

FALKLAND ISLANDS



**United Nations Committee of 24
(Special Committee on Decolonisation)**

20th June 2013

**Statement by
The Honourable Sharon Halford
Member of the Legislative Assembly**

Mr Chairman, distinguished delegates, ladies and gentlemen, I am Sharon Halford, a democratically elected Member of the Legislative Assembly of the Falkland Islands and although pleased to be here to once again represent my country I am somewhat disappointed that the need to do so remains 16 years on from my first appearance before this committee. However I note that by comparison to the Honourable Joe Bossano from Gibraltar who has been coming here for nearly half a century my time has been short.

Under the auspices of the United Nations General Assembly, Resolution 1514 (XV) of 1960, people from Non Self Governing Territories can exercise self-determination and reach full measure of Self Government either by Free Association, by Integration or by becoming Independent. Building on this, UNGA Resolution 2625 (XXV) of 1970 offered a fourth option as an outcome of a people's exercise of right of self determination; "any other political status freely determined by a people".

With this in mind the people of the Falkland Islands exercised their right to self-determination in March this year when a referendum was held to seek the views of the people as to the way forward. This referendum was proposed and organised by the Falkland Islands Government, not the United Kingdom. The United Kingdom was prepared to accept the outcome, whatever that was, unlike the Government of Argentina which continues to refuse to recognise our basic human rights.

The preamble to our referendum question stated:

"The current political status of the Falkland Islands is that they are an Overseas Territory of the United Kingdom. The Islands are internally self-governing, with the United Kingdom being responsible for matters including defence and foreign affairs. Under the Falkland Islands Constitution the people of the Falkland Islands have the right to self-determination, which they can exercise at any time. Given that Argentina is calling for negotiations over the sovereignty of the Falkland Islands, this referendum is being undertaken to consult the people regarding their views on the political status of the Falkland Islands. Should the majority of votes cast be against the current status, the Falkland Islands Government will undertake necessary consultation and preparatory work in order to conduct a further referendum on alternative options."

And the question asked of Islanders was:

“Do you wish the Falkland Islands to retain their current political status as an Overseas Territory of the United Kingdom?”

With a simple YES or NO answer required.

A team of 8 independent, experienced international observers were deployed to monitor our Referendum. The independent Referendum International Observation Mission included current and retired legislators, civil society leaders, journalists and international observation experts from Brazil, Chile, Mexico, New Zealand, Uruguay and the United States of America. In their final report they stated:

"It is the conclusion of this independent team of international election observers that the Falkland Islands Referendum process was free and fair, reflecting the democratic will of eligible Falkland Island voters."

92% of the electorate voted and of these, an overwhelming 99.8% voted to remain an Overseas Territory of the United Kingdom. Only 3 people voted for some alternative political status. The message is clear. We, the people of the Falklands, are happy with our current relationship with the UK. It is not an anachronistic colonial situation as characterised by Argentina, but a modern relationship where the UK listens to our wishes and we are responsible for our own internal self-government.

The right of Falkland Islanders to determine their own future is unequivocal. The principle of self-determination is enshrined in Article 1, paragraph 2, of the Charter of the United Nations. Article 1 of the International Covenant on Civil and Political Rights and article 1 of the International Covenant on Economic, Social and Cultural Rights affirm the right of all peoples to self-determination, and lay upon States Parties, including those having responsibility for the administration of Non-Self-Governing Territories and Trust Territories, the obligation to promote the realisation of that right and respect it, in conformity with the provisions of the Charter. At no point has the United Nations ever explicitly denied this right to the Falkland Islanders.

In the weeks following the Referendum I, along with all of the elected members of the Falkland Islands Assembly travelled extensively throughout Latin America,

the US and Europe to seek support for our right to self-determination and to explain why we had held our referendum. We were warmly received by the people we met, and we were very pleased by the interest we encountered in life in the Falkland Islands. We found public support for the rights of the Islanders to decide their own future everywhere we went and we are succeeding in loudly broadcasting our voices on our rights.

