

Réunion : Comité spécial de la décolonisation (C24)

Date : 14 juin 2012

Durée : 6'36'' (117 mots/minute)

Orateur : Roger Edwards, Représentant de l'Assemblée législative des Îles Falkland

Difficulté : \*

Éléments à fournir : /

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I am Rodger Edwards, an elected member of the Falkland Islands Legislative Assembly and I take great pleasure in making this statement to you all today on this our 30th Anniversary of Liberation from the illegal invasion and seventy-four day occupation by the Armed Forces of Argentina.

As a result of that defeat, Argentina lost its brutal military dictatorship and has subsequently experienced the longest period of democracy in its history.

Unfortunately, this has not stopped Argentina from persisting with its attempts to deny the people on the Falkland Islands our democratic rights.

This Argentine Government attempts to distance itself from the actions of previous Argentine military governments. I accept that Argentina has changed and I am pleased that it has. However, I do not understand how the Government of Argentina can absolve itself and its people from its recent past, while simultaneously seeking to punish and harm a small and peaceful Falkland Islands people for something that it incorrectly claims to have happened almost two centuries ago.

This Argentine Government claims to fight against colonialism yet wishes to take away our peoples' rights, annex our islands and subject our people to alien subjugation and domination, the very definition of colonialism.

This Argentine Government claims that Argentines are banned from visiting or settling in the islands. This claim is not borne out when you look at the number of Argentines visiting by both sea and air every year, nor by the small but significant number of Argentines who live permanently in the islands. Many of these Argentines have lived sufficiently long in the islands to now consider themselves Falkland Islanders.

This Argentine Government claims to fight for human rights. What about the rights of the Falkland Islanders? Or do human beings not have human rights if they reside on a piece of land that Argentina wants?

This Argentine Government claims that the UK is ignoring United Nations General Assembly resolutions when it is itself ignoring the United Nations Charter which obliges all Members to respect the principles of equal rights and self-determination.

In summary, this is all clear evidence of hypocrisy. I understand from the recent news that the accusations of hypocrisy is not something new for this Argentine Government, but it is nonetheless symptomatic of this Argentine Government and its policy towards the Falkland Islands. I can assure you, however, that the Falkland Islands Government does not try to interfere with the currency or location of a citizen's savings.

This Government of Argentina has been conducting economic warfare against the people in the Falkland Islands. During the last few years, Argentina has withdrawn from almost all forms of cooperation. In addition, it has banned charter flights through its airspace. Under Presidential Decree 256, it has threatened to intercept shipping, it has attempted to persuade other South American countries to refuse lawful entry of Falkland Islands registered ships and,

through intimidation and association, it has tried to harm and damage our hydrocarbons industry. Moreover, it has attempted to damage our fishing and tourism industries which we have been successfully developing.

The Falkland Islands has grown out of its colonial status and has become a democratic Overseas Territory of the United Kingdom. It now has devolved powers and a new post-colonial constitution, as well as newfound wealth and, since the eviction of the Argentine forces on this day in 1982, we have moved forward with a newfound energy and confidence to face the future.

Our post-colonial constitution is, in itself, a reflection of our aspirations to press on with internal self-government.

Today therefore, all that we ask for, is the right to determine our own future, without having to endure the belligerent and bullying tactics of a neighboring country.

Mister Chairman,

Last year we invited you and Members of the Committee to our islands, so that you could see for yourselves the progress that we have made in developing our islands, our constitution, and our internal self-government.

This Special Committee offers advice on the options available to non-self-governing territories in the exercise of their right to self-determination, and we could have discussed this in detail. Sadly, you did not take up this very genuine invitation and so I extend the same invitation to you again today. I am sure that by accepting, by seeing our islands, and by talking to our people you will recognize just how important it is to us to exercise our right of self-determination as we are currently doing.

Réunion : 3<sup>ème</sup> Commission (questions sociales, humanitaires et culturelles)

Date : Octobre 2012

Durée : 7'23'' (130 mots/minute)

Orateur : François Crépeau, Rapport spécial sur les droits de l'homme des migrants

Difficulté : \*\*

Éléments à fournir :

HLD High-Level Dialogue	Dialogue de haut niveau
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Mister Chairperson,  
Distinguished Delegates,  
Ladies and Gentlemen,

Environmental change, as a result of global warming, is now a certainty. And this will likely play a significant and increasingly determinative role in international migration. In particular, the effect of climate change will impact not only on physical ecosystems but will also have adverse consequences on livelihoods, public health, food security and water availability.

