



# General Assembly

Distr.: General  
13 March 2020

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

### Montserrat

### Working paper prepared by the Secretariat

### Contents

	<i>Page</i>
The Territory at a glance . . . . .	3
I. Constitutional, legal and political issues . . . . .	4
II. Budget . . . . .	5
III. Economic conditions . . . . .	6
A. General . . . . .	6
B. Agriculture and fisheries . . . . .	7
C. Financial services . . . . .	7
D. Tourism . . . . .	8
E. Construction . . . . .	9
F. Utilities and communication . . . . .	9
IV. Social conditions . . . . .	9
A. General . . . . .	9
B. Labour . . . . .	10
C. Education . . . . .	10
D. Public health . . . . .	10
E. Crime and public safety . . . . .	11

*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 9 December 2019. Further details are contained in previous working papers, available at [www.un.org/dppa/decolonization/en/documents/workingpapers](http://www.un.org/dppa/decolonization/en/documents/workingpapers).



F.	Human rights . . . . .	11
V.	Environment and volcanic activity. . . . .	12
VI.	Relations with international organizations and partners. . . . .	12
VII.	Future status of the Territory . . . . .	13
A.	Position of the territorial Government. . . . .	13
B.	Position of the administering Power . . . . .	13
VIII.	Consideration by the United Nations. . . . .	14
A.	Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples . . . . .	14
B.	Special Political and Decolonization Committee (Fourth Committee). . . . .	14
C.	Action taken by the General Assembly . . . . .	15
Annex		
	Map of Montserrat. . . . .	17

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

*Territory:* Montserrat 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 Andrew John Pearce (since January 2018).

*Geography:* Situated in the Leeward Islands in the eastern Caribbean, 43 km south-west of Antigua and 64 km north-west of Guadeloupe. The entire island is volcanic. In July 1995, the Soufrière Hills volcano, which had been dormant for more than 400 years, erupted with devastating effects, including the destruction of the capital, causing the evacuation and relocation of about 70 per cent of the population from the southern part of the island. The effects of that eruption and subsequent lighter volcanic activity are still being felt.

*Land area:* 103 km<sup>2</sup>.

*Exclusive economic zone:* 7,582 km<sup>2</sup>.

*Population:* 4,649 (2018).

*Life expectancy at birth:* 80.55 years (men: 78.18 years; women: 83.21 years (2019 estimate)).

*Language:* English.

*Capital:* Plymouth, abandoned in 1997 following the volcanic eruption. A new urban centre is being developed at Little Bay, on the north-west coast of the island.

*Head of territorial Government:* Premier Joseph Easton Taylor-Farrell (since November 2019).

*Main political parties:* Movement for Change and Prosperity; People's Democratic Movement.

*Elections:* most recent: 18 November 2019; next: expected in November 2024.

*Gross domestic product per capita:* \$11,581 (UNdata, 2017).

*Economy:* financial services, investments, construction.

*Main trading partners:* Canada, Japan, Trinidad and Tobago, United States of America.

*Unemployment rate:* 6.51 per cent (2018).

*Monetary unit:* East Caribbean dollar, pegged to the United States dollar (EC\$ 2.70 equals US\$ 1).

*Brief history:* Christopher Columbus named Montserrat after a monastery near Barcelona in Spain. The first European settlers, mostly Irish, arrived in 1632. The island later became a haven for indentured Irish servants transported to the British West Indies. A major slave uprising occurred on Saint Patrick's Day in 1768. In the eighteenth century, Montserrat was intermittently occupied by France, prior to its confirmation as a British Territory in 1783. It became a British Crown colony in 1871. Following the break-up of the Federation of the West Indies in 1962, Montserrat opted for Crown colony status rather than associated statehood.

## I. Constitutional, legal and political issues

1. Under the Montserrat Constitution Order 2010, which entered into force in September 2011, Montserrat has a governor appointed by the British Crown, a Cabinet and a legislative assembly. The Governor is responsible for internal security (including the police force), external affairs, defence, public service and the regulation of international financial services. The current Governor took office in January 2018. Under the legislation under which the Constitution was enacted, the British Crown reserves the power, with the advice of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws either generally or for the peace, order and good government of Montserrat.

