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FOURTH INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Caribbean regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism: charting a dynamic course for decolonization in commencing the Fourth International Decade and in the light of the coronavirus disease (COVID-19) pandemic, through commitment to mandate, collaboration, pragmatism and agility

**Parish of St. John, Dominica
25 to 27 August 2021**

STATEMENT BY

DEPUTY PREMIER

MR. NATALIO D. WHEATLEY

(BRITISH VIRGIN ISLANDS)

**C-24 REGIONAL SEMINAR ON DECOLONISATION
CABRITS RESORT & SPA – KEMPINSKI
DOMINICA
Tuesday 25th August 2021**

**DR. THE HONOURABLE NATALIO D. WHEATLEY
DEPUTY PREMIER OF THE BRITISH VIRGIN ISLANDS**

INTERVENTION

SALUTATIONS & OPENING REMARKS

Her Excellency Ambassador Loreen Bannis Roberts, The Commonwealth of
Dominica Permanent Representative to the United Nations

Her Excellency Ambassador Keisha McGuire, Chair of the Committee of 24;

Excellencies;

Distinguished delegates;

Ladies and gentleman

Good morning.

Madam Chair, let me begin by thanking our gracious host country, the
Government and People of the Commonwealth of Dominica, for receiving us on
this most important occasion as we resume the annual practice of holding a
regional seminar on decolonisation.

Ambassador Roberts, we are very conscious that the Government is extending its
excellent hospitality against the backdrop of the recent COVID-19 spike here on
the island. The British Virgin Islands greatly appreciates the sacrifice you are
making to give us and the other representatives of the Non-Self-Governing
Territories (NSGTs), an opportunity to further update this committee on the
progress of decolonisation in our respective Territories, with a view to achieving a
full measure of self-government.

Madam Chair, I would also like to take this opportunity to thank you and the Bureau, as well as the wider committee and Secretariat, for your determination to have this regional seminar after its initial postponement. We are most grateful for your continued perseverance in taking the work of the Special Committee forward, even in the face of the health and logistical challenges posed by COVID-19.

BVI POSITION ON DECOLONISATION

Before I provide an update on the situation of the British Virgin Islands, I would like to restate our position on the question of decolonisation. We share the general view of this committee that the last vestiges of colonialism must be brought to a decisive and orderly end by the close of this decade. Right here in the Caribbean, the decolonisation process remains incomplete. Renewed attention is needed by this committee on the challenges the NSGTs in this region. More can and should be done to accelerate the decolonisation of the seven Caribbean NSGTs located in this part of the world, among whom are the low hanging fruit for greater self-determination. It cannot be assumed that the status quo is the end of their political journey. Nor should anyone be seeking to legitimize the classification of Overseas Territory as a long-term political status in which the status quo is described as a modern partnership. This simply masks the colonial dimension of the NSGTs' relationship with the Administering Powers and avoids completing the decolonisation agenda.

FOCUS ON IMPLEMENTATION

This is the first regional seminar since the UN proclaimed the Fourth International Decade on the Eradication of Colonialism. It is our collective responsibility to ensure that this international decade is different from the previous three. Over the course of the next ten years, we must make substantial progress toward the ultimate goal of the NSGTs attaining a full measure of self-government. Achieving this will require putting much more time, energy, and resources into implementation of resolutions and decisions, not just adopting them. The political

complexities involved in the process will certainly require creative and innovative approaches to achieve the outcomes we genuinely desire.

This Special Committee on Decolonisation, and the UN more broadly, have an essential role to play in both facilitating and supporting a decisive and orderly decolonisation process. The people of the NSGTs are depending on you to provide some measure of international accountability in the relationship between the Administering Powers, the NSGTs and the UN itself. This remains a necessary function to encourage all parties concerned to engage constructively in accelerating the self-determination of the NSGTs. In this regard, I would like to update you on the efforts being made by the duly elected Government of the British Virgin Islands, before sharing our very real concerns about the possibility of self-governance being rolled back in the Territory.

PROGRESS ON SELF-DETERMINATION

Excellencies, ladies and gentleman, the British Virgin Islands' approach to self-determination is comprehensive in scope. We are simultaneously rebuilding from hurricanes Irma and Maria, strengthening climate resilience, pursuing sustainable development, building internal capacity, improving our governance framework, and raising public awareness about self-determination to prepare for a Constitutional Review.

We are well supported in several of these areas by the UN system, especially where it concerns sustainable development. Just over a week ago, we signed the first ever annual Country Implementation Plan (CIP) with the UN Resident Coordinator Office for Barbados and the Eastern Caribbean. The plan is the official framework for cooperation between the UN and British Virgin Islands on sustainable development.

In addition, our Memorandum of Understanding (MOU) on Cooperation signed with UNDP late last year remains in force and is bearing great fruit. ECLAC will submit an official draft of a National Sustainable Development Plan for the British Virgin Islands by the end of September.

For the avoidance of doubt Madam Chair, we are not only benefitting from cooperation with the UN system, but we are actively engaged with our UN partners wherever possible to help support the sustainable development of the entire Latin America and the Caribbean region. For example, we are a Vice Chair of ECLAC's Caribbean Development and Cooperation Committee (CDCC). We are also a Vice Chair of ECLAC's Regional Conference on Social Development. In addition, the Government has given substantial input to the UN's development of its forthcoming Multi-Country Sustainable Development Cooperation Framework (MSDCF) for the Caribbean that will run from 2022-2026.