Given that climate change will likely play a significant and increasingly determinative role in international migration in the near future, I have thus dedicated my report to this issue.

The report first analyses some of the technical aspects of climate change induced migration, including questions of definitions, identifying the places and the persons most affected, and considering where climate change induced migrants are moving towards. It then considers how international law approaches the matter of climate change induced migration, including some deficiencies in the currently existing categories.

It is important to note that climate change induced migration, like all migratory movements, is a complex multicausal phenomenon which may be driven by a multiplicity of push and pull factors. It will be difficult to isolate the effects of climate change from other environmental factors. Thus, identifying those who migrated solely as a result of climate change may prove to be an impossible task.

While it is true that environmental conditions have always influenced migration patterns, in the context of climate change the rate and scale of this migration may be multiplied.

I note however that accurate statistical data is not readily available. Thus, I call for more rigorous scientific, empirical, sociological and legal research in this field, in the field of migration. Certain places will be particularly affected by this phenomenon. Developing States that already face environmental stresses are likely to be the most affected, including megadeltas, polar regions, small island States, low-lying coastal areas, and arid regions.

However, no country will be free from natural disasters and slow-set environmental changes. It is also important to note that given the ability to migrate, given that the ability to migrate often depends on mobility and resources, migration opportunities may in fact be least available to those who are most vulnerable to climate change, resulting in people becoming trapped in locations vulnerable to environmental hazards.

Moreover, where climate change induced migration is forced, people may be migrating in an irregular situation and therefore may be more vulnerable to human rights violations through the migration process.

Although there is no single international human rights treaty designed to deal with climate change induced migrants, existing human rights law provides a range of protections for all migrants. And I thus call for a more concerted and concrete application of those norms to the situation of climate change induced migrants.

I also note that in the context of climate change, policies should be developed by States that facilitate climate change induced migration and recognize the agency of migrants, as they try to find a suitable place to earn a living for themselves and their families.

Migration should be considered a key adaptation strategy to climate change. Preventing such migration may in fact lead to accelerated human rights abuses and to future migration crises.

Thus I would like to emphasize that facilitated migration should be considered not only as a challenge but as a solution to climate change induced displacement. Overall, I would like to stress that concerted political engagement will be required on the issue by a range of actors including governments, the international community, civil society, in order to devise appropriate policies and strategies to face the matter of climate change induced migration.

I would like to make, on another issue, I would like to make note of one key activity that I have undertaken in the first year of my mandate.

In light of the growing impact of border controls on the human rights of migrants, I decided to undertake a thematic study on the management of the external borders of the European Union and their impact on the human rights of migrants.

I thus visited Brussels where I held consultations with key European Union institutions responsible for border control and migration. I have undertaken country missions on both sides of the Mediterranean. In June 2012 I visited Tunisia and Turkey, last month I visited Italy, in November I will also visit Greece. The findings and recommendations emerging from these visits will be presented to the Human Rights Council next June.

Mr Chairperson,

I would like to avail myself of this opportunity to make a few remarks regarding the upcoming High-Level Dialogue on Migration and Development that will be held in 2013.

I thank the Secretary-General for his Report on International Migration and Development and in particular the section on the HLD.

I also know that there is a pending resolution that will set out the modalities for the HLD.

I take note that human rights were mentioned by a number of States in preliminary discussions regarding the resolution and I welcome this wholeheartedly. It wasn't the case not long ago.

Whilst I sincerely welcome the dialogue as an opportunity to discuss the important issue of migration at the highest level, I would like to emphasize that the underlying framework of the High-Level Dialogue must not exclusively posit the global debate on migration within the paradigms of development, security and law enforcement.

Overall, I remain concerned about the lack of effective human rights mainstreaming in the current debate on the global governance of migration to date. And thus I hope that the High-

Level Dialogue will be seized as an opportunity to ensure that human rights are brought to the forefront of international discussion on migration at this highest level.