2. The Cabinet consists of the Premier, three other ministers and, in an ex officio capacity, the Attorney General and the Financial Secretary. The Deputy Governor, a Montserratian appointed by the Governor, attends meetings but does not have the right to vote. The Cabinet is presided over by the Governor, who does not have the right to vote within the Cabinet but is responsible for the general control and direction of the Government and is collectively responsible to the legislature.

3. The Legislative Assembly consists of nine elected members and the same two ex officio members as the Cabinet. Elections are normally held in Montserrat every five years on the basis of universal adult suffrage. In the most recent elections, held on 18 November 2019, the Movement for Change and Prosperity reassumed power from the People's Democratic Movement, winning five of the nine seats in the Assembly. On 22 November 2019, Joseph Farrell was sworn in as the Premier of Montserrat.

4. The law of Montserrat is composed primarily of the legislation enacted by the legislature of Montserrat, certain acts of Parliament of the United Kingdom extended to Montserrat, orders in the council made by the British Crown on behalf of the Territory in the Privy Council and English common law. Montserrat falls under the jurisdiction of the Eastern Caribbean Supreme Court (High Court and Court of Appeal). The Court of Appeal is an itinerant court, established under West Indies Associated States Supreme Court Order No. 223 of 1967, whose sittings rotate among its nine members, including Montserrat. The final court of appeal for civil and criminal matters is the Judicial Committee of the Privy Council. The British Overseas Territories Act 2002 provides for the granting of British citizenship to the citizens of British overseas territories.

5. Addressing the Pacific regional seminar held 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 in Saint George's, Grenada, from 9 to 11 May 2018, the then Premier of Montserrat stated that Montserrat was a Territory to be decolonized and that the previous request made for the removal of Montserrat from the agenda of the Special Committee ([A/AC.109/2018/10](#), para. 5) should be reversed. Describing the development challenges of Montserrat, as well as the vulnerable situation faced by evacuees since the volcanic crisis in 1995, the Premier said that Montserrat could not achieve its development goals if its economic dependency continued, compounded by ongoing financial challenges, and that securing funding for rebuilding key infrastructure and helping evacuees from the 1995 volcanic crisis required an intervention from the Special Committee as a neutral partner. He invited the Special Committee to dispatch a visiting mission to the Territory that could also include meetings with evacuees in Antigua and Barbuda, the United Kingdom and the United States of America.

6. At the 8th meeting of the Special Committee, held on 25 June 2019, the then Premier of Montserrat referred to the anniversary of the volcanic eruption of June

1997 and its consequences. He said that the Government of Montserrat had consistently remained 60 per cent dependent on the United Kingdom for its recurrent budget and more than 90 per cent dependent thereon for its capital budget over the previous 20 years. He was grateful for the pivotal General Assembly resolution [73/114](#) on Montserrat and for the agreement of the Government of the United Kingdom to a visiting mission by the Special Committee, which would allow the unfiltered voices of the people of Montserrat to be heard (see [A/AC.109/2019/SR.8](#)).

7. At the 4th meeting of the Special Political and Decolonization Committee (Fourth Committee), held on 10 October 2019, the then Premier of Montserrat said that the visit by the Special Committee would enable it to assess first-hand the actions taken over nearly half a century to remove Montserrat from its list of Non-Self-Governing Territories. Unfortunately, the inhabitants of Montserrat were unaware of their rights under Article 73 *e* of the Charter of the United Nations. If the Government of Montserrat had insisted on the timely fulfilment of those rights, the country would have stood on its own two feet long ago and the damage and loss of life caused by the volcanic eruption could have been avoided, given that it had been the result of delays in and a lack of critical funding allocated to recovery and redevelopment following the disaster. The Government of the United Kingdom had taken a significant step in addressing the need of Montserrat to replace its lost infrastructure, which was essential to its economy and society. The renewed commitment by the United Kingdom was commendable, but it had come long after the crisis itself. He called upon the Committee to establish a framework, timeline and action programme for the full decolonization of Montserrat following the visiting mission to the Territory (see [A/C.4/74/SR.4](#)).

