



# General Assembly

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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

### United States Virgin 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 13 December 2019. Further details are contained in previous working papers, available from <https://www.un.org/dppa/decolonization/en/documents/workingpapers>.



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### **The Territory at a glance**

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

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

*Land area:* 352 km<sup>2</sup>

*Exclusive economic zone:* 33,744 km<sup>2</sup>

*Population:* 105,000 (2019 estimate)

*Life expectancy at birth:* 79.4 years (women: 82.8 years; men: 76.2 years (2017 estimate))

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

*Capital:* Charlotte Amalie

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

*Territory's delegate to the United States Congress:* Stacey Plaskett, elected on 8 November 2018.

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

*Elections:* The most recent general elections were held in November 2018.

*Legislature:* Unicameral (15 senators)

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

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

*Monetary unit:* United States dollar

*Unemployment rate:* 10.7 per cent (2018)

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

## I. Constitutional, political and legal issues

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

2. In the run-off gubernatorial elections of November 2018, Albert Bryan was elected Governor and Tregenza Roach was elected Lieutenant Governor. The Territory also elects a delegate to the United States House of Representatives, who is able to vote in committees. The Democratic Party candidate, Stacey Plaskett, won the election held on 8 November 2018 and was elected to her third term as delegate. The Territory's senatorial elections were also held on 8 November 2018.

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

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

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

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

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

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

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

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

## II. Budget

11. The proposed budget of the Government of the United States Virgin Islands for the fiscal year 2020 was \$1,266.7 million, which includes \$817,855,144 for the general fund, \$87,851,731 for other appropriated funds and \$216,313,915 for federal funds. Major sources of revenue include individual income tax, corporate income tax,

real property tax and gross receipts tax. The executive budget was passed by the territorial legislature on 26 September 2019.

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

13. The Virgin Islands Office of Disaster Recovery was established in February 2019 within the Virgin Islands Public Finance Authority. The Office serves as the centre of coordination for the anticipated \$8 billion of federal funding to be received over the next few years in support of the recovery from the devastation of Hurricane Irma and Hurricane Maria in 2017. The Office of Insular Affairs granted \$3 million to the Government of the Virgin Islands to establish the Office of Disaster Recovery in order to provide broad programmatic oversight and centralize coordination across government, semi-autonomous, and non-profit agencies. By Executive Order of the Governor, the Office of Disaster Recovery oversees all federal disaster assistance funding programmes for the Territory, the largest of which are: Public Assistance Grant Program, Hazard Mitigation Grant Program, Community Development Block Grant – Disaster Recovery, and Federal Highway Administration – Emergency Relief.

14. According to the second United States Virgin Islands Hurricane Irma and Maria recovery progress report (September 2019) prepared by the Office of Disaster Recovery, during the first year of recovery, the Territory and its partner federal agencies completed essential debris removal and emergency protective measures projects, all of which were needed to stabilize the situation and get the Territory back on its feet. During the second year, the Territory and its partner federal agencies mapped out a multi-faceted, multi-year, multibillion-dollar recovery programme aimed at building a legacy of resilience.

### **III. Economic conditions**

#### **A. General**

15. On 17 December 2019, the Bureau of Economic Analysis released gross domestic product (GDP) estimates for 2018, in addition to estimates and compensation by industry for 2017. The Bureau noted that the Territory had suffered extensive damage caused by two major hurricanes in September 2017, which had affected the availability of various data sources used for GDP estimates, including financial statements of the territorial Government and its independent agencies. The estimates indicated that real GDP had increased 1.5 per cent in 2018, after decreasing 0.6 per cent in 2017. The growth in the territorial economy reflected increases in government spending, private fixed investment and consumer spending. The increases were partly offset by a decrease in export of services. Territorial government spending increased 38.7 per cent, reflecting spending on hurricane response and recovery activities that were largely funded by Federal Emergency Management Agency public assistance

grants. Major projects included emergency work and longer-term repairs to the electrical system. Federal Government spending also increased significantly as a result of disaster recovery activities, including debris removal and oil spill clean-up. Private fixed investment increased 51.4 per cent, reflecting growth in business purchases of equipment and in construction, including homes. Federal grants supported the reconstruction and major repairs of businesses and homes that were destroyed or heavily damaged by the 2017 hurricanes. Consumer spending also increased, reflecting growth in household purchases of goods, including motor vehicles and food.

16. The financial activities sector continued to experience a decline in jobs. For fiscal year 2018, the financial services sector employment rate declined by 2.4 per cent to 2,065 from 2,115. For the first two months of fiscal year 2019, the sector reported 2,096 jobs compared with 2,052 during the same period in fiscal year 2018.

