

FRIENDLY SETTLEMENT AGREEMENT

Pursuant to Articles 40–41 of the Rules of Procedure of the Inter-American Commission on Human Rights

Case: *The People of the United States Virgin Islands v. United States of America*

Petition No.: P-769-25

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EXECUTIVE SUMMARY

This Friendly Settlement Agreement (“Agreement”) resolves Petition No. P-769-25 through a structured, non-prejudicial process consistent with the mandate of the Inter-American Commission on Human Rights (“the Commission”). The Agreement avoids adjudication on the merits, contains no admission of liability, does not reopen or renegotiate any treaty, does not bind third States, and preserves the full range of the State’s legal and diplomatic discretion.

The Agreement acknowledges alleged continuing effects associated with the historical framework governing the 1916–1917 transfer of sovereignty over the United States Virgin Islands and establishes forward-looking, constitutionally grounded measures to review and address those effects. It preserves external legal pathways without pre-committing the State to any treaty interpretation in other fora and expressly maintains neutrality with respect to Greenland.

PREAMBLE

This Friendly Settlement Agreement (“Agreement”) is entered into by and between:

The People of the United States Virgin Islands, represented by the Caribbean Institute for a New Humanity (DBA ACRRRA); and

The United States of America (“the State”),

with the facilitation of the Inter-American Commission on Human Rights (“the Commission”), pursuant to Articles 40 and 41 of the Commission’s Rules of Procedure.

Whereas, on **11 April 2025**, the Executive Secretariat of the Commission formally received a petition submitted by the Petitioners on behalf of the People of the United States Virgin Islands, which was assigned **Petition No. P-769-25** and opened for processing in accordance with the Rules of Procedure;

Whereas, on **25 July 2025**, the Executive Secretariat transmitted the pertinent parts of the petition to the State pursuant to Article 30 of the Rules of Procedure and notified the Parties that the Commission remains available, at any stage of the proceedings, to facilitate a friendly settlement;

Whereas, the Petition alleges continuing violations of political rights, access to justice, and juridical personality arising from the historical treaty framework governing the transfer of sovereignty in 1916–1917 and the absence of effective domestic remedies;

Whereas, the Parties acknowledge that this Agreement proceeds exclusively under the human-rights jurisdiction of the Commission, addresses the continuing legal and practical effects of historical instruments, and does not purport to determine treaty party status, adjudicate sovereign rights, or reopen treaty texts;

Now, therefore, having regard to the Commission’s mandate and their mutual interest in resolving the matters raised in Petition No. P-769-25 through a structured, non-prejudicial, and forward-looking process, the Parties enter into this Agreement.

I. PROCEDURAL POSTURE AND PURPOSE

1. The Petition was duly received and transmitted in accordance with the Commission’s Rules of Procedure.
 2. The Commission has indicated its availability to facilitate a friendly settlement at any stage.
 3. The Parties enter this Agreement to avoid unnecessary litigation, to manage procedural risk, and to resolve the Petition without adjudication on the merits.
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II. NON-ADMISSION AND NON-PREJUDICE

4. This Agreement does not constitute an admission of liability, fault, or violation of international law by the State.
 5. Nothing herein prejudices any claim or legal position of either Party beyond the scope of this Agreement.
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III. PARTIES AND SCOPE

6. This Agreement is concluded exclusively between the Petitioners and the State.
 7. No other State, territory, or entity is a party, and nothing herein adjudicates the rights or responsibilities of any third State.
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IV. HISTORICAL LINKAGE AND PROCEDURAL CONTEXT

8. The Parties acknowledge that the human rights impacts alleged in Petition No. P-769-25 arise in connection with the historical framework governing the 1916–1917 transfer of sovereignty over the United States Virgin Islands, including the Convention for the Cession of the Danish West Indies and contemporaneous diplomatic exchanges.
 9. This acknowledgment is made for purposes of historical context only. It does not constitute a determination that such instruments formed an integrated legal settlement, nor does it pre-commit the State to any position concerning treaty interpretation, application, breach, or effect in any other forum.
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V. STANDING AND STATUS (FOR PURPOSES OF THESE PROCEEDINGS)