8. On 6 November 2018, the Office of the Premier of Montserrat submitted written evidence to the Foreign Affairs Committee of the House of Commons of the United Kingdom Parliament, within the framework of the inquiry entitled “The future of the UK overseas territories”. The document contains a summary of the main findings of a consultative process conducted in the Territory, including on topics such as governance, benefits to Montserrat and the United Kingdom of the relationship between them, financing of the overseas territories and representation of the interests of Montserrat in the United Kingdom, the Commonwealth and other international forums. Written evidence was also submitted by the Montserrat Legislative Assembly and the Montserrat Association for Persons with Disabilities.

## II. Budget

9. According to the administering Power, the public sector in Montserrat continues to be dependent on budgetary aid from the United Kingdom. The 2019/20 budget statement of the territorial Government, delivered in June 2019, indicated that the total budget allocation for fiscal year 2019/20 was EC\$ 202.2 million. The total recurrent expenditure is budgeted at EC\$ 137.8 million, which means that budgetary aid of £23.2 million (approximately EC\$ 79.6 million under current exchange rates) for fiscal year 2019/20 is provided by the Department for International Development. Total planned development expenditure amounts to EC\$ 64.4 million. The estimate of recurring revenue for 2019/20 is EC\$ 137.8 million, which represents a 4.81 per cent increase over the previous fiscal year and is based on a combination of new revenue measures, improvements in revenue collection, performance and expected modest economic growth. The estimated revenue from local sources is EC\$ 58.2 million. Total local revenue will be generated from two main areas: tax revenue and non-tax revenue (fees, fines, permits, rents, interest and licences). A further EC\$ 156 million (£45 million) in infrastructure investment has been allocated by 2024 by the Department through two programmes.

10. A memorandum of understanding between the Government of the United Kingdom, acting through the Department for International Development, and the Government of Montserrat was signed in April 2019 on the Montserrat Capital Investment Programme for Resilient Growth. The Programme, covering the period 2019–2024 and funded by the Department, is a five-year capital plan to achieve economic growth on Montserrat and enhance the Territory’s resilience against natural disasters and economic shocks through the improvement of its critical infrastructure and the enhancement of its tourism offer.

11. According to information provided by the Department for International Development in December 2019, the Governance Reform and Institutional Development programme is a €3.5 million initiative to provide targeted technical support to locally led reform processes taking place in the public sector of Montserrat. The reforms cover public financial management, project management, procurement, human resources and the strengthening of the central role of the Office of the Premier. The reforms are aimed at improving public sector delivery and providing greater assurance that public finances are being managed effectively and efficiently, with greater transparency and accountability. The programme is expected to be completed by 31 March 2023.

12. A financial aid mission for the period 2020–2021 was dispatched from 13 to 17 January 2020. At the opening of the discussions, the Premier stressed the need to ensure the timely implementation of the projects approved under the Montserrat Capital Investment Programme for Resilient Growth. He said that tourism, trade and investment were the three pillars of his administration, and that the aim was to move Montserrat from receiving aid by at least 2035.

13. According to the administering Power, the tax laws of Montserrat currently provide for individual residents to be taxed on their worldwide income from all sources. Tax is also levied on the chargeable income of any incorporated company, building society or body of persons. The current rate for company tax is 30 per cent on profits. The tax law in Montserrat does not currently provide for capital gains tax.

14. According to the administering Power, the Territory benefits from an allocation of approximately €18.4 million for the period 2014–2020 under the eleventh European Development Fund. The agreement was signed in December 2017.

### **III. Economic conditions**

#### **A. General**

15. According to Eastern Caribbean Central Bank statistics for Montserrat, real gross domestic product (GDP) growth rates (market prices) were -3.78 per cent in 2017, 3.99 per cent in 2018 and 4.49 per cent in 2019. GDP per capita has seen volatility over recent years, according to the United Nations Statistics Division, increasing from US\$ 11,893 in 2014 to US\$ 12,615 in 2016, decreasing to US\$ 12,030 in 2017 and increasing to US\$ 12,754 in 2018.

