocols for effective Public financial management, which were signed in April 2012. They set out the commitment of the territorial Government to borrowing guidelines and a medium-term fiscal plan for the management of public finances covering a period of at least three fiscal years. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to the territorial Government, the 2024 budget was estimated at \$382.67 million, with recurrent expenditure estimated at \$376.95 million.

III. Economic conditions

A. General

26. The “Virgin Islands Strategic Blue Economy Roadmap 2020–2025”, developed by the territorial Government with support from the United Nations Development

Programme (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.

27. The national sustainable development plan, *Vision 2036: Building a Sustainable Virgin Islands*, was published in September 2022. The plan is based on community consultations and provides a comprehensive road map to guide the development of the Territory, aligned with the Sustainable Development Goals.

B. Financial services

28. According to the 2022–2024 macroeconomic review and outlook, the financial services industry – one of the two pillars of the economy – contributes approximately 60 per cent of the Government’s revenue. Consequently, any shocks to the industry have the potential to have an immediate impact on Government operations. In recent years, the financial services industry has faced many challenges, and it continues to do so. These include new global reporting standards, the lingering effects of the pandemic, uncertainty surrounding a global recession and the impact of the publicly accessible registers of beneficial ownership.

29. 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 British Virgin 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.

30. In August 2022, the Government of the British Virgin Islands passed legislation to enable the framework for regulations to be made for the register of beneficial ownership of companies.

C. Tourism

31. According to the 2022–2024 macroeconomic review and outlook, tourist arrivals increased by 292.2 per cent in 2022 (to 524,427) compared with 2021. Nearly 66 per cent of visitors in 2022 (343,571) were cruise passengers, an increase of 390.2 per cent compared with 2021. There was also a 191.1 per cent increase in overnight visitors compared with 2021.

D. Agriculture and fisheries

32. Agriculture and fishing 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. According to the administering Power, in the 2022 report of the Commission of Inquiry, the Commissioner recommended a full audit/investigation of the farmers and fisherfolk programme by the Auditor General.

E. Communications and infrastructure

33. 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. According to the 2022–2024 macroeconomic review and outlook, despite significant progress made in rebuilding, repairing and restoring homes and businesses, there is still substantial work to be completed to restore the physical infrastructure to its functional state prior to the hurricanes of 2017. Broadband telecommunications, including Internet service, is available throughout the Territory.

IV. Social conditions

A. Labour and immigration

34. According to the 2022–2024 macroeconomic review and outlook, prior to the hurricanes of 2017 and the pandemic of 2020, employment grew by at least 1 per cent each year. However, there was a sharp decline in employment, after the hurricanes, with an exodus of persons from the Territory, and with the pandemic. Businesses were able to resume normal operations from the end of 2021, after the pandemic, and there was noticeable growth of employment in 2022. By the end of 2022, there were 21,134 persons employed throughout the Territory, a 2.6 per cent increase as compared with 2021 (20,609 persons).

35. With its small geographic size, the population of the Territory normally grows at a rate of 2.6 per cent. This trend continued annually until 2017, when there was a 9.1 per cent decline in the population, and people left the Territory due to the disasters from the flood and the two category 5 hurricanes. However, in 2018 there was a 3.0 per cent increase in population as people returned to the Territory. Since 2018, the growth of the population has continued as the Territory began to rebuild and there was a need for a significant influx of migrant labour. Population growth in 2022 was estimated at 0.1 per cent. According to the 2022–2024 macroeconomic review and outlook, significant economic development has, historically, required a workforce that far exceeds the capacity of the available labour force of the Territory and, as a result, has necessitated the import of additional human resource capacities. Expatriates represented an average of 72.9 per cent of all employed persons from 2016 to 2022. The spread between the male and female population was closely aligned up to 2017, but, from 2018 to 2021, the gap has been widening as more male workers are needed. The trend of a widening gap in the male and female population of the Territory witnessed after the hurricanes was also reflected in employment trends. In 2022, the share of men among the employed was 51.3 per cent (52.1 per cent in 2021), while the share of women was 48.7 per cent (47.9 per cent in 2021). In 2022, there was an increase in the average earnings for men and women, as more persons were earning more with the return to full-time work. Men's average earnings increased by

8.3 per cent. The average earnings of women also increased, albeit by a lesser 6.8 per cent. Overall average earnings increased by 7.5 per cent in 2022 as compared with 2021. While the average earnings of women were higher than those of men in both 2020 and 2021, by 2022, the difference in average salary between the two groups was minimal.