I personally met with Government figures and young people in a number of Caribbean states, some of which are represented on this Committee today. In St Lucia I enjoyed a lively session with thirty or so young people at a local Community College where I was asked about life in the Islands and our relationships with our Latin American neighbours. As two Island peoples we have an awful lot in common. In Antigua I met many people who agreed that our referendum result could not be ignored by the world and should be respected, as the principle of self-determination was too important to ignore. Both visits gave me much hope that Argentina's one-sided narrative of the Falkland Islands is beginning to be dispelled and that many around the world view the Islanders as a legitimate people with the legitimate right to have their wishes respected. I hope that this Committee can come to the same view.

Unfortunately the Government of Argentina does not appear to have moved on or made progress since I first spoke here, on the contrary it appears to have taken retrograde steps. Argentina continues to spread misinformation worldwide; an example of this being the call for other countries to support their right to negotiations over the sovereignty of the Falkland Islands. Since Argentina amended its constitution in 1994 in which it states that the Falklands are Argentine, the scope for negotiations have been severely limited as the Government of Argentina can, and will, only accept one outcome - that the Falklands are Argentinean. This is not the basis for negotiation, when one party has already pre-determined the outcome.

Foreign Minister Timmerman insists that the UK complies with non-binding UN resolutions on negotiations over the Falklands yet continues to ignore the fact that Argentina rejected two binding UN Security Council Resolutions in 1982 which called for the cessation of hostilities and the withdrawal of Argentine armed forces from my homeland. Repeated calls for the UK to adhere to UN resolutions that were in place prior to Argentina's illegal invasion of the Falkland Islands do not take into account the impact that this action has had on the

sovereignty issue – an impact sadly measured by the great human cost to both Argentina and the United Kingdom.

The figures in our most recent census in 2012 show that our population is not one implanted by Great Britain, as the Government of Argentina continues to claim, but instead our inhabitants have arrived from as many as 57 different countries with some of the largest concentrations being from St Helena, Chile, Argentina, the Philippines, Germany, Russia, and New Zealand. Interestingly over half of our population consider themselves Falkland Islanders first and British second, which strongly suggests that we have our own unique identity and way of life; we are a people in our own right and should be recognised as such.

In the Falklands we are continuing to develop our economy and unique society despite the actions of our aggressive neighbour and continued efforts to disrupt our way of life, such as Argentina's Presidential Decree 256, which seeks to severely restrict legitimate economic activity and shipping in our waters. However, we are an island population and as such thrive on such challenges - where there is a will there is always a way and we have repeatedly shown that we certainly have the will.

We desire to live in peaceful co-existence with all of our neighbours, including Argentina, and remain disappointed that the Government of Argentina has walked away from co-operation with the Falkland Islands Government on a range of issues which we would both benefit from, fisheries management in the South Atlantic being a good example. This is not how a responsible nation should be behaving and I am saddened that the progress we had achieved together during the 1990s has not resulted in a more positive relationship between our two countries.

It is also sad to see that the Government of Argentina continues to celebrate the invasion of the Falklands each year with rallies and military parades whilst also denouncing the actions of the Military Dictatorship in 1982 as undemocratic and against the will of the Argentine people. For Islanders, my friends and family, the events of 1982 were hugely devastating and whilst we have a duty to commemorate the sacrifice of those young men who fought bravely for our freedom we have no interest in celebrating the conflict.

Mr Chairman I believe our wishes have been expressed very clearly. I hope that the Islanders have spoken loudly enough for people to hear them around the

world. I do however realise that people will only hear our message if they are prepared to listen and on this occasion I would hope that the members of this committee are prepared to listen and take note. On behalf of the Falkland Islands Government I once again invite the Members of this Committee to visit our Islands, to meet our people and listen to the views and wishes of the people. Thank you Mr Chairman.