16. The Government of Montserrat developed an economic growth strategy and delivery plan for the period 2018–2022, which will act as a guide for public investment over the next several years with the goal of the eventual rebalancing of the economy from public sector-driven to private sector-led. Under the plan, the Government seeks to accomplish that goal by analysing the potential of key sectors that have been identified as the most economically viable, with the ultimate goal of long-term sustainability. The plan ensures that actions are tied to those goals by clearly outlining a delivery plan that details the responsible agencies and time frames

for accomplishing tasks geared towards achieving economic milestones. Its strategic focus is expected to go beyond 2022 in order to dovetail with the development of the new sustainable development plan for 2021. The economic growth strategy and delivery plan identifies some key strengths and weaknesses of the economy of Montserrat, as well as the biggest threats and opportunities for the Territory going forward. The support given by the United Kingdom to the Territory under Article 73 of the Charter of the United Nations was among the strengths identified. The future drivers of the economy of Montserrat (i.e. the industries and services that can support Montserrat in meeting its growth objectives) identified by the plan are the visitor economy, the enterprise culture, infrastructure and the sand mining, agriculture, financial services and power generation sectors.

## **B. Agriculture and fisheries**

17. As a result of ongoing volcanic activity, the most fertile agricultural land, pastures and fishing areas continue to be either restricted or inaccessible. In recent years, however, agricultural crop, fish and livestock production has reportedly increased. According to the economic growth strategy and delivery plan, there is potential to expand output and employment in agriculture by promoting niche island products, such as blackberries and bush rum, and through increased cold storage facilities, commercial chicken production and import substitution in horticultural products.

18. In recent years, the territorial Government has continued to focus on agriculture as a key area on which to build its self-reliance policy. Initiatives included providing employment opportunities and encouraging more local production, notably by establishing backyard gardens and increasing the acreage devoted to cultivation. In March 2016, with the financial support of the Caribbean Development Bank and the territorial Government, an abattoir for the production of meat products on the island, in line with its public health legislation, was completed. According to the administering Power, to further support and build on the island's self-reliance policy, the agricultural strategic marketing plan was launched by the Ministry of Agriculture in December 2016 with the objective of reducing dependence on imported fresh food and exploring niche market opportunities for local food products. According to the administering Power, while major capital projects have not yet been commenced owing to funding issues, the Ministry has begun smaller projects to advance the objective of the plan, including the use of aquaponics and a new animal husbandry programme, which were started in 2018.

## **C. Financial services**

19. Montserrat is a member of the Eastern Caribbean Central Bank, which acts as the central bank for the Territory and is part of the Eastern Caribbean Securities Exchange and the Caribbean Financial Action Task Force, the body that monitors anti-money-laundering activities and works to counter the financing of terrorism in the region. There are various banking facilities, including two commercial entities (the Bank of Montserrat and the Royal Bank of Canada) and several international banks. There is also a credit union and a building society. On 11 December 2019, a consortium of eastern Caribbean indigenous banks, of which the Bank of Montserrat is a member, announced that it had entered into a definite agreement to purchase all banking operations from the Royal Bank of Canada.

20. According to the administering Power, Montserrat has had a public register of legal entities, which provides identification information on shareholders and

directors, since 2000. In 2014, the Government of Montserrat published its action plan on the public register of beneficial ownership to implement the standards of the Caribbean Financial Action Task Force. The aim is to obtain and maintain identification information on the beneficial owners of companies and legal arrangements in order to ensure transparency of ownership and control, as well as adherence to good corporate governance. The work being carried out to amend the existing legislative framework is continuing, and the Government of Montserrat is committed to introducing the legislative framework to obtain the beneficial ownership information by December 2020.

21. In May 2018, the Parliament of the United Kingdom passed the Sanctions and Anti-Money Laundering Act, pursuant to which the Secretary of State is required to provide all reasonable assistance to the Governments of overseas territories to enable each of those Governments to establish a publicly accessible register of the beneficial ownership of companies registered in its jurisdiction and to prepare, no later than 31 December 2020, a draft Order in Council requiring any overseas territory that has not introduced such a register to do so. That deadline has since been extended to 2023.