Madam Chair, the British Virgin Islands is shouldering its share of regional responsibility to help shape a partnership between the UN and the Caribbean that is responsive to the vulnerabilities of Small Island Developing States (SIDS).

CONCERNS OF THE BRITISH VIRGIN ISLANDS

Excellencies, while it pleases me to share this progress on self-determination, please permit me to share with you the very real concerns that we have about the possibility of self-government being rolled back in the Territory.

As many of you will recall, at the C-24 session in New York in June, I spoke at length about the United Kingdom (UK)-backed Commission of Inquiry in the British Virgin Islands that was called by the former Governor before he demitted office in January. You also likely heard the powerful intervention given by His Excellency Ambassador Aubrey Webson of Antigua and Barbuda, who is also the Chair of AOSIS, in which he supported the self-governance and right to self-determination by the people of the British Virgin Islands. Furthermore, he reiterated the Caribbean Community's (CARICOM) concerns about the manner in which the Commission of Inquiry was announced with no prior consultation with the duly elected Government, civil society or business community.

Madam Chair, by the conclusion of the session in New York, this committee had adopted a draft UN resolution on the question of the British Virgin Islands, which reaffirms the inalienable right of the people of the Territory to self-determination. The resolution also states that it is the people of the British Virgin Islands who

must freely determine their future political status. The resolution acalls for continued constitutional discussions between the Administering Power and the British Virgin Islands to accord greater responsibility to the Territory Government.

Excellencies, the British Virgin Islands very much welcomed the adoption of the draft UN resolution and we are grateful for your support. We also thank CARICOM for officially endorsing the resolution at its 42nd Regular Meeting of the Conference of the Heads of Government in July, and for also restating their concerns about the UK-backed Commission of Inquiry that should not hinder the ability of the duly elected Government from continuing to perform its constitutional function. Again, I say thank you to the CARICOM Member States present and the other members of this committee.

UPDATE ON THE COMMISSION OF INQUIRY

In terms of where things currently stand with the Commission of Inquiry, it is important for you to know that the Governor, with the support of the UK Government, has extended the Commission of Inquiry by an additional six months, which means the process could continue until January 2022. Similar to the manner in which the inquiry was initially announced, the duly elected Government was not consulted on the extension. In our view, an adequate explanation has not been provided. There is not sufficient transparency on how decisions are being made by Commission of Inquiry. The decision to extend without consultation is particularly concerning, especially when it is well known that the inquiry is taking up a considerable time, energy and resources from the public service and hampering its ability to perform critical functions such as COVID response.

The resumption of the inquiry has been announced just as the recent outbreak has stabilized and vaccinations are modestly climbing through both UK donated AstraZenica vaccines and the availability of Pfizer, Modern and Johnson and Johnson vaccines in the US Virgin Islands, as agreed between the sitting Government and our closet neighbours. The resumption of the inquiry is also happening despite the fact that its legal team of seconded lawyers from the Foreign, Commonwealth and Development Office (FCDO) have not yet been

admitted to BVI bar. They have been practicing without such approval since January, which is a criminal offence in the Territory. It is yet to be seen if their pending applications for admission will be approved.

We are also concerned about a recent interview by the Governor, who when asked a question by a journalist, refused to provide assurances to the public that it is not the intention of the UK to suspend the constitution. Additionally, the Commissioner of Police, appointed by the Governor, in his own interview, clearly mentioned several things that he confirmed will be included in the Commission of Inquiry report. This is despite the process supposedly not reaching a conclusion as yet. All of this is very troubling and very worrying, especially given the UK's record of imposing direct rule in the Turks & Caicos Islands in 2009.

Madam Chair, as I said before, the sitting Government continues to cooperate with the Commission of Inquiry and is only seeking a just outcome. The process should not be used as a pretext by the UK to take away the autonomy of the local Government or as leverage to compel us to simply do as they wish as opposed to engaging in dialogue. Moreover, the sitting Government should be allowed to exercise the maximum degree of self-governance permitted under the constitution. We are within our rights to do so.

Furthermore, our plans for a Constitutional Review should not be impeded by the UK on the basis that they want to wait for the outcome of the Commission of Inquiry. The two things are mutual exclusive and the UK should not be planning to capitalise on the review as an opportunity to impose on us what they wish or to circumscribe the powers of the local Government. Rather, the aspirations of the Government and people of the British Virgin Islands should be the basis for any constitutional changes, which should proceed without delay.

REQUEST BY BRITISH VIRGIN ISLANDS

As I close, Madam Chair, I have two requests of the committee. First, the British Virgin Islands again restates our request for the C-24 to dispatch a visiting mission to the Territory before the end of 2021. The Government and people of the Territory will welcome this important step in which the UN would assess the

situation on the ground and provide an objective of local conditions and aspirations.

Second, as this committee further deliberates on the draft UN resolution on the question of the British Virgin Islands, we kindly ask that in reference to financial services, the committee keeps in mind that as a jurisdiction we have been assessed by the Financial Action Task Force (FATF) as compliant on anti-tax evasion, anti-money laundering and counter-terrorist financing. We also remain on the tax whitelists of the OECD Global Forum and European Union (EU). We would welcome if this could be reflected in some way in any amendments to the draft UN resolution.

CLOSING

Madam Chair, Excellencies, ladies and gentleman, I know I have spoken at length about the situation of the British Virgin Islands, but it was important for me to do so. We need your support to ensure balance in our relationship with the Administering Power. I trust that this committee will meet its responsibilities and help to find an amicable way forward.

Thank you for your attention and I look forward to the rest of the deliberations of this regional seminar.