17. The United States Treasury approved 14 neighbourhoods in both the Saint Thomas and Saint John districts, as federal opportunity zones. Qualified opportunity zones (an economically distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment) were created as part of the Tax Cuts and Jobs Act of 2017. The programme is designed to encourage investment in communities designated as economically distressed by allowing investors who reinvest the proceeds of capital gains in qualifying properties or businesses located in designated opportunity zones to defer and reduce their capital gains taxes. Local government officials view the programme as a complement to the territorial Economic Development Commission programme. Under the new tax law, United States investors who invest in qualified property in an opportunity zone, may defer capital gains tax on the new investment for up to seven years; reduce the amount of those capital gains by as much as 15 per cent; and pay no federal capital gains tax, on any appreciation in value of that new investment. The Treasury Department approved opportunity zones for American Samoa and the United States Virgin Islands, among others. The areas for the United States Virgin Islands include Christiansted and all of the western end of Saint Croix, as well as most of the southern half of Saint Thomas. Qualified opportunity zones retain their designation for 10 years.

## **B. Tourism**

18. According to the administering Power, for the fiscal year 2018, air arrivals were 385,959, a decrease of 50 per cent compared with 771,517 in 2017. A total of 1,176,034 cruise passengers visited during fiscal year 2018, compared with 1,545,570 who came in 2017, representing a drop of 23.9 per cent. For fiscal year 2019, the Saint Thomas and Saint John district are projected to receive approximately 1.12 million cruise passengers. Saint Croix is slated to receive 36 cruise ships, with a total of some 85,244 cruise passengers. Cumulatively, the total number of visitors in fiscal year 2018 was 1,561,993, compared with 2,317,087 during the same period in fiscal year 2017, a 32.6 per cent decrease. As a consequence of the two 2017 storms, major carrier direct flight seats in fiscal year 2018 averaged 8,868 per week. In fiscal year 2017, major carrier direct flight seats averaged 17,123 per week and in the first quarter of fiscal year 2019 the average was 11,590 per week.

## **C. Manufacturing and construction**

19. According to the United States Virgin Islands Bureau of Economic Research, in fiscal year 2018, jobs in the construction sector continued to grow, due to ongoing disaster-related infrastructure restoration. Construction jobs ending in fiscal year 2018 topped 2,145, a growth of 28.9 per cent. Construction jobs averaged 2,520 in

the first month of fiscal year 2019, a 31.6 per cent growth over the same period in 2018. The construction sector now accounts for 6 per cent of non-agricultural employment. In prior years, the Territory's construction sector only accounted for 4 per cent of non-agricultural employment.

20. According to the Bureau of Economic Research, the rum industry consists of two companies. Both distilleries have a combined capacity of 29 million proof gallons of rum per year. Rum produced in the Territory is exported to the United States primarily in bulk and sold to local and regional bottlers for sale under a variety of brands. Shipments in fiscal year 2018 totalled 19.7 million proof gallons. The Federal Government imposes and collects federal excise taxes on rum produced in the United States Virgin Islands and exported to the United States. The Territory received \$226.1 million in excise taxes, a growth of 10.3 per cent from \$205.0 million collected in fiscal year 2017.

21. On 11 September 2019, the United States Secretary of the Interior announced the release of \$258 million in rum tax cover-over payments to the United States Virgin Islands for the fiscal year 2020 estimated tax collections in the Territory.

#### **D. Trade, transportation and utilities**

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

23. According to the second United States Virgin Islands Hurricane Irma and Hurricane Maria progress report, the hurricanes damaged more than 90 per cent of the above-ground power lines and knocked down more than half of all the wood poles. Initial recovery efforts were focused on providing uninterrupted energy to hospitals and restoring power to water treatment plants and other critical facilities and eventually personal residences and businesses. The Virgin Islands Water and Power Authority resiliency plan is multifaceted with over \$742 million in mitigation projects in place and involves: (a) increased underground power; (b) installation of composite poles; (c) hardening of infrastructure; and (d) emergency backup generators. Over 1,670 composite poles that are rated for winds of up to 200 mph have been installed across the Territory.

24. According to the Bureau of Economic Research, the trade, transportation and public utilities sector averaged 7,241 jobs in fiscal year 2018, down 9 per cent from fiscal year 2017. During the first two months of fiscal year 2019, the number of jobs averaged 7,353, compared with 6,998 during the same period in 2018, that is, an increase of 5.1 per cent.

#### **E. Agriculture and fisheries**

25. The Virgin Islands Department of Agriculture is structured to provide basic agricultural services and technical support to the Territory's farming community. The Department's primary responsibilities are expanding agricultural activities for the production and marketing of agricultural commodities, processing agricultural products throughout the Territory, enforcing environmental protection laws as they

pertain to land, water and soil, as well as enforcing regulatory practices as they relate to veterinary services.

## **IV. Social conditions**

### **A. Labour**

26. According to the Bureau of Economic Research, an average of 45,868 persons were employed in civilian jobs in fiscal year 2018, 18,160 on Saint Croix and 27,708 in the district comprising Saint Thomas and Saint John. The Territory-wide decrease was 5.3 per cent from fiscal year 2017. During the first month of fiscal year 2019, 45,615 persons were employed in civilian jobs. The Territory's 2018 fiscal year unemployment rate was 10.7 per cent, down from 10.9 per cent reported during the fiscal year 2017. The 2018 fiscal year unemployment rate for the island of Saint Croix was at 10.0 per cent from 11.2 per cent one year ago. The unemployment rate for the Saint Thomas and Saint John district for the fiscal year 2018 was 11.2 per cent compared with 10.6 per cent one year ago.

