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British Virgin Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 9 December 2019. Further details are contained in previous working papers, available from www.un.org/dppa/decolonization/en/documents/workingpapers.



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The Territory at a glance

Territory: The British Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Augustus Jaspert (since August 2017).

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: 31,197 (2017), of which 39 per cent are citizens, or “belongers”. The great majority of “non-belongers” hail from countries in the Caribbean region, North America and Europe.

Life expectancy at birth: 77.4 years; 74.4 years for men and 81.3 years for women.

Language: English.

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

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

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

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

Legislature: 15-member unicameral House of Assembly.

Gross domestic product per capita: \$36,808 (2017, Central Statistics Office).

Economy: Financial services and tourism.

Main trading partners: The United States of America, the United Kingdom and the Caribbean countries and territories.

Unemployment rate: 2.9 per cent (2015).

Monetary unit: United States dollar (\$).

Brief history: The earliest known inhabitants of the Territory were the Arawaks and the Caribs, indigenous peoples of the region. The Dutch established the first permanent European settlement in 1648. British planters took control of the islands in 1666, and the Territory attained the status of a British colony.

I. Constitutional, political and legal issues

1. In accordance with the Virgin Islands Constitution Order 2007, the British Crown appoints a governor whose responsibilities include defence, internal security, external affairs, the terms and conditions of service for persons in the public service and the administration of the courts. In some areas of external affairs that relate to certain matters falling within ministerial portfolios, the Constitution provides for the territorial Government to have delegated responsibility. The United Kingdom of Great Britain and Northern Ireland has reserved powers to make laws for the peace, order and good government of the British Virgin Islands. In terms of external relations, the territorial Government is entrusted to negotiate treaties in specific areas, such as matters related to the offshore financial services industry.

2. The 2007 Constitution provided for a more formally structured cabinet-style Government for the executive branch. The Cabinet consists of the Governor; the Premier, appointed by the Governor from among the locally elected members of the House of Assembly; four other Ministers, appointed by the Governor on the advice of the Premier; and one ex officio member, namely, the Attorney General. The Governor presides over the Cabinet but does not have a voting right. The agenda is agreed upon by the Cabinet Steering Committee, consisting of the Governor, the Premier and the Cabinet Secretary. The House of Assembly consists of a Speaker, the Attorney General (ex officio) and 13 elected members – 9 from one-member electoral districts and 4 representing the Territory at large.

3. General elections are constitutionally mandated to be held at least once every four years. Candidates are elected on the basis of a simple majority. Persons voting must be 18 years of age or over and have “belonger” status. Belonger status includes the right to work without a permit and the right to vote. In practice, a person must reside continuously in the Territory for 20 years before he or she may apply for permanent residence and, subsequently, belonger status. The most recent general election was held on 25 February 2019. The Virgin Islands Party, led by Andrew A. Fahie, won 8 of the 13 seats. The National Democratic Party won three seats, the Progressive Virgin Islands Movement one seat and Progressives United also one seat.

4. The law of the British Virgin Islands comprises the common law of England and legislation that is enacted either by the territorial legislature or by the United Kingdom on behalf of the Territory. The judiciary is administered by the Eastern Caribbean Supreme Court, which is headquartered in Saint Lucia. It consists of the High Court of Justice and the Court of Appeal. There is a magistrates’ court, which hears prescribed civil and criminal cases, a juvenile court and a court of summary jurisdiction. There are three resident High Court judges and a visiting Court of Appeal, which comprises the Chief Justice and two judges of appeal and sits twice a year in the Territory. The Privy Council of the United Kingdom is the final court of appeal. The British Overseas Territories Act 2002 provides for the granting of British citizenship to “British Overseas Territory citizens”.

5. On 6 November 2018, the Government of the British Virgin Islands submitted written evidence to the Foreign Affairs Committee of the House of Commons of the Parliament of the United Kingdom, within the framework of the inquiry entitled “The future of the UK Overseas Territories”. In the document, the territorial Government stated that a constitutional review was now due, after more than a decade since the adoption of the Virgin Islands Constitution Order 2007. It also referred to the decision by the United Kingdom to impose public registers of beneficial ownership on its overseas territories by threat of Order in Council (see para. 15 below) as a departure from conventional United Kingdom policy towards the British Virgin Islands, which had an impact on their relationship and the right to self-determination. A new and

fundamentally different “constitutional construct” was required, one better suited to the strategic goals and aspirations of the Territory. The territorial Government was calling for a constitutional review to determine those desires and aspirations so that the Territory could move towards greater self-governance and to a deepening of the democratic institutions of government, as well as to enhance good governance, transparency and accountability.

