



17th January 2024

William Wragg MP
Chair of the Public Administration and Constitutional Affairs Committee
House of Commons
London SW1A 0AA

Dear Mr. Wragg:

Re: UK-BVI Relations/Governance Reform

I hope that 2024 has started off well and that you will have a successful year ahead. I would like to sincerely thank you and the members of the Public Administration and Constitutional Affairs Committee (PACAC) for giving the British Virgin Islands and other Overseas Territories (OTs) the opportunity to participate in a roundtable discussion with you in the margins of the UK-OT Joint Ministerial Council (JMC) meeting in London in November last year. This was a most important opportunity to directly share our views about the constitutional relationship between the UK and OTs, which I hope will be helpful to your inquiry on the Status of the Overseas Territories in the 21st Century. I also hope the official written evidence submitted earlier by the Government of the British Virgin Islands will be helpful, which presented our position in greater detail.

At the conclusion of the JMC I was very pleased that the UK and OTs agreed a Joint Declaration for a modern partnership based on democratic principles and consultation. The elements of the Joint Declaration can indeed modernise the UK-OT relationship in several important ways, especially the UK and OTs working cooperatively as partners as opposed to the UK forcing positions on the OTs which in recent years has strained relations. I commend Minister for the Overseas Territories Hon. David Rutley MP for his strong leadership and partnership with the OTs in the development of the Joint Declaration and its agreement.

In terms of the UK's relationship with the British Virgin Islands, things significantly improved over the past year. Among other things, my Administration hosted the successful UK-OT Illicit Finance Dialogue Senior Officials meeting on Tortola. At COP28 I was most grateful for the UK's facilitation of my participation in the climate change meeting and that of other Overseas Territory (OT) Leaders and delegates who attended. The overall tone of the relationship was more positive largely on account of the constructive engagement of Minister Rutley.

My Administration's agenda since last year's successful General Election has been to continue building a model democracy in which the people of the British Virgin Islands thrive, and the society achieves its full potential. Toward this end, we have continued to advance the Framework for Implementation of the COI Recommendations and Other Reforms. The Governor and I, the Cabinet, House of Assembly and Government Ministries and Departments have worked tirelessly on implementing reforms and made good progress in this regard, while at the same time continuing to deliver public services and hurricane recovery. Understandably, work paused for several weeks last year after the House of Assembly was dissolved ahead of the free and fair General Election held in April without any incident. We have also done our best to support the Governor by providing additional resources to assist with the execution of his constitutional responsibilities, especially in the area of security where there are challenges with the police force and prison.

Demonstrable progress has been made by the Government in the reform process, which can be seen in procurement, social assistance, and other strengthened internal processes. The revision of timelines for some reforms was important to permit the Government and also the Governor to further advance the

33 Admin Drive, Road Town, TORTOLA VG1110
British Virgin Islands

Tel: (284) 468-2152 • Fax: (284) 468-3294 • Email: premier@gov.vg

reforms under our respective remits that remain in progress. The support provided by the UK has assisted us in our work for which we are grateful. Reform will continue to be a top priority of my Administration for the remainder of our term.

My colleagues and I remain firmly committed to good governance which we have demonstrated over the past twenty months, while working with the Governor in the spirit of partnership on reform. Significant progress has been made and there is still more work to be done. This is why we are highly alarmed by the recent request made by Governor H.E. John J. Rankin CMG for additional powers in his recent quarterly review on governance reform to empower him to directly act in areas of governance devolved to the elected arm of government. He has asked the UK Government for additional powers to permit the Governor to introduce legislation to the House of Assembly so that the Governor can pass legislation as he sees fit; take control of Ministries and Departments at his discretion that are under the constitutional responsibility of Ministers of Government; and exercise control over procurement regardless of decisions made by Cabinet within existing financial regulations.

His request is completely unnecessary and unjustified, and would damage the relationship between the UK and the Government and people of the British Virgin Islands. It has also caused alarm among the other OTs in the Caribbean and among the UK's Commonwealth partners in the region. The people of the British Virgin Islands have a legitimate expectation that the Government will consult the public on reforms affecting them, which is not always a quick exercise. In addition, where there are challenges in the implementation process, the UK, Governor and my Administration should continue working in partnership to improve and accelerate the implementation process. Democratic accountability should underpin delivery and the UK can provide additional technical assistance.

I have written to Minister Rutley and asked that he decline the Governor's request. It would not only go against the spirit of the recently agreed Joint Declaration between the UK and OTs, but would also hurt the UK's reputation in the Caribbean, Commonwealth and the world. I have encouraged him to stay true to the principle of democracy, equal rights, and self-determination as stated in the Joint Declaration. Minister Rutley's successful partnership-based approach would be the best way to continue advancing the implementation of governance reforms. I have requested an opportunity to discuss with him alternatives to granting the Governor additional powers and I am pleased that we will speak on 18th January. I would be most grateful if you would consider and support the position of the Government of the British Virgin Islands on this matter.

Finally, my colleagues and I remain firmly of the view that the UK Order in Council in reserve to suspend the constitution of the British Virgin Islands is unnecessary and does not reflect goodwill toward the people of the British Virgin Islands who cherish democracy. It is also not favourable for the UK's international reputation. Nevertheless, we endeavour to work together in partnership with the UK toward lifting the Order by May 2024 as set by the UK Government last year.

I would be most grateful if you would afford my Acting BVI Representative to the UK Ms. Tracy Bradshaw an opportunity to engage with you on the above on my behalf. I of course would be most happy for us to schedule a call so I can brief you further on the situation.

Mr. Wragg, I again want to thank you and the Members of the PACAC for your interest and support of the Overseas Territories. Please accept the assurances of my highest consideration.

Sincerely,



Dr. Hon. Natalio D. Wheatley
Premier