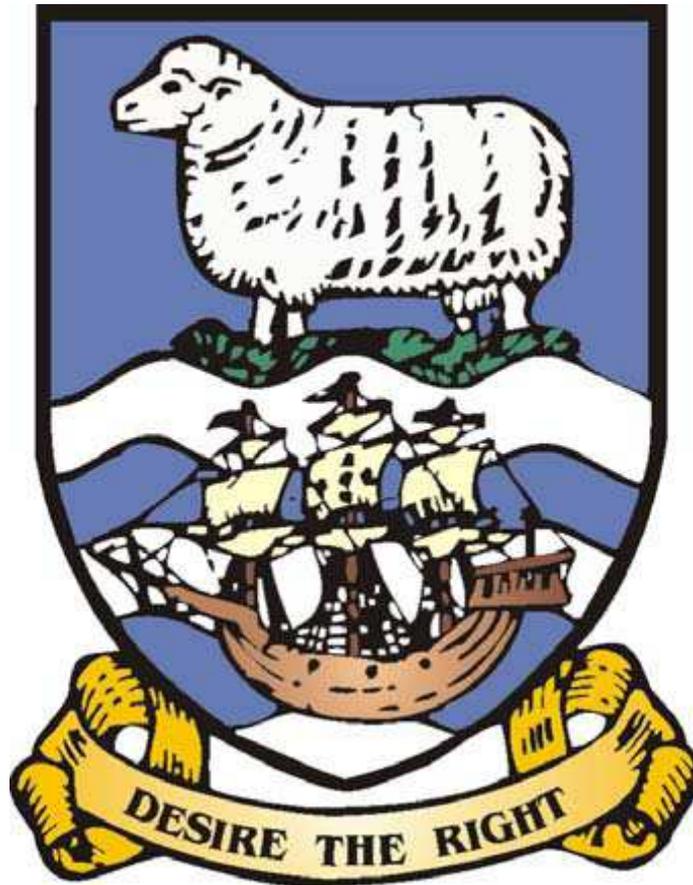


# FALKLAND ISLANDS



United Nations General Assembly

Special Committee of 24 on Decolonisation

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Statement by  
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Member of the Legislative Assembly

Mr Chairman, Excellencies. I last addressed this Committee 8 years ago in 2004. I am now in my 14<sup>th</sup> year as an elected representative of the Falkland Islands Government, and am pleased to be able once again put the case for the Falkland Islands. But I am also disappointed that it should still be necessary to do so, when the people of the Falkland Islands are so clear about their wish to retain their current political arrangements.

Since 2004 the Falkland Islands have moved on very significantly, both politically and economically. We are a successful country. I intentionally use the word country, because Falkland Islanders have a distinct and clear identity, and consider the islands to be our country, our home. We are committed to the care and well being of our people and the development of our country for our children and grand-children, and their descendents.

Unfortunately some things have not moved on. The unwelcome and unsubstantiated claim on our country by Argentina remains, and is pursued with increasing vigour. The United Nations and this Committee has over the years carefully attempted to remain neutral over the sovereignty of the Falkland Islands. However, all resolutions from this Committee and those from the General Assembly must comply with the principles of the UN Charter. Article 1 of the UN Charter sets out the importance of respect for the principle of equal rights and self-determination of all peoples.

Argentina will I am sure argue that the United Nations has ruled out self-determination as applying to the Falkland Islanders. It has not, even though this Committee studiously ignores its responsibility to promote the rights to self determination of the Falklands people. In fact General Assembly resolution 1514 of 1960 explicitly sets out the right of all peoples to self-determination.

And Argentina will undoubtedly read a long list of regional and multilateral meetings that call on the UK and Argentina to negotiate our future above our heads. However I draw your attention to Article 103 of the UN Charter which makes it clear that obligations under the UN Charter prevail over any and all other international agreements. Member states obligation to respect the principle of self-determination under the UN Charter cannot be negotiated away or ignored at convenience, thus rendering all of Argentina's regional declarations as irrelevant under international law.

Argentina has called many times for UN reform, to attempt to achieve its objectives. We agree that UN reform is needed, but such reform will not change the UN Charter, to which all UN reform would need to comply; nor would it remove the obligation on this Committee, and on all member states, to respect the principle of self-determination.

The Falkland Islands are a small country, about the size of Jamaica, with a population of 3,000. All the people of the Falkland Islands have arrived and live there of their own free will, from many parts of the world, including Europe, Latin America, and the Far East. We have developed our own culture based on a broad variety of influences. We are rightly proud of our achievements over the last 170 years.

Our economy is strong, based on fishing, tourism and agriculture, with hydrocarbons exploration bringing additional economic activity. GDP is over £130m per annum, and GDP per capita is at Northern European standards. We have no borrowings, and reserves of 3 times annual recurrent expenditure of £50m. However, we also have challenges. Due to our size per capita government expenditure is higher than other countries. Our relative isolation adds to these costs, and is increased by vindictive Argentine attempts to stifle our economy.

But despite these challenges, the Falklands have continued to thrive and to grow, and have been economically self sufficient for over 20 years, except for the cost of defence which is provided by the UK. That defence commitment is in place only because of the illegal invasion of our country in 1982 by Argentina, and Argentina's continued aggressive tone towards the inhabitants, and is of a size that is only proportional to the perceived threat.

The Falkland Islands pay no taxes to the UK, and receive no income from them. We are responsible for the provision of all services, including education, health, police, fire and immigration services, internal transport infrastructure and regulatory services. We issue our own fishing licenses, and licenses for the exploration for hydrocarbons. All income which accrues from these licenses, or may accrue from them in the future, belongs to the Government and people of the Falkland Islands, not the UK. The Islands are well developed and well served, though still a lot of infrastructure works remain to be completed over the next few years.