6. At the Caribbean Regional Seminar on Decolonization, held from 2 to 4 May 2019, the Premier of the British Virgin Islands stated that, in recent years, the relationship between the administering Power and the Territory had become increasingly strained, as the United Kingdom had become more and more intrusive in areas of governance constitutionally devolved to the Territory’s democratically elected Government. He added that there had been a number of worrying developments over the course of that decade, which had signalled a rolling back of the progress that had been achieved earlier. He stated that the Territory was due for a constitutional review. Moving forward, the territorial Government would seek a relationship that required the international accountability provided for by the decolonization framework of the United Nations. Accordingly, in support of the Territory’s national development objectives and in line with the Sustainable Development Goals, the Territory wished to deepen its relationship with the United Nations. In their concluding observations, the participating members of the Special Committee welcomed the statement of the Premier that the Special Committee had a meaningful role to play and the proposals put forward to the Committee to facilitate a self-governing assessment of the Territory, evaluating any democratic deficiencies in the relationship between the Territory and the administering Power; dispatch a visiting mission to the Territory; facilitate an education campaign on self-determination to raise awareness on the range of options besides independence; and sit in as an official observer on public deliberations during the Territory’s next constitutional review.

7. At the 9th meeting of the Special Committee, held on 27 June 2019, the representative of the British Virgin Islands stated that the Territory’s main priorities were recovery from the damage caused by Hurricanes Irma and Maria, in 2017, and sustainable development. The United Kingdom had continued to provide assistance since the hurricanes had struck. The representative added that the Territory wished to deepen its relationship with the United Nations through a proposed comprehensive partnership agreement, under which technical assistance would be provided for its national development plan.

8. The representative of the British Virgin Islands stated that the United Kingdom had been a good partner to the Territory and that there had been positive exchanges on financial services. However, the Territory took issue with the proposal contained in a report issued by the Foreign Affairs Committee of the House of Commons in February 2019 to set up public registers of beneficial ownership in the British Virgin Islands and other overseas territories without the consent of the British Overseas Territories, including the British Virgin Islands. The Government of the United Kingdom had, however, acknowledged that the British Virgin Islands, with its beneficial ownership secure search system, was at the forefront of efforts to safeguard the global financial system. The Government of the United Kingdom had confirmed that it would not use orders in council to enforce the creation of public registers, impose the legalization of same-sex marriage or alter belonging citizenship status.

9. Aware that the Third International Decade for the Eradication of Colonialism would end in 2020, and without any intention to embarrass the United Kingdom, the British Virgin Islands had expressed to the United Nations that the Territory needed a Fourth International Decade because the Territory would need more time and support to consider a better status on the ladder of self-determination. The representative of

the British Virgin Islands explained that, although independence from the United Kingdom was not a priority for the Government of the Territory, the people should be aware of their options, such as free association, in particular in the context of the constitutional review that was due to be performed in 2020. He requested that the Special Committee send a visiting mission to the Territory.

II. Budget

10. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to information provided by the administering Power at the beginning of 2019, recurrent expenditure for the same year was expected to reach \$331.7 million, while capital expenditure was budgeted at \$73.4 million. The sum approved in the 2019 budget for recurrent expenditure was \$331.33 million. Total recurrent expenditure for 2019, based on estimates, is expected to be \$293.45 million.

III. Economic conditions

A. General

11. The two main pillars of the economy of the Territory are tourism and offshore financial services. The Territory's Ministry of Finance projected that the total size of the economy of the British Virgin Islands, measured by gross domestic product (GDP) in nominal terms, would reach \$1.3 billion at the end of 2019. The figure reflected an increase in growth of between 1 and 2 per cent compared with 2018.

12. During the period from 7 August to 19 September 2017, the British Virgin Islands were affected by an unprecedented flood event and two (previously rare) category 5 hurricanes – Hurricane Irma and Hurricane Maria. The Territory experienced catastrophic levels of damage in the amount of an estimated \$3.6 billion in the entire economy, equivalent to more than three and a half times the annual GDP. The sustained performance of the financial services industry helped to cushion the impact of the notable decline in tourism and other industries after the devastating events of 2017. According to the written evidence submitted by the territorial Government to the Foreign Affairs Committee, GDP was forecast to decline by 40 per cent in 2018 as a consequence of the hurricanes and was expected to take a minimum of five years to return to pre-Hurricane Irma levels. As outlined in the 2020 budget address, as a result of increased investment in public services and infrastructure, as well as the full recovery of the tourism sector, expected to be achieved by the 2020–2021 tourist season, the territorial Government anticipated real GDP growth in 2020 to range between 1 and 3 per cent. According to the territorial Government, the growth expectations would continue to be tempered by downside risks to the financial services sector from increasing regulations, competition and changing client expectations.