36. 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.

B. Education

37. 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.

38. 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.

39. 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.

C. Health

40. 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.

41. According to information from *Health in the Americas+*, published by the Pan American Health Organization (PAHO), measles vaccination coverage was 73.0 per cent in 2022, a decrease of 26.0 percentage points over 2000. The maternal mortality ratio for 2017 was estimated at zero deaths per 100,000 live births. With respect to the demographic profile, in 2023, people over 65 years of age accounted for 10.5 per cent of the total population, an increase of 5.7 percentage points compared with 2000. In 2023, there were 107.5 women per 100 men and 76.8 older people (65 years or older) per 100 children under 15 years of age.

42. 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.

D. Crime and public safety

43. 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.

44. Since 2018, the United Kingdom has provided £10 million in security-related support to the Territory. This has included training and equipment, such as four new rigid-hulled inflatable boats for the marine unit, and support for infrastructure improvements, such as upgrades to the Road Town police station. The Government of the United Kingdom also continues to provide support to Balsam Ghut Prison. Over the past 12 months, that support has included the deployment of personnel to fill the position of Deputy Superintendent and the provision of equipment.

E. Human rights

45. 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.

46. 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.

V. Environment

47. 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.

48. According to PAHO, 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.

49. According to the administering Power, over the past 10 years, the Darwin Plus Fund of the United Kingdom, also known as the Overseas Territories Environment and Climate Fund, has supported 29 projects in the British Virgin Islands. Of the five projects launched in 2023, the first is focused on the habitat restoration of Great and Little Tobago National Parks. The second project involves quantifying native biodiversity to help to direct the response to biodiversity loss and climate change. The third project will serve to inform conservation of wetland habitats, with a focus on the expanding population of Caribbean flamingos. The fourth project is aimed at reducing and preventing damage to the marine ecosystem as a result of abandoned, lost or otherwise discarded fishing gear. The final project is aimed at studying *Pontodrilus* earthworms and the resultant vermi-compost, considering its potential agricultural use.

VI. Relations with international organizations and partners

50. 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.

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

52. 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 9th meeting of the Council was held on Saint Thomas, United States Virgin Islands, on 22 September 2022.

53. 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.

VII. Future status of the Territory

A. Position of the territorial Government

54. 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

55. 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.

56. 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.

57. 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.

58. 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.

59. 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.

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

61. The representative of the Government of the Territory delivered a statement at the Pacific regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism, held in Bali, Indonesia, from 24 to 26 May 2023.

62. 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 4th and 10th meetings, on 12 and 23 June 2023. At the 4th meeting, the Premier of the British Virgin Islands and one petitioner made statements. At the same meeting, statements were made by the representatives of Antigua and Barbuda, Saint Kitts and Nevis and Saint Lucia. At the 10th meeting, the Chair drew attention to the agreed text of draft resolution [A/AC.109/2023/L.14](#) and introduced oral revisions. The Special Committee adopted the draft resolution, as orally revised, without a vote (see [A/AC.109/2023/SR.10](#)).

B. Special Political and Decolonization Committee (Fourth Committee)

63. At its 3rd meeting, on 3 October 2023, on the basis of a decision taken at that meeting, the Committee heard statements on the question of the British Virgin Islands by the Premier of the British Virgin Islands. At the 7th meeting, on 9 October, and at the 9th meeting, on 11 October, the representatives of Saint Lucia and Antigua and Barbuda, respectively, made statements in which they endorsed the statement on the British Virgin Islands issued by the CARICOM Heads of State and Government in July 2023.

64. At its 9th meeting, on 11 October 2023, 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/78/23](#)), without a vote.