### **B. Education**

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

28. According to the second United States Virgin Islands Hurricane Irma and Hurricane Maria recovery progress report, for the 2019/20 school year, the Department of Education reconfigured several schools and ceased the operation of others. All modular units were put into place and are operational. All public schools opened as scheduled on 3 September 2019.

### **C. Public health**

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

30. According to the second United States Virgin Islands Hurricane Irma and Maria progress report, restoration of health-care and senior care facilities to current industry standards remains among the top priorities. In the interim, the Territory remains fully committed to providing the best possible services under the prevailing conditions. The report notes that by the end of the first year of recovery, it had become evident that the level of damage was so extreme that nearly all key facilities in this sector would have to be replaced in their entirety or at a minimum be substantially reconstructed. Understanding that this would take several years, the second year of recovery primarily focused on making essential repairs, installing temporary facilities

and laying the groundwork for the large scale restoration process ahead. The ability to provide health-care and senior care services has been restored – at a reduced level – with most facilities having to operate out of a combination of damaged facilities that have been partially repaired or in temporary modular structures. With the resumption of dialysis and other chronic care services in the Territory, long-term medical evacuees have been able to return home.

#### **D. Crime and crime prevention**

31. According to the proposed executive budget for fiscal year 2020, the mission of the Virgin Islands Police Department is to protect the life and property of all citizens of the Virgin Islands and to ensure a safe and secure environment. The Department's primary emphasis is the provision of basic police services, namely to maintain and increase police control and provide rapid response to incidents and calls for assistance, the effective investigation and solving of crimes and the timely apprehension of criminals. The Department comprises the following seven divisions: the Office of the Commissioner, the Division of Police Operations – Saint Thomas-Water Island, the Division of Administration Support and Logistics, the Division of Police Operations – Saint Croix, the Division of Highway Safety, the Division of Training and the Division of Police Operations – Saint John.

#### **V. Environmental protection and disaster preparedness**

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

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

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

34. The Territory participates in meetings of the Inter-Virgin Islands Council between the British Virgin Islands and the United States Virgin Islands, with a view to addressing mutual interests and challenges and fostering and promoting cooperation between the two Territories. Topics addressed at the meetings include law enforcement, pleasure boating and sport fishing, other maritime matters, cooperation in tourism, energy and utilities and culture and education. The 8th meeting of the Inter-Virgin Islands Council was held on 4 February 2020 in Tortola, British Virgin Islands. The Council discussed tourism strategies and the potential for regional collaboration on tourism marketing, airport and seaport development, inter-territorial cooperation between charter yacht companies, border security and fisheries, and response to the potential threat of coronavirus disease (COVID-19).

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

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

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

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

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

37. According to the administering Power, on 23 February 2016, the then-Assistant Secretary for Insular Areas of the United States Department of the Interior hosted a panel discussion in Washington, D.C., on self-determination in American Samoa, Guam and the United States Virgin Islands. The panel included territorial experts and officials from the United States Department of the Interior and Department of State and provided an updated context for federal policymakers and for a new generation to learn about the status of self-determination in the respective territories and to understand their rights with regard to self-determination under federal and international law. The panel experts reaffirmed the position of the administering Power that, under the United States Constitution, only the United States Congress had the plenary power to dispose of and make needful rules and regulations respecting the territories. It was also reiterated that the administering Power supported the right of self-determination of the respective peoples of American Samoa, Guam and the United States Virgin Islands, and it was the policy of the administering Power that the territories had at least three distinct options for exercising self-determination: continued territorial status, statehood or independence. Furthermore, in conjunction with the winter meeting of the National Governors Association, held in Washington, D.C., each February, the Deputy Assistant to the President for Intergovernmental Affairs and the Assistant Secretary of the Interior for Insular Areas host the plenary session of the Interagency Group on Insular Areas, which brings together the Governor of the United States Virgin Islands and his counterparts from American Samoa and Guam to discuss with leading officials of the federal executive branch matters of mutual importance to the Territories.

38. At the 9th meeting of the Fourth Committee, on 17 October 2019, the representative of the United States, while reiterating his delegation's concern that certain draft resolutions adopted at the meeting placed too much weight on

independence as a one-size-fits-all status option for Territories in pursuit of self-determination, noted that, as stated in the 1970 Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, the people of a Non-Self-Governing Territory could validly opt for free association as an alternative to independence or any other political status, including integration with the administering State, provided that that status was freely determined by the people (see [A/C.4/74/SR.9](#)).

## VIII. Action taken by the General Assembly

39. On 13 December 2019, the General Assembly adopted its resolution [74/111](#) without a vote, on the basis of the report of the Special Committee for 2019 ([A/74/23](#)) and the subsequent recommendation by the Fourth Committee. In the resolution, the Assembly:

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

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

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

(d) Welcomed the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands Fifth Constitutional Convention, for review by the administering Power, and requested the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the internal Constitutional Convention exercise;

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

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

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

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

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

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

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

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

(m) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the United States Virgin Islands, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

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

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

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

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

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

## Map of the United States Virgin Islands

