



General Assembly

Distr.: General
11 December 2023

Seventy-eighth session

Agenda item 58

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Resolution adopted by the General Assembly on 7 December 2023

[*on the report of the Special Political and Decolonization Committee
(Fourth Committee) (A/78/429, para. 33)*]

78/89. Question of the British Virgin Islands

The General Assembly,

Having considered the question of the British Virgin Islands and examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2023,¹

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands² and other relevant information,

Recognizing that all available options for self-determination of the Territory are valid as long as they are in accordance with the freely expressed wishes of the people of the British Virgin Islands and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Expressing concern that, more than 60 years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,³ there still remain 17 Non-Self-Governing Territories, including the British Virgin Islands,

Conscious of the importance of continuing the effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2030 and the plan of action for the International Decades for the Eradication of Colonialism,⁴

¹ *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 23 (A/78/23).*

² A/AC.109/2023/4.

³ Resolution 1514 (XV).

⁴ A/56/61, annex.



Recognizing that the specific characteristics and the aspirations of the people of the British Virgin Islands require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Convinced that the wishes and aspirations of the people of the Territory should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Concerned by the use and exploitation of the natural resources of the Non-Self-Governing Territories by the administering Powers for their benefit, by the use of the Territories as international financial centres to the detriment of the world economy and by the consequences of any economic activities of the administering Powers that are contrary to the interests of the people of the Territories, as well as to resolution 1514 (XV),

Convinced that any negotiations to determine the status of the Territory must take place with the active involvement and participation of the people of the Territory, under the auspices of the United Nations, on a case-by-case basis, and that the views of the people of the British Virgin Islands in respect of their right to self-determination should be ascertained,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that, in order for the Special Committee to enhance its understanding of the political status of the people of the British Virgin Islands and to fulfil its mandate effectively, it is important for it to be apprised by the United Kingdom of Great Britain and Northern Ireland as the administering Power and to receive information from other appropriate sources, including the representatives of the Territory, concerning the wishes and aspirations of the people of the Territory,

Aware of the importance both to the British Virgin Islands and to the Special Committee of the participation of elected and appointed representatives of the British Virgin Islands in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the people of the British Virgin Islands with their inalienable right to self-determination and in gaining a better understanding of the options for self-determination, on a case-by-case basis,

Mindful, in that connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Welcoming the Pacific regional seminar on the theme “Innovative steps to ensure the attainment of the Sustainable Development Goals in the Non-Self-Governing Territories”, held by the Special Committee in Bali, Indonesia, and hosted by the Government of Indonesia from 24 to 26 May 2023, as a significant and forward-looking event, which enabled the participants to assess progress made and address challenges faced in the decolonization process, review the existing working methods of the Committee and renew its commitment to implementing its historic task,

Recalling the importance of the conclusions and recommendations adopted by the seminar, which are annexed to the report of the Special Committee and which outline the findings of the seminar, including, especially, the way forward for the decolonization process within the context of the proclamation by the General Assembly of the period 2021–2030 as the Fourth International Decade for the Eradication of Colonialism,⁵

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the Economic Commission for Latin America and the Caribbean, the Economic and Social Commission for Asia and the Pacific, the United Nations Development Programme and the World Food Programme, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organisation of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Noting the statement made by a representative of the Government of the British Virgin Islands at the 2023 Pacific regional seminar,⁶

Noting also the renewed invitation extended by the Premier to the Special Committee to send a visiting mission to the Territory in 2023,

Stressing the importance of regional ties for the development of a small island Territory,

Cognizant of the Territory's associate membership in the Caribbean Community, the Organisation of Eastern Caribbean States and the Association of Caribbean States,

Recalling with concern the devastating damage and impact caused in the Territory by Hurricane Irma and Hurricane Maria in 2017,

Noting the general elections that were held in April 2023,⁷

Recalling the establishment of the Commission of Inquiry by the Governor on 18 January 2021, and aware of the publication in April 2022 of the report of the Commission of Inquiry,

Taking note of the agreement of the administering Power to the proposal by the territorial Government of National Unity on the implementation of the recommendations of the Commission of Inquiry without the need for a temporary partial suspension of the Constitution,

Expressing concern that the administering Power put an Order in Council on hold to partially suspend the Constitution if the Government of the United Kingdom assesses that the implementation of the recommendations does not proceed satisfactorily,

Noting that the Constitutional Review Commission was established in 2022 to conduct a full review of the 2007 Constitution of the British Virgin Islands,

Recalling relevant resolutions adopted by the General Assembly in connection with the coronavirus disease (COVID-19) pandemic,

1. *Reaffirms* 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;

⁵ See resolution 75/123.

⁶ Available at www.un.org/dppa/decolonization/en/c24/regional-seminars/2023.

⁷ See A/AC.109/2023/4, "The Territory at a glance".

2. *Also reaffirms* that, in the process of decolonization of the British Virgin Islands, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is 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 calls 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;

4. *Recalls* the 2007 Constitution of the British Virgin Islands, and stresses 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;

5. *Calls for* full respect of the Constitution and the mutual agreement with respect to the recommendations of the report of the Commission of Inquiry, and calls upon all parties involved to maintain dialogue and work in partnership in the interest of the people of the Territory;

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

7. *Requests* 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 calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

8. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

9. *Stresses* that the Territory should continue to participate in the activities of the Special Committee, including regional seminars, in order to provide the Committee with up-to-date information regarding the decolonization process;

10. *Also stresses* 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;

11. *Calls 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 encourages the administering Power to facilitate visiting and special missions to the Territory;

12. *Also calls upon* the administering Power to facilitate a visiting mission to the Territory, and requests the Chair of the Special Committee to take all the steps necessary to that end;

13. *Reaffirms* 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 requests 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;

14. *Takes into account* the 2030 Agenda for Sustainable Development,⁸ including the Sustainable Development Goals, stresses 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 urges 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;

15. *Requests* 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 requests 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;

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

17. *Requests* the Special Committee to continue to examine the question of the British Virgin Islands and to report thereon to the General Assembly at its seventy-ninth session and on the implementation of the present resolution.

45th plenary meeting
7 December 2023

⁸ Resolution 70/1.