10. The State acknowledges that the People of the United States Virgin Islands are a rights-bearing population for purposes of these proceedings before the Commission and that the Petitioners may be heard with respect to the alleged effects raised in the Petition.
 11. Nothing in this Agreement determines treaty party status, creates third-party rights under any treaty, or establishes standing beyond the context of these proceedings.
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VI. DEMOCRATIC STATUS AND CONTINUING EFFECTS

12. The Parties recognize that questions concerning political participation and self-governance in the United States Virgin Islands have been raised in the Petition and are the subject of ongoing public and institutional consideration.
 13. This Agreement does not predetermine any political outcome, including statehood, independence, or any other status option.
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VII. REMEDIAL AND FORWARD-LOOKING COMMITMENTS

14. Within its constitutional framework, the State commits to the following measures:
 - a. Formal Review: Initiate an internal review examining the alleged continuing effects associated with the historical framework referenced in Section IV on the political and civil status of the United States Virgin Islands.

b. Consultation: Conduct structured consultations with duly designated representatives of the United States Virgin Islands in connection with the review.

c. Reporting: Produce a public report summarizing findings and identifying potential pathways for addressing any disparities identified.

d. Status Neutrality: This Agreement does not address, prejudice, or opine upon questions concerning the future status, governance, or disposition of Greenland, which remain matters of separate diplomatic engagement.

VIII. COSTS AND EXPENSES

15. As a measure consistent with the Commission’s friendly settlement practice and without admission of liability, the State shall make a monetary contribution in the amount of USD \$1,500,000 toward documented legal fees and costs incurred by the Petitioners in connection with this Petition.

IX. PRESERVATION OF EXTERNAL LEGAL PATHWAYS

16. Nothing in this Agreement waives, extinguishes, or prejudices claims or rights that may exist vis-à-vis third States arising from the same historical framework.
17. The State does not, by entering this Agreement, pre-commit to any treaty interpretation or outcome in any other diplomatic or judicial forum.
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X. PUBLICATION, MONITORING, AND FOLLOW-UP

18. In accordance with Article 41(5) of the Rules of Procedure, the Commission shall adopt and publish a report containing a brief statement of the facts and the terms of this Agreement.
19. The Commission may monitor compliance and request information from the Parties as appropriate.

XI. FINAL PROVISIONS

20. This Agreement enters into force upon signature by the Parties.
 21. This Agreement is executed in English, which shall be the authentic text.
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SIGNATURES

For the Petitioners

the Caribbean Institute for a New Humanity

On behalf of the People of the United States Virgin Islands

Name: _____

Title: _____

Date: _____

Signature: _____

For the State

United States of America

Name: _____

Title: _____

Date: _____

Signature: _____

ANNEX A

A.1 STATEMENT OF AGREED HISTORICAL CONTEXT

1. On 4 August 1916, the United States of America and the Kingdom of Denmark executed the Convention for the Cession of the Danish West Indies to the United States (“the Convention”), which was subsequently ratified and proclaimed in January 1917.
 2. On the same date, 4 August 1916, the Government of the United States issued a formal diplomatic assurance stating that it would not object to the extension of Danish political and economic interests to the whole of Greenland. This assurance was issued contemporaneously with the Convention and formed part of the diplomatic exchanges surrounding the transfer of sovereignty.
 3. The Convention and the contemporaneous diplomatic assurance regarding Greenland were reproduced together in United States Treaty Series No. 629, reflecting their contemporaneous execution and joint documentation in official United States treaty records.
 4. The Parties acknowledge that, as a matter of historical record, the Convention and the contemporaneous diplomatic assurance were exchanged and relied upon by the respective governments in close temporal and diplomatic proximity, and that Denmark proceeded to ratification of the Convention in the context of those exchanges.
 5. The Parties further acknowledge that the 1916–1917 transfer of sovereignty produced continuing legal and practical effects upon the inhabitants of the ceded islands, including effects relevant to questions of political status, nationality, and civil rights, which are among the matters raised in Petition No. P-769-25.
 6. The Parties recognize that questions concerning the interpretation, application, and continuing effects of the historical instruments referenced above have arisen over time and remain the subject of legal, political, and scholarly discussion, including in relation to the status of the United States Virgin Islands.
 7. This Statement of Agreed Historical Context is adopted solely for purposes of providing agreed historical background to the Friendly Settlement Agreement in Petition No. P-769-25. It does not constitute a determination that the Convention and the contemporaneous diplomatic assurance formed an integrated legal settlement, does not pre-commit either Party to any position concerning treaty interpretation or effect in any other forum, and does not constitute an admission of liability, fault, or breach by the United States of America.
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A.2 SETTLEMENT POSITION MEMORANDUM