#### **D. Tourism**

22. The redevelopment of the tourism industry, which was the main contributor to GDP prior to the volcanic eruption in 1995, continues to be a priority for the territorial Government. A Director of Tourism was appointed in February 2019 on a three-year contractual basis.

23. As previously reported, an improved ferry service with greater capacity was launched in December 2013. The ferry makes the trip between Montserrat and Antigua in about an hour, enabling Montserrat to market itself as a day-trip destination. According to the administering Power, the ferry service was suspended in April 2016 for contractual reasons, and, after a full procurement process, a new service came into operation on 2 December 2016. In 2018, the territorial Government announced efforts to promote Montserrat jointly with the Government of Antigua and Barbuda in an effort to attract a greater number of day-trip tourist visitors. On 23 September 2019, the Government of Montserrat announced the approval of concessionary fares for the ferry service. Discounted fares apply to a number of categories, including, among others, block bookings, sports and cultural groups, training and development exchange programmes and national teams. The policy also provides for an 80 per cent discount on the base adult fare for a passenger acting as a carer or escort or accompanying a passenger certified with a mental or physical disability, among other factors determined by the Government of Montserrat.

24. According to the Montserrat Tourism Division, visitor arrivals to the island in 2019 totalled 20,956, an increase of 14 per cent over the number of arrivals in 2018 (18,338), marking the first time since the eruption of the Soufrière Hills volcano in 1995 that the number exceeded 20,000.

25. According to the administering Power, the Government of Montserrat published a new tourism strategy in 2019, detailing plans for future tourism development. The strategy, combined with the announcement that the Caribbean Development Bank will administer a grant from the United Kingdom Caribbean Infrastructure Fund to build a breakwater in the harbour to allow cruise ships to dock, give rise to an expectation that the number of visitor arrivals will increase significantly.

26. According to the economic growth strategy and delivery plan, the visitor economy is the most important driver of the economy of Montserrat in terms of its current size and growth potential. Competitive advantages in tourism include the



volcano and the “Pompeii” city of Plymouth, pristine marine and forest environments, space and tranquillity, modern music history and personal security.

## **E. Construction**

27. The physical development plan for the period 2013–2022 maps out what the territorial Government envisions for developing the northern portion of the Territory and provides a framework to help to meet the objectives set out in the sustainable development plan, addressing issues such as land availability, limited resources and infrastructure development.

## **F. Utilities and communication**

28. A statutory body, Montserrat Utilities Limited, distributes water and electricity in the Territory. According to the administering Power, the entire population enjoys access to a plentiful supply of good potable water, and about 98 per cent of residents are connected to the water system. The water section of the company also has responsibility over the sewage treatment in some areas, notably Lookout and Davy Hill.

29. According to the administering Power, it is expected that sufficient geothermal energy resources will eventually be made available to meet the demand for electricity. In his 2019/20 budget statement, the then Premier of Montserrat indicated that, following the successful drilling of the first and second active geothermal wells, exploratory drilling for a third injection well had been conducted in 2019, but, owing to technical issues, the rig was no longer considered fit for purpose. Funding for technical assistance, which had been made available through the Montserrat Capital Investment Programme for Resilient Growth, would be used to work with the private sector on developing a framework to guide the building of a geothermal surface plant, which would generate electricity from the first and second wells.

30. In addition to being linked by ferry service, Montserrat and Antigua and Barbuda are also connected by scheduled and charter air services operated by two companies. Montserrat air space is regulated by Air Safety Support International, which also regulates the Territory’s airline.

# **IV. Social conditions**

## **A. General**

31. The volcanic crisis has had a profound effect on traditional social structures and support systems in the Territory. Many families and communities have been split up and relocated to various parts of the world. According to the administering Power, social welfare services in Montserrat continue to include monthly financial assistance, rental assistance and one-time assistance for basic items. According to the administering Power, it is pursuing the development of the integrated delivery of social services in Montserrat by utilizing technical support from the Government of the United Kingdom and the United Nations Children’s Fund.