13. According to a damage and loss assessment conducted by the Economic Commission for Latin America and the Caribbean presenting the economic effects and other impacts of Hurricanes Irma and Maria, approximately 17,985 persons were affected primarily as a result of damage to their homes and other possessions. There were four deaths in the Territory and about 125 related injuries after Hurricane Irma; no casualties were reported for Hurricane Maria. The total cost of Hurricane Irma in the British Virgin Islands was estimated at \$2.3 billion. The productive sectors accounted for 41.9 per cent (\$691.6 million) of the total damage, followed by the social sectors, 40.2 per cent, and infrastructure, 17.6 per cent.

14. Following the extreme weather events that hit the Territory in 2017, the Disaster Recovery Coordinating Committee produced a preliminary recovery and development plan, which was discussed in consultation with stakeholders and the general public. In July 2018, the Committee published a document presenting its Recovery to Development Plan, which includes recovery and development projects, programmes and policy initiatives. While the Plan focuses on the recovery of the Territory, it also lays the foundation for a comprehensive development plan. The Plan contains five priority sectors and subsectors for achieving the vision for the Territory that is set out in the document: cohesive and empowered society; vibrant and innovative economy; resilient infrastructure; nurtured and sustainable environment; and good governance. The Plan was passed by the Third House of Assembly on 23 October 2018. The territorial Government established the Recovery and Development Agency through the Virgin Islands Recovery and Development Agency Act. The Agency has a limited five- to seven-year mandate and, in consultation with the territorial Government, will implement priority projects contained in the Plan.

15. In a message delivered on the first anniversary of the passing of Hurricane Irma, the Premier and Minister of Finance said that the disaster of 2017 had raised awareness about preparedness and the critical need for longer-term environmental protection. While significant strides had been made in rebuilding the Territory's infrastructure and utilities, much more was planned. He also underlined the progress made towards recovery in the tourism and finance sectors, as well as with regard to human and social services. According to the Medium-Term Fiscal Plan 2019–2021, the economy of the British Virgin Islands has shown signs of recovery following the impacts of the devastating storms that hit the Territory in 2017. The incorporation and reregistration of companies have continued, the construction industry is booming, the arrivals of tourists are increasing and employment figures are improving. However, there is still significant work to be done on the roads, schools, ports, water and sewerage infrastructure and public buildings.

B. Financial services

16. According to the Medium-Term Fiscal Plan 2018–2020, the challenges faced by the financial services industry in 2016 were evident in the notable decline in new company incorporations. Even though new company incorporations fell by about 30.8 per cent in 2016, the sustained performance of re-registrations and other company transactions meant that overall economic activity and revenue from companies did not face as steep a decline as they might have done. Incorporations and revenue figures for 2017 demonstrated a modest recovery from the challenges faced in 2016, despite the passage of two category 5 hurricanes in September 2017. Some businesses in the financial services sector were able to relocate operations outside the Territory in the aftermath of the hurricanes. The territorial Government facilitated the return of these businesses to assist in stabilizing the economy and strengthening the economic recovery. A total of 389,459 active companies were registered at the end of 2017.

17. In April 2016, the British Virgin Islands concluded a bilateral arrangement with the United Kingdom on the reciprocal exchange of beneficial ownership information. The arrangement came into effect in June 2017 and allows law enforcement authorities to have near real-time access to beneficial ownership information on corporate and legal entities incorporated in the respective jurisdictions. According to the Medium-Term Fiscal Plan 2019–2021, an increase of 2.3 per cent in new company incorporations was recorded in 2017 in comparison with 2016, with a 9.8 per cent increase recorded when comparing the last quarter of both years. At the end of 2017, however, there were fewer active companies on the register than at the end of 2016.

(389,459), indicating a decrease of 6.6 per cent in total active companies on the register. In 2018, new company incorporations were up by 17.4 per cent by October in comparison with the same period in 2017, and the total number of active companies on the register stood at more than 380,000 during the same period. The launch of Bank of Asia as a digital financial services provider, in conjunction with enacted legislation on the formation of micro-businesses and revised legislation on limited partnerships in 2018, assisted in buttressing the industry and providing opportunities for future growth.