C. Action taken by the General Assembly

65. On 7 December 2023, the General Assembly adopted resolution [78/89](#) 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 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) Called for full respect of the Constitution and the mutual agreement with respect to the recommendations of the report of the Commission of Inquiry, and calls upon all parties involved to maintain dialogue and work in partnership in the interest of the people of the Territory;

(f) Stressed the need for continued close monitoring by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples of the situation in the Territory, including the dispatch of a visiting mission, in close consultation with the administering Power and the territorial Government;

(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 the Economic Commission for Latin America and the Caribbean;

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

(j) 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;

(k) 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;

(l) 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;

(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 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;

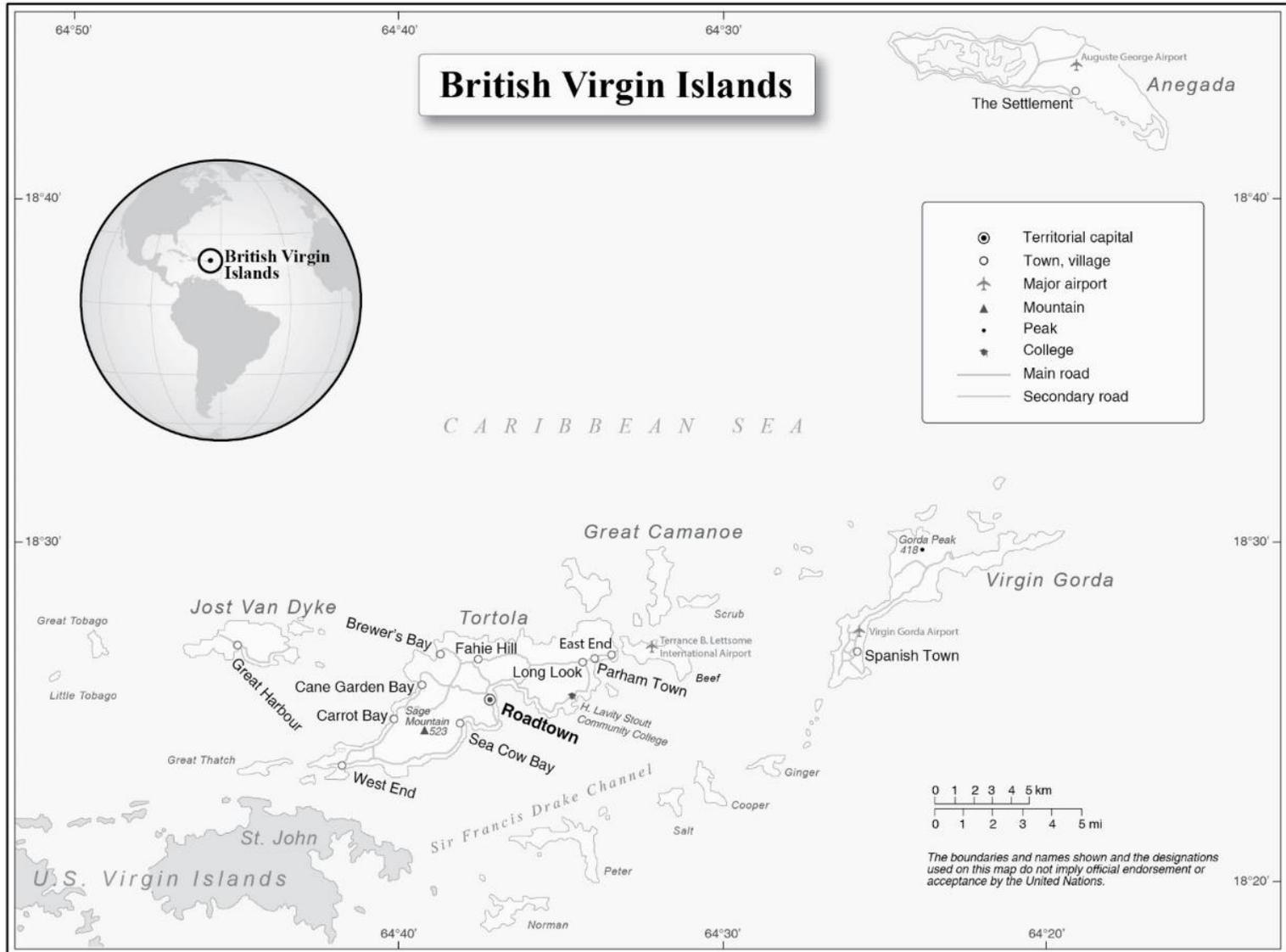
(o) Requested the Territory and the administering Power to take all measures necessary to protect and conserve the environment of the Territory against any degradation, and once again requested the specialized agencies concerned to monitor environmental conditions in the Territory and to provide assistance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

(q) 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-ninth session and on the implementation of the resolution.

Annex

Map of the British Virgin Islands



Map No. 2900 Rev. 3 UNITED NATIONS
June 2016

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