## **B. Labour**

32. According to the Intercensal Population Count and Labour Force Survey of 2018, which was completed and delivered in 2019, the labour force of Montserrat comprises some 2,703 persons. The absolute number of persons employed in 2018 was 2,527 (50.5 per cent women and 49.5 per cent men). The unemployed population in 2018 was 176 (44.9 per cent women and 55.1 per cent men). The unemployment rate decreased slightly, from 6.6 per cent in 2011 to 6.5 per cent in 2018. Youth unemployment declined from its level of 16.9 per cent in 2011 to 11.8 per cent in 2018. Labour relations are governed by the Employment Act and the Labour Code, both revised in 2012, under which the Department of Labour provides mediation and conciliation services, and the Labour Tribunal settles disputes.

33. The Labour Code, as revised in 2012, sets out minimum conditions of employment and establishes the procedures for the settlement of labour disputes, providing for equality of treatment in employment, irrespective of an employee's race, colour, sex, religious beliefs, ethnic origin, nationality, political opinion or affiliation, disability, family responsibilities, pregnancy, marital status or age.

## **C. Education**

34. Montserrat has educational infrastructure and services that provide full access to primary and secondary education. Compulsory education starts at age 5 and continues until age 16.

35. The education development plan for the period 2012–2020 sets out the guidelines for the Ministry of Education in providing for early childhood, primary, secondary and post-secondary education, in addition to special needs, teacher training and education support services. There are several government day-care facilities and nursery schools and a privately owned early childhood facility. According to the administering Power, a child safeguarding review was completed in 2015 and a number of recommendations were made for enhanced inter-agency coordination in order to better protect children. A multi-agency protocol has been developed, together with revised procedures and an ongoing programme of legislative reform, to ensure that children are better protected. Technical cooperation was provided through various projects, including work with social workers and probation officers to help to build capacity at the local level and create sustainable change. All of those measures form the basis for the strengthened coordination recommended in the review.

36. The Montserrat Community College, which is partly subsidized and based in Salem, offers advanced academic courses for students between 16 and 18 years of age, as well as technical skills courses. The University of the West Indies maintains an extramural department adjacent to the Community College. Postgraduate students can study for a variety of long-distance degrees from the University.

37. 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. In addition, those students have access to funding provided by the European Union for higher or vocational education.

## **D. Public health**

38. The Ministry of Health is responsible for providing primary and secondary health-care services, environmental health services and foster care, in addition to

health-related policy advice in areas such as general medical care and surgical care, diagnostic testing, eye and ear care and medication. The territorial Government offers free emergency dental services for school-age children, older persons, pregnant women, teachers, nurses, and police and fire officers, in addition to providing highly specialized health services through arrangements for a number of specialists to visit the Territory. At the same time, protocols are in place for emergency medical evacuation to Antigua and Barbuda and Guadeloupe.

39. The Territory's health facilities include the 30-bed Glendon Hospital in Saint John's, which offers services relating to routine health issues, X-rays and minor operations, in addition to several primary care clinics. The design contract for the Territory's new health-care facility, which will have a minimum of 24 beds and the capacity for expansion, was awarded on 24 December 2019. Construction of the new hospital, a project under the Montserrat Capital Investment Programme for Resilient Growth, is expected to begin in late 2020.

40. According to the Pan American Health Organization, Montserrat has an effective primary health-care system, and basic secondary care services are available at one hospital. There are no tertiary facilities available. To address that gap, in its national sustainable development plan for the period 2008–2020, entitled "A healthy and wholesome Montserrat", the Government of Montserrat indicated that its goal was to ensure that residents of Montserrat had access to secondary and tertiary health care at affordable prices by 2020. Non-communicable diseases remain the leading causes of morbidity and mortality; in the period 2010–2015, they were the leading causes of consultations at the district health centres and admissions to Glendon Hospital. They were also the leading underlying causes of death.

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

41. Under a five-year strategy, the Royal Montserrat Police Service is focusing on neighbourhood- and intelligence-led policing, crime reduction and prevention and partnerships with the criminal justice system. According to the administering Power, Montserrat has a very low crime rate compared with that of the rest of the Caribbean region and, by some metrics, the lowest crime rate in the Americas.

42. According to the administering Power, in 2018, the MV *Heliconia Star*, an 80-foot twin-screw patrol vessel capable of a range of 300 nautical miles and a speed of up to 32 knots, was given to the Royal Montserrat Police Service Marine Unit by the administering Power to enhance its rescue, patrol and interdiction capabilities.