We have a written Constitution which was last revised in 2009, which confirms our post-colonial status. A small legislature of 8 independent members from two constituencies makes up the Government, which is elected for a 4 year fixed term, and is fully responsible for all matters except defence and foreign affairs. There is clear separation of executive functions from justice, and from management of the civil service, as one would expect in a properly functioning democracy. The Constitution contains a full suite of protections of fundamental rights and freedoms which accord with the European Convention on Human Rights, including the right to self-determination; this

right also mirrors the provisions of Chapter 1 of the UN Charter and its other provisions on self-determination.

Falkland Islanders are comfortable with our post-colonial relationship with the UK. We have the right to move away from that relationship if we so wish, though there is no current mood in the community towards independence, or association with any other country. The UK has very clearly stated that it will not discuss sovereignty of the Islands unless and until the Islanders so wish it, in accordance with the provisions of the UN Charter, a Charter which you as members of this Committee are responsible to uphold. There is specifically no current wish to associate with Argentina, though we would have the right to do so if we so wished.

Argentina still claims the Falkland Islands despite their claim being based on spurious and dubious historical “facts” and interpretations. There were no native inhabitants of the Islands, and no civilian population was expelled. The UK established its first settlement in the Islands in 1766 (a date which pre-dates the existence of Argentina) and re-commenced permanent occupation of the Islands in 1833, and current Islands families have lived in the Falklands since 1843. Some Islanders are now 8<sup>th</sup> and 9<sup>th</sup> generation. With us today we have part of the new generation of young Islanders who have a keen interest in our future development, and who are 4<sup>th</sup> 5<sup>th</sup> and 6<sup>th</sup> generation Islanders. I too am a sixth generation Falkland Islander. Large swathes of Argentina and other Latin American populations cannot trace their own families’ history in the region back so far, yet they enjoy their right to self-determination. Perhaps the Argentine delegates could tell these young Islanders why they are part of an implanted population, yet people of similar age in Argentina are not, when our ancestors arrived by similar means to theirs, and ours in many cases before them. Why don’t we have the right to self-determination, but they do? Are we in any way less human; are we second class people with unequal rights, just because we are not Hispanic? Or are we insignificant because we are too few, free to be abused by a bigger bullying neighbour?

Of course we are not, and as much as Argentina might like to air-brush us out of existence, to satisfy its unjustified lust for our land, such behaviour belongs to another era and should not be tolerated in this modern world.

Argentina inserted a clause in its Constitution after the '82 war, pledging to “reclaim” the Islands. It rejects the concept of self determination for the Falkland Islanders, in contravention of the principles of the UN Charter and international law. It makes reference in its Constitution to respecting the “interests” of the Islanders, but not the “wishes” - “interests” no doubt to be

determined by Argentina, and not by us. Is that not the epitome of colonialism, a country deciding what is in another distinct peoples "interests" rather than allowing them to decide for themselves. Argentina effectively seeks to re-colonise the Islands, after decades taken by several generations of our forefathers to develop our democracy, our land and our economy to what it is today.

Mr Chairman, Excellencies. What I have described to you in the Falklands is a small, progressive, internally self governing and well managed country, keen to develop and to get on with its neighbours, to preserve the environment for future generations, and to ensure that our success is based on sustainable use of natural resources. But that ambition is inhibited and impeded in every which way it can by a very much larger, aggressive and uncaring neighbour, who doesn't care if it breaks international laws or subverts the most basic of human rights of people, so long as it can get our land. The land that my father, my great-grandfathers, my great-great grandfathers, and their predecessors, made their homes and developed into a successful country.

Let me repeat, lest anybody should have missed or mis-understood. There were no native inhabitants of the Falkland Islands, and no civilian population was expelled, as the Argentines would have you believe. That is just a convenient lie to make you believe that they have just cause. They do not.

The Falkland Islands has been peacefully settled over a century and a half by my ancestors and their fellow pioneers, from many different parts of the world, who have been free to come and go, but have chosen to make the Falklands their home, and who have made it into a successful community. My generations and our children and grand-children, and these young Islanders here today, have no desire other than to be left in peace to continue that development, and to make a safe home for future generations of Falkland Islanders.

It is your duty to ensure we are allowed to do that, through adherence to the spirit and the letter of the UN Charter, and to discharge the responsibilities of this Committee, to support the right of all non-self governing territories, including the Falkland Islands, to self determination.

Mr Chairman, I invite all Members to recall and regret the un-timely death of over a thousand young men in the Falklands in 1982, and to condemn the use of military force to attack a small and peaceful neighbour. On this the 30<sup>th</sup> Anniversary of our liberation, I invite you to join me in celebrating freedom, justice, and the right to live in peace and harmony.

Mr Chairman, Excellencies. Argentina calls for negotiations. In fact in a letter only six days ago to the UK foreign Secretary, Ambassador Timmerman included a quotation from Winston Churchill which said “Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen” He then went on to write “We will always be willing to talk on what we believe is right, but we also have the same disposition to sit down and listen”.

Mr Chairman I have here a letter, from the Government of the Falkland Islands, which invites the Government of the Republic of Argentina to sit down and listen to the views of the people of the Falkland Islands, and enter into a dialogue, designed to find ways to co-operate in matters of mutual interest, and to preserve the environment of the South West Atlantic to the benefit of future generations of Falkland Islanders and Argentines, as we did before the on-set of sanctions by Argentina against our people. If Argentina really does have the disposition to sit down and listen, I would like to end my speech by asking its delegation to invite me to deliver this invitation to the President in person before the end of this session.

Thank you, Mr Chairman