Re: The People of the United States Virgin Islands v. United States of America

Petition No.: P-769-25

Purpose: To set forth the legal, procedural, and institutional rationale supporting approval of the proposed Friendly Settlement Agreement pursuant to Articles 40–41 of the Rules of Procedure of the Inter-American Commission on Human Rights (IACHR), consistent with the scope-control and non-prejudicial provisions of the Agreement.

I. PROCEDURAL POSTURE AND AUTHORITY

A. Procedural Status

The Petition was duly received by the Inter-American Commission on Human Rights and transmitted to the United States in accordance with the Commission’s Rules of Procedure. The Commission has expressly indicated its availability to facilitate a friendly settlement at any stage of the proceedings.

The Rules of Procedure contemplate friendly settlement as a preferred mechanism where it may:

- promote effective resolution of disputes,
- avoid unnecessary adjudication, and
- secure forward-looking remedial commitments consistent with the American Declaration of the Rights and Duties of Man.

B. Authority to Settle

Articles 40 and 41 of the Rules of Procedure authorize the Commission to place itself at the disposal of the parties for the purpose of reaching a friendly settlement based on respect for human rights. Such settlements may be concluded prior to any determination on admissibility or merits and do not require findings of violation or admissions of liability.

The proposed Agreement therefore falls squarely within the Commission’s procedural competence and established practice.

II. RISK MANAGEMENT RATIONALE

A. Containment of Litigation Risk

Approval of the proposed Friendly Settlement Agreement allows the United States to:

- avoid continued adversarial proceedings before the Commission;
- prevent the development of adverse findings or precedent; and
- resolve the matter without admissions of fault, breach, or international responsibility.

The Agreement contains an express non-admission clause and does not entail any determination on the merits of the Petition.

B. Control of Narrative and Scope

Settlement enables the United States to define the parameters of resolution in a controlled and proportionate manner, rather than ceding interpretive authority to the Commission through merits adjudication.

The Agreement:

- acknowledges historical background solely as context;
- avoids findings of violation; and
- channels remedial commitments into structured, forward-looking institutional processes.

III. SCOPE CONTROL AND NON-PREJUDICE

A. No Third-State Adjudication

The Agreement is expressly bilateral in nature. It:

- identifies no third State as a party;
- adjudicates no third-State rights or obligations; and
- preserves full diplomatic discretion with respect to external relations.

Any reference to historical diplomatic exchanges involving third States is made solely for contextual purposes and does not impose obligations or legal consequences on any non-party.

B. No Treaty Determination or Renegotiation

The Agreement does not reopen, amend, renegotiate, or determine the legal integration or interpretation of the 1916 Convention for the Cession of the Danish West Indies or any contemporaneous diplomatic assurance. Historical instruments are referenced only as part of agreed background and without legal characterization or operative effect beyond this proceeding.

C. Preservation of Legal Positions

The Agreement's non-prejudice provisions ensure that:

- no claims are waived beyond the Agreement's limited scope;
- no external proceedings are foreclosed; and
- no admissions of liability, breach, or treaty effect are implied.

IV. COMPATIBILITY WITH IACHR PRACTICE

A. Consistency with Prior Friendly Settlements

The proposed Agreement aligns with the Commission's longstanding practice of approving friendly settlements that:

- recognize historical or structural issues without adjudication;
- provide forward-looking, proportionate commitments; and
- preserve the integrity of the Commission's institutional role.

B. Respect for Institutional Roles

The Agreement respects:

- the Commission's monitoring function;
- the State's constitutional and institutional processes; and
- the distinction between historical context and legal determination.

Publication pursuant to Article 41(5) ensures transparency while avoiding expansive or precedential reasoning.

V. IMPLEMENTATION AND MONITORING

A. Practical Implementation

The remedial measures contemplated by the Agreement are procedural and consultative in nature, including:

- a structured review of continuing effects;
- consultations with territorial representatives; and
- public reporting.

These measures are achievable within existing institutional frameworks and do not require legislative preconditions.

B. Monitoring Framework

The Commission retains competence to monitor compliance and request information, providing accountability while preserving the non-adversarial character of the resolution.

VI. CONCLUSION

The proposed Friendly Settlement Agreement represents a measured, lawful, and institutionally sound resolution of Petition No. P-769-25.

It:

- resolves a live international proceeding without admissions or findings;
- records limited historical context without treaty determination;
- preserves U.S. diplomatic and legal flexibility; and
- aligns with the Commission's mandate and established practice.

For these reasons, approval of the Agreement is prudent, proportionate, and consistent with both United States interests and the integrity of the inter-American human-rights system.

A.3 EXCERPTED TREATY EVIDENCE

(Concise • Documentary • Non-Argumentative)

Purpose

This attachment reproduces limited primary-source treaty materials for documentary context only. It demonstrates the contemporaneity, subject matter, and official co-publication of the 1916 Convention for the Cession of the Danish West Indies and a contemporaneous United States diplomatic assurance regarding Greenland.

No legal conclusions, interpretations, or determinations are asserted.

1. Convention of 1916 — Signature and Ratification Evidence

Source: Convention for the Cession of the Danish West Indies to the United States of America

Date of Signature: 4 August 1916

Proclamation: 17 January 1917

Excerpted Elements (Signature Page):

- Title of the Convention
- Date and place of signature
- Names and titles of plenipotentiaries
- Signatures of authorized representatives of the United States and the Kingdom of Denmark

Documentary Relevance:

- Establishes the date of execution and formal character of the Convention.
 - Confirms the Convention as a ratified treaty instrument of record.
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2. Contemporaneous Diplomatic Assurance Regarding Greenland

Source: United States Treaty Series No. 629

Date: 4 August 1916

Excerpted Operative Language:

“The Government of the United States will not object to the Danish Government extending their political and economic interests to the whole of Greenland.”

Documentary Relevance:

- Confirms issuance on the same date as the Convention’s execution.
 - Identifies subject matter: a United States diplomatic assurance regarding Danish interests in Greenland.
 - Establishes contemporaneity within the diplomatic exchanges surrounding the 1916 transaction.
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3. Co-Publication in United States Treaty Series No. 629

Source: United States Treaty Series No. 629

Excerpted Elements (Header / Index Page):

- Treaty Series number
- Listing of:
 - the Convention for the Cession of the Danish West Indies; and
 - the contemporaneous diplomatic assurance regarding Greenland

Documentary Relevance:

- Demonstrates that both instruments were reproduced together in an official United States treaty publication.
 - Confirms contemporaneous documentation within U.S. treaty records.
 - Provides archival context without asserting legal integration or interpretive consequence.
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4. Document Control Note

This attachment consists solely of excerpted primary-source materials reproduced for evidentiary context.

It does not assert that the referenced instruments formed an integrated legal settlement, does not interpret treaty obligations, and does not create

or imply any legal determination beyond the historical fact of execution, contemporaneity, and official documentation.