43. In 2019, the work of the United Kingdom-funded office of the law enforcement adviser was affected by the retirement of the post holder and the process of hiring a successor. RFA Mounts Bay has been stationed in the Caribbean since January 2017, 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. The Government of the United Kingdom indicated its commitment to providing assistance to the overseas territories to deal with major storms and other disasters in the future.

## **F. Human rights**

44. Under the Territory's Constitution, provision is made regarding the fundamental rights and freedoms of the individual. Major international and European human rights

instruments have been extended to Montserrat. In addition, according to the administering Power, Montserrat has requested the extension to the Territory of the ratification by the United Kingdom of the Convention on the Elimination of All Forms of Discrimination against Women. The aim was to have the Convention extended to Montserrat in 2018. However, owing to significant staff shortages and increased workloads within the Social Services Department in 2018/19, the aim is now to have the administering Power and the Department work towards the extension of the Convention in 2020.

45. According to the information provided by the administering Power, currently there are no government bodies and only two non-governmental organizations addressing human rights issues in Montserrat. However, a number of civil society organizations are working on a wide range of issues, including the Montserrat Association for Persons with Disabilities, the Montserrat Diabetes Association, the Montserrat Senior Citizens' Association, the Montserrat Women's Resource and the Women's Support Group.

46. As mentioned in paragraph 8 above, in November 2018, the Montserrat Association for Persons with Disabilities submitted written evidence to the Foreign Affairs Committee of the House of Commons of the Parliament of the United Kingdom, noting, among other issues, that the Convention on the Rights of Persons with Disabilities had not been extended to Montserrat.

## **V. Environment and volcanic activity**

47. Following the eruption of the Soufrière Hills volcano in 1995, an exclusion zone comprising roughly the southern two thirds of the island was established. Since the last major eruptive activity, in February 2010, the volcano has been in a state of pause and some restrictions in access to zone C, which is part of the outer exclusion zone, were lifted in 2014, allowing unrestricted access to some areas.

48. According to the administering Power, Montserrat has a clearly defined institutional framework for disaster response, which was tested in 2013. A hurricane plan, which was produced in 2013 and is revised annually, outlines the major tasks to be undertaken by the Territory's agencies, ministries or departments as part of the emergency management system in planning for and responding to tropical weather systems.

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

49. Montserrat is an associate member of the Economic Commission for Latin America and the Caribbean and its subsidiary bodies. According to the administering Power, the Territory continues to maintain a bilateral dialogue with the International Monetary Fund, involving the public sector, banking, business and union representatives.

50. Montserrat is a founding member of both the Caribbean Community and the Organisation of Eastern Caribbean States (OECS) and a member of the institutions associated with those organizations, including the University of the West Indies, the Caribbean Development Bank and the Eastern Caribbean Central Bank, in addition to the Assembly of the OECS, which was established in 2012 under the Revised Treaty of Basseterre to support the legislative work of OECS. Moreover, the Territory has observer status with the Caribbean Financial Action Task Force and is a member of the Caribbean Regional Fisheries Mechanism.

51. As a Non-Self-Governing Territory of the United Kingdom, Montserrat is associated with the European Union but is not a part of it. Under decision 2013/755 of the Council of the European Union, which, according to the administrative Power, was approved, among other things, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world, the Territory is in partnership with the European Union.

52. The representative of Montserrat attended the fortieth regular meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM), held in Gros Islet, Saint Lucia, from 3 to 5 July 2019. The Conference issued a communiqué in which the Heads of Government expressed their deep concern at the continued blacklisting of some of the member States and associate members and viewed such action as a clear and direct threat to the economic well-being of those countries and the region.

53. According to the administering Power, the United Kingdom and its overseas territories have continued their dialogue on the implications for the latter of the departure of the United Kingdom from the European Union. The administering Power reiterated its commitment to achieving an outcome that worked for all parts of the British family.

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

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

54. Information on the position of the territorial Government regarding the future status of Montserrat is set out in section I above.