18. 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.

C. Tourism

19. According to the Medium-Term Fiscal Plan 2019–2021, the recovery of the tourism sector has been slower than that of other sectors of the economy owing to its heavy reliance on physical infrastructure still under reconstruction. An analysis of tourist arrival numbers reveals that the monthly decrease in total tourist arrivals gradually moved from 96.8 per cent in September 2017 to a comparative decrease of 40.6 per cent in August 2018. In 2017, total tourist arrivals decreased by 33.6 per cent, with a particularly notable decrease in cruise and day trip arrivals, at 41.2 per cent. The marked decrease in cruise arrivals continued into 2018, with such arrivals down 84.6 per cent to October 2018.

20. Major cruise lines resumed operations in the Territory in late summer 2018, thereby stimulating the cruise tourism sector, which had been particularly negatively affected by the storms. Of total arrivals, overnight arrivals in August 2018 decreased by only 28.4 per cent in comparison with August 2017. The positive development in overnight arrivals was driven by increased activity in the charter boat industry as the recovery of that industry took hold. In the first half of 2019, there was a 75.9 per cent increase in cruise tourist arrivals compared with the same period in 2018.

D. Agriculture and fisheries

21. According to the administering Power, agriculture and fishing accounted for approximately 1.45 per cent of the Territory's GDP in 2014. Most food requirements are met through imports from the United States 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.

22. The Virgin Islands Fisheries Act, 1997, and Fisheries Regulations, 2003, govern commercial, pleasure and sport fisheries, which serve the local market mainly.

23. According to the Recovery to Development Plan, the fisheries sector was adversely affected by the hurricanes in 2017, from both a supply and a demand standpoint. The Territory's fishing complex sustained structural damage to the building, and most equipment was lost. The total cost to fisheries was estimated at \$2.9 million. The agricultural industry was severely affected by Hurricanes Irma and

Maria, which destroyed farm structures (such as pens and slaughterhouses), fencing, roads, equipment, water tanks, crops, trees and other agricultural inputs. The total cost to the agricultural subsector was estimated at about \$10.7 million.

E. Communications and infrastructure

24. 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 of America. 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.

25. The extension of the cruise pier in Tortola, along with landside development, which had commenced in 2014, was completed in early 2016 and commissioned for service in March 2016.

26. Physical planning in the British Virgin Islands is governed by the Physical Planning Act of 2004, under which all development in the Territory must be approved by the Physical Planning Authority.

27. Broadband telecommunications, including Internet service, is available throughout the Territory. There are three major service providers, which are governed by a telecommunications regulatory regime established in 2006.

28. According to the Recovery to Development Plan, the road infrastructure on the major islands was severely affected by Hurricanes Irma and Maria and the earlier floods. The estimated damage to roads and sea walls was approximately \$69.0 million. Terrance B. Lettsome International Airport sustained the most damage. The total cost associated with the damage to the roads, airports, ports and transportation equipment was \$274.4 million. The water distribution system (especially service lines) and pumps were severely damaged, thus affecting the distribution of water to households. The interruption of power to all the islands prevented the production of water at desalination plants for long periods of time, affecting the supply of water to households and businesses. In terms of sewerage, the main pumping station in Road Town was damaged, and the sewerage treatment plants at Burt Point and Cane Garden Bay were not functioning as a result of electrical power issues. Overall damage and other costs to the water and sewerage sector were estimated to exceed \$63.9 million. In the telecommunications sector, the majority of damage sustained by the telecommunications network was to above-ground wire and cables, antenna masts, satellite dishes and cell towers. The sum of damage, losses and additional costs from Hurricane Irma was estimated at \$66.7 million.

29. According to the Medium-Term Fiscal Plan 2019–2021, the infrastructure priorities during the recovery include electricity, roads, ports and water and sewerage systems. Electricity works include the installation of new poles, transformers and transmission lines, as well as the introduction of renewable energy sources into the main electricity grid over the longer term. Road reconstruction projects are expected to be carried out throughout the Territory. The main port facilities are being restored: in May 2018, the Road Town ferry terminal was re-opened, and other ports are being redeveloped. Upgrading and enhancing the water distribution network is also part of the rebuilding efforts. The implementation of the National Sewerage Project is continuing, while other infrastructural developments include repairs to public buildings, such as courts, and the restoration and expansion of the information and communications technology infrastructure. Damaged telephone and Internet service infrastructure will be replaced.