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Réunion : Comité pour l'exercice des droits inaliénables du peuple palestinien

Date : 29 novembre 2012

Durée : 6'40'' (132 mots/minute)

Orateur : Roger Waters, créateur du groupe Pink Floyd, au nom de la société civile internationale

Difficulté : \*\*\*

Éléments à fournir :

Advisory Opinion of the International Court of Justice	Avis consultatif de la Cour internationale de justice
International Convention on the Suppression and Punishment of the Crime of Apartheid	Convention internationale sur l'élimination et la répression du crime d'apartheid
Fourth Russell Tribunal	4 <sup>ème</sup> Session du Tribunal Russell sur la Palestine
Operation Cast Lead	Opération Plomb durci

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Mr Chairman,  
Excellencies,  
Ladies and Gentlemen,

Thank you very much for receiving me at this moment of solidarity and crisis.

I am a musician, not a diplomat, and so I shall not waste this precious opportunity on the niceties of protocol.

However, I will say that you must all be suffering from listening fatigue, to a certain extent, so while I have been sitting there listening as well, I have been editing my rather long speech down to a rather shorter speech, but I believe the full text will be available to anybody who cares to read it at the end of this meeting.

I appear before you as a representative of the fourth Russell Tribunal on Palestine. And in that capacity, I am representing global civil society.

By way of preamble, I should say my remarks here today are not personal or driven by prejudice or malice. I am looking only to shed some light on the predicament of a beleaguered people.

The Russell Tribunal on Palestine was created to shed such light, to seek accountability for the violations of international law, and the lack of United Nations resolve that prevent the Palestinian people from achieving their inalienable rights, especially the right to self-determination.

One particular stimulus to our convening was the disturbing failure of the international community to implement and enforce the clear judgment of the International Court of Justice in 2004 contained in its Advisory Opinion on the Israeli Wall, as requested by the UN.

We met here in New York City six weeks ago, on the 6th and 7th of October, having previously sent out invitations to all interested parties, and after listening to exhaustive testimony from many expert witnesses and after careful deliberation, we arrived at the following judgments.

We found that the State of Israel is guilty of a number of international crimes.

One, apartheid. The UN's International Covenant on the Suppression and Punishment of the Crime of Apartheid defines said crime as inhuman acts, by any government, that are committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons, and systematically oppressing them.

This finding by the Tribunal was endorsed earlier in the year by the HRC Committee for the Elimination of Racial Discrimination in Geneva after submissions by the Tribunal, made both orally and in writing.

Two, ethnic cleansing. In this case, said crime includes the systematic eviction of much of the native Palestinian population by force since 1947-48.

Three, collective punishment of the civilian population, explicitly prohibited by the Geneva Convention, article 33. Israel has violated its obligation as occupying power throughout the occupied Palestinian Territory, including the West Bank, Gaza and East Jerusalem. Its most serious violations have occurred recently in Gaza with the blockade and virtual imprisonment of the entire population, the indiscriminate killing of Palestinians during the Israeli offensive, "Operation Cast Lead", in 2008 and 2009, and now the devastation brought by the recent attack, "Operation Pillar of Defense".

As I speak, I can hear the tut, tutting of governmental and media tongues, trotting out the well worn mantra of the apologists, that " Hamas started it with their rocket attacks. Israel is only defending itself".

Let us examine that argument.

Did Hamas start "it"? When did "it" start?

How we understand history is shaped by when we start the clock. If we start the clock at a moment when rockets are fired from Gaza into Israel on a certain afternoon, that is one history. If we start the clock earlier that morning, when a 13 year old Palestinian boy was shot dead by Israeli soldiers as he played soccer on a Gaza field, history starts to look a little different. If we go back further, we see that since "Operation Cast Lead", according to the Israeli Human Rights Organization B'Tselem, 271 Palestinians were killed by Israeli attacks, and during the same period, not a single Israeli was killed.

A good case can be made that it started in 1967 with the occupation of Gaza and the West Bank.

This crisis in Gaza is a crisis rooted in occupation. Israel and its allies will contend that Gaza is no longer occupied. Really? The withdrawal of soldiers and settlers in 2005 changed the nature, not the existence of occupation. Israel still controls Gaza's airspace, coastal waters, borders, land, economy and lives. