

FORUM: Special Political and Decolonization Committee (GA4)

QUESTION OF: Discussing the status of non-self-governing territories in the Caribbean

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POSITION: Main Chair

INTRODUCTION

Under Chapter XI of the Charter of the United Nations, the Non-Self-Governing Territories (NSGTs) are defined as territories whose people have not yet attained a full measure of self-government¹ and under this category fall seventeen territories located all around the world. These territories are under the administering authority of four countries, namely the United Kingdom, the United States of America, France, the Netherlands and New Zealand. Specifically seven of them are located in the Caribbean sea, which is a part of the Atlantic Ocean bounded by Central America, the West Indies, and South America.²



Figure 1³: Map of the Caribbean

All of these NSGTs have been constantly fighting for self determination, which under international law allows them to determine their own political and socio-economic status and take their own decisions regarding the development of their region, which isn't possible while being under the sovereignty of an administering power. Additionally, the population of

¹ United Nations. "Non-Self-Governing Territories | the United Nations and Decolonization." *Www.un.org*, 22 Sept. 2020, www.un.org/dppa/decolonization/en/nsgt.

² "Dictionary.com | Meanings & Definitions of English Words." *Dictionary.com*, 2023, www.dictionary.com/browse/caribbean-sea.

³ *Wikimedia.org*, 2024, upload.wikimedia.org/wikipedia/commons/9/98/Caribbean_general_map.png. Accessed 7 Sept. 2024.

these territories struggles with limitations made by their administering powers that affect them mostly in sectors such as the political and the economical.

Self-governance is crucial for each territory and its population due to the fact that it can benefit a region by giving it the opportunity to reach its full potential and evolve economically without being dependent. Moreover, each territory would have the opportunity to express its voice through a government that is based in the territory and is actually capable of representing the wants of the population while acting only in benefit of the region.

DEFINITION OF KEY TERMS

Administering Power

Discretionary powers of an executive nature that are conferred by legislation on government ministers, public and local authorities, and other bodies and persons for the purpose of giving detailed effect to broadly defined policy. Examples include powers to acquire land compulsorily, to grant or refuse licenses or consents, and to determine the precise nature and extent of services to be provided. Administrative powers are found in every sphere of public administration, including town and country planning, the regulation of public health and other environmental matters, the functioning of the welfare services, and the control of many trades, professions, and other activities.⁴

Autonomy

Free will; self-governing, ability of a person or a group to choose a course of action. Autonomy is a basic human right and is one of the principles of bioethics⁵

Non-Self-Governing Territories (NSGTs)

Territories whose people have not yet attained a full measure of self-government⁶

⁴ <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095351936>
(filenada dn me afini na to kano footnote gia kapiro logo)

⁵ "Autonomy." *Oxford Reference*,
<https://www.oxfordreference.com/display/10.1093/oi/authority.20110803095436282>.

⁶ United Nations. "Non-Self-Governing Territories | the United Nations and Decolonization." *Www.un.org*, 22 Sept. 2020, www.un.org/dppa/decolonization/en/nsgt.

Referendum

A vote in which all the people in a country or an area are asked to give their opinion about or decide an important political or social question⁷

Self-Determination

The right of a people living within a non-self-governing territory to choose for themselves the political and legal status of that territory. They may choose independence and the formation of a separate state, integration into another state, or association with an independent state, with autonomy in internal affairs. The systems of mandates and trusteeship marked a step towards recognizing a legal right of self-determination, but it is not yet completely recognized as a legal norm. It is probably illegal for another state to intervene against a liberation movement and it may be legal to give assistance to such a movement.⁸

Self-Government

Self-government is related to the concept of autonomy. It is the ability of an individual, a state, or a country to govern itself. Self-governing states are free from oversight by higher governments, including external influences. In other words, the political authority of a state comes from its citizens.⁹

Sovereignty

Sovereignty is a political concept that refers to dominant power or supreme authority. In a monarchy, supreme power resides in the "sovereign", or king. In modern democracies, sovereign power rests with the people and is exercised through representative bodies such as Congress or Parliament¹⁰

⁷ Cambridge Dictionary. "Referendum." @CambridgeWords, 25 Oct. 2023, dictionary.cambridge.org/dictionary/english/referendum#google_vignette.

⁸ "Self-determination." *Oxford Reference*, <https://www.oxfordreference.com/display/10.1093/oi/authority.20110803100453230>.

⁹ Study.com, 2022, [study.com/learn/lesson/self-government-concept-history-examples.html](https://www.study.com/learn/lesson/self-government-concept-history-examples.html).

¹⁰ Cornell Law School. "Sovereignty." *LII / Legal Information Institute*, 2019, www.law.cornell.edu/wex/sovereignty.

BACKGROUND INFORMATION

Historical Background

The history of the Caribbean colonization started with the arrival of Christopher Columbus in 1492, which gave way to the Spanish settling with the purpose of resource extraction and the use of the aboriginal population. Other European powers, such as France, Britain, and the Dutch, starting during the 17th century, established their colonies along the region, while Spain started to shift its attention to more profitable lands in the Americas. The need for labor in sugar plantations led to the transatlantic slave trade, which proportionately gained the attention of the Caribbean demographic and cultural landscape¹¹. Furthermore, different nations had different methods to manage their colonies, but there are common features of authoritarian leadership and legislation concerning the disregard of the regional culture.

In the 20th century, nationalist movements arose, which encouraged independence and self-government in tandem with post-World War II global sentiments toward decolonization. Throughout this time, most Caribbean islands attained independence and self-government, but others, such as the British Virgin Islands, Cayman islands and Montserrat remain under administrative control today and limited to no self-government.

Challenges

Political

Non-self-governing territories face many issues in their political scene due to various factors. First of all, the population lacks representation especially in the international community since in the majority of the NSGT the administering power is the one responsible for the international affairs of the region. Additionally since these territories are under the sovereignty of another country they have to follow the orders of its authority which can sometimes contradict the benefit of the local population. For example during the COVID-19 Pandemic the USA took some measures that its trust territory Puerto Rico had to follow, which severely damaged the economy of the territory. Lastly, the political scene in many

¹¹ National Museums Liverpool. "Slavery in the Caribbean." *National Museums Liverpool*, 2023, www.liverpoolmuseums.org.uk/archaeologyofslavery/slavery-caribbean.

NSGTs could be characterized with instability, since they are various political parties which aim at autonomy, in numerous ways which causes unnecessary tension between the locals.

Socioeconomic

The situation regarding the status of NSGTs has also severely impacted the socioeconomic sector in diverse ways. To begin with, the majority of NSGTs suffers from economic dependance from their administering authority, which means that their own economy is severely damaged and it's impossible for them to act independently and to develop in sustainable ways. Thus, many territories suffer from poverty which means that the local population has very limited access to necessities like education and health care and the infrastructures for both of them are in very inadequate conditions. Last but not least the most fundamental social challenge is that the population of the Caribbean NSGTs has very limited autonomy which limits them a lot especially in politics and prevents them from taking their own decisions and acting independently without the authority of another country.

Barriers to Self-Governance

Even Though all the NSGT in the Caribbean have been constantly trying to become self-governed they still face several barriers which are also standing in their way of achieving autonomy and self-determination. The majority of those barriers are based on the colonization that those territories have faced in the past, which later on led into the creation of the “administering authority” system. Even though this system was created in order to benefit these territories it also significantly impacted them in a negative way.

Many NSGTs are heavily economically dependent on their administering powers and as a result the local economy faces many challenges and can not act independently without the aid of administering countries. For example they are incapable of investing in ways that could develop the territory. Furthermore even though most NSGTs in the Caribbean have achieved self-governance up to a certain degree, such as Montserrat which has its own elected assembly while being under the administering power of UK, they are still under the sovereignty of their administering authorities and as result they are obligated to follow their decisions and laws instead of the ones made by the local government. Lastly, some territories struggle a lot in the political scene due to internal conflicts, which are also becoming an obstacle to achieving self-governance since they cause severe instability, among various political parties with different perspectives and ways on achieving self-governance.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

France

France has administering power over four Caribbean islands which are divided into two categories. Guadeloupe and Martinique which are overseas departments and Saint Barthélemy and Saint Martin which are overseas collectivities. Overseas departments are considered integral parts of France, and automatically also of the European Union. This advantage gives them the right to representation in the parliament of France and access to laws and benefits that EU members have, such as funds. On the other side, overseas collectivities have more political autonomy since they are allowed to have localized governance even though they are under French sovereignty. Nevertheless, France is considered to be an administering power who contributes in the economic development of all of its trust territories mostly through funding and aiding in infrastructure development.

Greenland

Since 1979 Greenland has been a self-governing territory, within the Kingdom of Denmark, after gaining autonomy through the Home Rule Act. International law guarantees Greenlanders the right to self-determination through an Act of Greenland on independence adopted in 2009. As permitted by the Danish Parliament, it recognises a wish for independence in Greenland and allows a referendum on full independence. Greenland's domestic affairs are managed by its own parliament and government, the latter of which is only subject to the Danish government in wide-ranging issues that include research for defense. Despite that, Denmark still harbors control over monetary policy and in military as well foreign issues.

United Kingdom

The United Kingdom is the administering power of various NSGTs such as Anguilla, Bermuda, the British Virgin Islands and more. Some of its territories have self-governance up to a certain degree but the UK is still responsible for fundamental things like security, foreign affairs and defense. Nevertheless, the United Kingdom is characterized by many as a very

helpful administering territory which always acts in benefit of its trust territory and tries to contribute to its development by fostering economic growth and including them in organizations and campaigns. It is also respecting the right to self-determination, by giving the opportunity to its territories to choose their own political status through allowing them to have their own governments, to take their own political decisions and intervene only if it is necessary.

United States of America

The United States of America is the administering authority of Puerto Rico and the US Virgin Islands. Although the populations living in these territories are considered US citizens, their voting rights in federal elections are restricted until Congress deems it appropriate. Puerto Rican political status is a topic of ongoing debate, possibilities include statehood, independence, or other status. Additionally, the current economic difficulties are prompting reform and federal funding debates, and federal democratic representation concerns have arisen due to exercising the federal oversight accorded to The Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA)¹². As the United States strives to balance geopolitical considerations and regional territorial disputes, they have been asked by the UN and the international community to address the issue and to come up with decolonization ideas, which until now they haven't achieved, and autonomous aspirations.

Caribbean Community

The Caribbean Community (CARICOM) is a grouping of twenty-one countries, fifteen Member States and six Associate Members¹³ established on July 4 1973 and mainly aims at supporting and helping its members to reach their full potential in various sectors like security, economy, social etc. The CARICOM has also significantly contributed in tackling the issue of NSGTs in numerous ways.

¹² Wicker, Roger F. "S.2328 - 114th Congress (2015-2016): PROMESA." *Www.congress.gov*, 30 June 2016, www.congress.gov/bill/114th-congress/senate-bill/2328.

¹³ CARICOM. "Who We Are." *CARICOM*, 2021, caricom.org/our-community/who-we-are/.

CARICOM is not only advocating for the rights of NSGTs regarding self-determination and independence but is constantly pressuring the international community and especially the UN to take action and help the territories to achieve independence . Furthermore the Caribbean community has provided NSGTs with capacity building assistance in order to support them in the preparation process for independence. Last but not least, the past years the community has observed and reported on the progress made by NSGTs towards self-governance and independence.

TIMELINE OF EVENTS

Date	Description of Event
1442	Arrival of Christopher Columbus
17th century	Establishment of european powers in the caribbean sea
20th century	Arise of nationalist movements, that encouraged independence
December 14 1960	Adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the United Nations General Assembly
December 15 1960	Resolution 1541 was passed
1961	Establishment of the Special Committee on Decolonization (C-24)
July 4 1973	Establishment of the Caribbean Community (CARICOM)
1979	Greenland became a self-governing territory
2007	Review and amendments on the British Virgin Islands Constitution
2009	Adoption of the Act of Greenland on independence

2023	Recommendations from CRC regarding the British Virgin Islands Constitution
May 14-16, 2024	The “2024 Caribbean Regional Seminar on Decolonization” took place in Caracas, Venezuela

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

UN General Assembly Resolution 1514

The Declaration on the Granting of Independence to Colonial Countries and Peoples was adopted by the United Nations General Assembly on 14 December 1960¹⁴. This declaration reaffirms the United Nations’ commitment to basic human rights, dignity, and equity highlighting the need for stability, welfare and peaceful associations founded on equal rights as well as self-determination.

It recognizes that people across the globe are determined to put an end to colonialism and therefore backs equality for all dependent nations to obtain their independence and freedom from foreign aggression including subjugation, domination or exploitation. It declares that there should be no political, economic, social or educational backwardness that can hinder or delay independence and calls for a stop of all repressive measures against dependent peoples¹⁵. It requires immediate actions on the transfer of power according to their will through adherence to national unity as well as territorial integrity.

UN General Assembly Resolution 1541 (A/RES/1541(XV))

On December 15 1960 Resolution 1541 was passed, highlighting the importance of authorities supporting and guiding NSGT's as they move towards self governance. It stresses

¹⁴ McWhinney, Edward. “Declaration on the Granting of Independence to Colonial Countries and Peoples.” *Legal.un.org*, 2008, legal.un.org/avl/ha/dicc/dicc.html.

¹⁵ United Nations. “Declaration on the Granting of Independence to Colonial Countries and Peoples.” *OHCHR*, 14 Dec. 1960, www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples.

the value of providing opportunities, such as scholarships and training programs to benefit the population. The resolution underlines that Member States have a responsibility to share information about the conditions in these territories under their control particularly, as outlined in Article 73(e) of the Charter¹⁶, to help them achieve self government. The focus is on territories governed by Portugal and Spain, urging both countries to fulfill their reporting duties and assist these regions in their pursuit of independence.

Special Committee on Decolonization (C-24)

The Special Committee on Decolonization also known as C-24 was established in 1961 by the General Assembly¹⁷ with the purpose to oversee and assist in the implementation of the “The Declaration on the Granting of Independence to Colonial Countries and Peoples”. The Committee holds annual meetings in order to revise the list of territories that are covered by the declaration and is also responsible for hearing statements made by elected NSGT representatives and other experts. Additionally C-24 organizes seminars regarding the political and socio-economic situation that those territories deal with, proposes initiatives to increase awareness about decolonization efforts and acknowledges the Week of Solidarity. The main goal of this committee is to aid every NSGT to achieve independence and full self governance, which has already happened to countries such as Antigua and Barbuda, Vanuatu etc. but there are still 17 countries left that are still under administering powers.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

British Virgin Islands Constitutional Review

In 2007 the British Virgin Islands reviewed and amended their original constitution, which was written in 1976, through a diplomatic dialogue between them and the United Kingdom that mainly aimed at improving local autonomy and strengthening governance frameworks. Two important changes that happened due to this review were that the local

¹⁶“A/RES/1541(XV).” *Undocs.org*, 2023, [www.undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F1541\(XV\)&Language=E&DeviceType=Desktop&LangRequested=False](http://www.undocs.org/Home/Mobile?FinalSymbol=A%2FRES%2F1541(XV)&Language=E&DeviceType=Desktop&LangRequested=False).

¹⁷ “Special Committee on Decolonization | the United Nations and Decolonization.” *Www.un.org*, www.un.org/dppa/decolonization/en/c24/about.

government was given more power, particularly in the sector of tourism and taxation and that a new framework was established, which separated the powers between the executive, legislative, and judicial branches.

Nevertheless, this constitution still faced criticism from the local population and that led into the establishment of the “Constitutional Review Commission” (CRC) which was responsible for conducting the review and aimed at meeting the desires of the locals. The CRC engaged a lot with the public through platforms, the media and meetings and then, in late 2023, it presented some crucial recommendations such as to review the next step towards self-determination for the Territory of the Virgin Islands and to consider how best the law enforcement and justice agencies can sit within the constitutional framework.¹⁸

Pacific Regional Seminar on Decolonization

Since the 1990s, the Special Committee on Decolonization (C-24) has been organizing regional seminars, alternately in the Caribbean and the Pacific,¹⁹ in order to keep track and review the progress that has been accomplished regarding the implementation of the Plan of Action for the “International Decade for the Eradication of Colonialism”. There the representatives of NSGTs can express their political statuses and the challenges that they face and administering powers try to find solutions. The main goal of those seminars is for the Committee to get the different views from representatives, the public, experts, delegations etc in order to aid in the decolonization process, which usually happens through discussions. Those discussions aid in assessing and analyzing the circumstances realistically in NSGT.

This year, from the 14th until the 16th of May 2024, the “The 2024 Caribbean Regional Seminar on Decolonization ” took place in the capital of Venezuela, Caracas. This year the seminar had the theme “Pursuing goals and addressing needs of the Non-Self-Governing Territories”.

¹⁸ “Constitutional Review Commission’s Report Completed | Government of the Virgin Islands.” *Bvi.gov.vg*, 2023, bvi.gov.vg/media-centre/constitutional-review-commission-s-report-completed.

¹⁹ “C-24 Regional Seminars | the United Nations and Decolonization.” *Www.un.org*, www.un.org/dppa/decolonization/en/c24/regional-seminars.

POSSIBLE SOLUTIONS

Internationally Supervised Referendums

The election of referendums for each NSGT would be a diplomatic way to reflect public opinion over whether Caribbean NSGT's should remain under their administrative power or be granted independence. The UN, relevant organizations or even an impartial third nation could be responsible for monitoring the formulation of new, democratic and properly voted referendums and then oversee their election in order to prevent any potential corruption. Everyone would be able to vote and in order to make sure that the population realizes the importance of this voting, the party in charge of overseeing the referendum vote would arrange some campaigns that would be in charge of educating the public about their right to vote and the significance of these particular elections for the political future of their territory.

Economic and Social Development Programs

Economic and Social Development Programs for NSGTs can aid in enhancing the autonomy of each territory from their administering power and ameliorate their socioeconomic status. These programs could be implemented through collaboration between administering powers, NSGTs and a third party that would be mostly responsible for funding and finding funding resources. The main aspirations of these programs will be to reduce as much as possible the economic dependence that many of these territories have from their administering power, which could be done by helping extract and later on trade local commodities with MEDC's and by promoting the region in order to attract more tourists. Moreover the funds could be used for the purpose of improving the quality of life in NSGTs by developing infrastructures, which would also open various job positions, educate the population, and even ameliorate the healthcare system.

Creation of new territorial constitutions

Inspired by the British Virgin Islands Constitutional Review, the creation of territorial constituencies would give the opportunity to the local population to have a constitution that is based on its own demands and desires. An organization in collaboration with the

administering power and the local government could create a platform in which the local citizens would state the things such as fundamental changes that should be made in the previous constitution and recommendations on the content of the new constitution. Afterwards experts on different sectors, the local government, the responsible organization and the administering power would review all the proposals made by the public and include some of their own and as result they would draft a democratic constitution that would satisfy everyone and that would lead to positive changes in the political scene of each NSGT.

Supervised local governments

Some of the Caribbean islands have a self government but up to a certain degree which can sometimes limit them and prevent them from taking decisions and acting on their own. However, as the United Kingdom has already done, by giving them the opportunity to have a government and take their own political decisions and only intervene when it's absolutely necessary and just to supervise all their actions in order to ensure the best for the region and its population. By doing that the right to self determination is not violated and it's also giving the opportunity to the administering territory to have a better and more respectful relationship with its trust territory.

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