IV. Social conditions

A. Labour and immigration

30. According to the Medium-Term Fiscal Plan 2018–2020, the total number of persons employed in 2016 increased by approximately 2.0 per cent from the total number in 2015, which was 20,029. Average earnings increased by approximately 1.2 per cent in 2016, up from \$26,748 in 2015. Gini coefficients demonstrated reduced inequality in the labour force between 2014 and 2015, with lower Gini coefficient values in 2015 than in 2014 for both men and women. However, between 2015 and 2016, only the Gini coefficient for women showed an improvement, with increased wage inequality among men and in the overall figures. From 2014 to 2016, the Gini coefficient values for both men and women decreased. The wage dynamics for 2015 and 2016 revealed that the proportion of women in the low-income category of earnings was higher than the proportion of men in that category, and the proportion of men in the middle-income and high-income categories of earnings was higher than the proportion of women in those categories from 2014 to 2016. This, in addition to average earnings figures, suggests a disparity between women's earnings and men's earnings in the labour market. The level of the Gini coefficients, along with the growing disparity in earnings between men and women point to a widening gender pay gap.

31. According to the administering Power, in the months following the storms, a shift had occurred in the employment profile of the Territory, with overall employment numbers expected to fall owing to a decrease in the number of persons employed in accommodation and services, which was offset in part by an increasing number of persons working in the construction industry. In the years before the storms, an average of 9.4 per cent of employed persons had worked in the construction industry and 12.5 per cent in accommodation and food services. The percentages had shifted in 2018, with more persons employed in construction than in accommodation and food services. The shift mirrored the movement in contribution of those economic activities to the economy in terms of gross value added.

32. 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 at 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. On 8 January 2018, the Immigration Department of the territorial Government announced that a multi-year entry permit would be granted to eligible individuals. Government-contracted employees, employees of statutory bodies and persons who have been granted an indefinite work permit exemption and have lived in the Territory consistently for five years or more would be eligible for a multi-year entry permit. The multi-year entry permit would be granted in three-year intervals, as opposed to an annual permit, and would be given after the expiry date of the individual's present entry permit.

B. Education

33. The education system in the Territory 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.

34. 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.

35. 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.

36. According to the Recovery to Development Plan, the hurricanes in 2017 had caused considerable damage, mainly to the public school infrastructure. In all, 6 of the 18 public schools had been destroyed and rendered unusable, and the others had sustained mild to moderate damage to roofs, windows and doors. The main secondary school, Elmore Stoutt High School, had lost most of its buildings and needed to be reconstructed. Private primary and secondary schools had sustained some damage, but were, for the most part, usable. The only tertiary institution, H. Lavity Stoutt Community College, had suffered major damage to its main building and to its Virgin Gorda satellite campus. The total cost to the education sector had been estimated at approximately \$60.0 million.

37. Thanks to the contributions of various donors, and according to the administering Power, the Territory was able to restore several schools damaged in the 2017 hurricanes. All of the primary schools except Isabella Morris Primary School, are fully functional in refurbished buildings or have been rebuilt at the same locations. The special needs facility has not been restored, and the school continues to be housed at Althea Scatliffe Primary School. Elmore Stoutt High School and Bregado Flax Educational Centre, another secondary school, have been partially restored, while temporary spaces are still being utilized. Secondary schools had returned to regular hours as of the 2019/2020 school year.

C. Health

38. 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.

39. According to information from the Pan American Health Organization, zika, chikungunya and dengue fever are health issues of concern for the Territory's health system. The first case of zika was reported in July 2016, with 22 confirmed cases as at September 2016. Chikungunya was introduced in 2014, and 47 cases have been confirmed in the Territory. The number of dengue cases spiked in 2012, but showed a significant decline in 2014 and 2015; there were 710 reported cases of dengue fever between 2010 and 2015. Malaria is not endemic, and no imported cases were reported. Chronic, non-communicable diseases, mainly cancer, diabetes and hypertension, contribute significantly to morbidity and mortality in adults. The prevalence of obesity, owing mainly to a sedentary lifestyle and a diet high in processed or refined foods, is one of the leading health risks for chronic conditions in the British Virgin Islands, where it primarily affects women and children. The Ministry of Health and Social Development is implementing a 10-year strategy for the prevention of chronic

non-communicable diseases that relies on a multisectoral approach. No maternal deaths have been recorded in the Territory in the past 10 years. There are no training facilities, so health professionals are trained elsewhere in the Caribbean, the United Kingdom and the United States. In order to fill the necessary health personnel positions in the public and private sectors, staff are recruited from the Caribbean, the United States, Canada, the Philippines and some African countries.