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

55. According to the administering Power, owing to the general election held in the United Kingdom on 12 December 2019, the seventh meeting of the United Kingdom-Overseas Territories Joint Ministerial Council was postponed until the first quarter of 2020, when the administering Power will host the representatives of the Governments of its overseas territories to discuss a wide range of policy issues, among them, the departure of the United Kingdom from the European Union, environmental matters and other pressing issues.

56. At the seventh meeting of the Special Political and Decolonization Committee (Fourth Committee), on 15 October 2019, during the seventy-fourth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each Territory to choose to remain British. She added that the Joint Ministerial Council was the primary forum for annual high-level political dialogue between the United Kingdom and the overseas territories and had a mandate to monitor and advance collective priorities, in the spirit of partnership.

57. She went on to say that, in the communiqué adopted at the sixth meeting of the Joint Ministerial Council, the Governments of the United Kingdom and the overseas territories had reiterated their commitment to a modern political partnership and their continued support for the constitutional arrangements in the territories, under which powers were devolved to the maximum extent possible consistent with British sovereignty.

58. She stated that her Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their peoples and that territorial Governments were expected to meet the same high standards as the Government of the United Kingdom in maintaining the rule of law, respect for human rights and integrity in public life, delivering efficient public services and building strong and successful communities and were being supported by her Government in those areas. She explained that her Government was fully committed to involving all overseas territories in the negotiations on leaving the European Union. To that end, the administering Power had established a joint ministerial committee on European Union negotiations to discuss the priorities of the overseas territories.

## **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**

59. At its 3rd meeting, held on 17 June 2019, the Committee approved a visiting mission to Montserrat, to be dispatched on dates to be identified, in consultation with the administering Power and the Territory. At the same meeting, the Committee adopted a draft resolution on the question of sending visiting and special missions to Territories ([A/AC.109/2019/L.5](#)), by which it requested the Chair, in collaboration with members of the Bureau, to continue consultations with the United Kingdom, with a view to dispatching a visiting mission to Montserrat. The visiting mission was dispatched from 17 to 20 December 2019 and included meetings in Antigua and Barbuda.

60. The Special Committee considered the question of Montserrat at its 8th and 9th meetings, held on 25 and 27 June 2019, respectively. At the 8th meeting, the then Premier of Montserrat made a statement. At the same meeting, statements were made by the representatives of Antigua and Barbuda and the Russian Federation (see [A/AC.109/2019/SR.8](#)).

61. At the 9th meeting, the Chair drew attention to the agreed text of draft resolution [A/AC.109/2019/L.17](#), which the Special Committee adopted without a vote, as orally revised (see [A/AC.109/2019/SR.9](#)).

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

62. At the 4th meeting, held on 10 October 2019, on the basis of a decision taken at that meeting, the Committee heard a statement on the question of Montserrat by the then Premier of Montserrat (see [A/C.4/74/SR.4](#)).

63. At its 9th meeting, held on 17 October, the Committee adopted draft resolution XI, entitled "Question of Montserrat", contained in chapter XIII 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 2019 ([A/74/23](#)), without a vote.

## C. Action taken by the General Assembly

64. On 13 December 2019, the General Assembly adopted, without a vote, resolution [74/105](#) 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 2019 ([A/74/23](#)) and on the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of Montserrat 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 Montserrat, 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 Montserrat 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 2010 Constitution of Montserrat and the work of the territorial Government with respect to moving forward to consolidate the gains provided for in the Constitution;

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

(f) Welcomed the Territory's participation in the work of the Organisation of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean;

(g) Encouraged the Territory to continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars;

(h) Called upon the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

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

(j) 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 Montserrat, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(k) Stressed the importance of the invitation extended by the territorial Government for a visiting mission by the Special Committee, called upon the administering Power to facilitate such a mission, and requested the Chair of the Special Committee, in collaboration with members of the Bureau, to continue consultations with the United Kingdom with a view to dispatching such a mission to Montserrat;

(l) 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;

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

(n) 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;

(o) Requested the Special Committee to continue to examine the question of Montserrat and to report thereon to the General Assembly at its seventy-fifth session and on the implementation of the present resolution.



## Annex

## Map of Montserrat