40. According to the Recovery to Development Plan, the hurricanes in 2017 had a considerable effect on the delivery of health services owing to significant impacts on the Territory's health infrastructure, including equipment and vehicles, and on its personnel. While operations at the sole public hospital, Peebles Hospital, continued uninterrupted despite some structural damage, the network of community health clinics, with a few exceptions, suffered significant damage, and four were closed for repairs. The private hospital on Tortola, Bougainvillea Clinic, and private medical clinics also sustained significant damage.

D. Crime and public safety

41. In the first half of 2019, there was a decrease in reported crimes, a continuing trend from 2018. However, at the beginning of the fourth quarter, a slight increase in reported crimes (1 per cent) was registered compared with 2018, notwithstanding a significant reduction in violent crimes. The main areas of concern were domestic violence and assaults.

42. In 2019, the usual 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. The territory law enforcement agency benefited from a number of capacity- and capability-related training sessions funded by the administering Power in the aftermath of the 2017 hurricanes, in the areas of firearms and public order. Furthermore, 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.

E. Human rights

43. 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.

44. A national policy on gender equity and equality, was adopted in 2013, complementing the Domestic Violence Protocol, which was approved by the Cabinet in November 2010. The Domestic Violence Act 2011, which came into force on 31 October 2012, broadens the definition of domestic violence to include economic abuse, intimidation, harassment, stalking and damage to and destruction of property, while offering protection to persons in visiting relationships. The Partnership for Peace is a 16-week court-connected violence prevention, psychoeducational programme for men who are abusive towards women. In October 2011, the Cabinet approved the After-Support Programme for men who have completed the Partnership for Peace Programme.

V. Environment

45. The British Virgin Islands has acceded to several multilateral environmental agreements, 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.

46. In 2014, the territorial Government passed legislation to establish a permanent shark sanctuary in its territorial waters and prohibit commercial fishing of all shark and ray species throughout those waters. According to the Government, there are approximately 51 designated protected areas in the current system of protected areas, including national and marine parks, fisheries protected and priority areas, a forestry reserve (Sage Mountain National Park) and water areas. Depending on their designation, protected areas are currently managed by the National Parks Trust or the Department of Agriculture and Fisheries.

47. According to the Pan American Health Organization, the management of solid waste is a critical issue in the British Virgin Islands. The Territory has little land available for landfill use, and the situation is aggravated by the rolling terrain, which makes it difficult and expensive to engineer landfills. The Territory has experienced a threefold increase in waste volume in the past decade; waste is either dumped or incinerated, while recycling facilities are being established on a pilot basis. Waste disposal is handled mainly through incineration at the Pockwood Pond incinerator on Tortola, which has a 100 ton/day capacity, with additional landfills on the main islands of Tortola, Virgin Gorda and Anegada.

48. According to the Recovery to Development Plan, the Territory's natural resources sustained considerable damage from the disasters in 2017. Ecosystems such as coral reefs, mangroves, beaches, seagrass beds, salt ponds, *ghuts* and moist and dry forests were severely impacted by strong winds, storm surge, flood waters and associated sedimentation, pollution and debris.

VI. Relations with international organizations and partners

49. 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.

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

51. The Territory participates in meetings of the Inter-Virgin Islands Council between the British Virgin Islands and the United States Virgin Islands, with a view to addressing mutual interests and challenges and fostering and promoting cooperation between the two Territories. Topics addressed in the meetings include law enforcement, pleasure boating and sport fishing, other maritime matters, cooperation in tourism, energy and utilities and culture and education. The 8th meeting of the Council was held on Tortola on 4 February 2020. At the time of writing, the outcome of the discussions was not known.

52. The representative of the British Virgin Islands 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. 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. According to the administering Power, owing to the general election held in the United Kingdom on 12 December 2019, the seventh meeting of the 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 7th 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. Action taken by the General Assembly

59. On 13 December 2019, the General Assembly adopted resolution [74/101](#) 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 2019 ([A/74/23](#)) and the subsequent recommendation by the Fourth Committee. In that resolution, the General Assembly:

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

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

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

(d) Recalled the 2007 Constitution of the British Virgin Islands, and stressed the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

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

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

(g) Stressed that the Territory should continue to participate in the activities of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

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

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

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

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

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

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

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

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

Annex

Map of the British Virgin Islands

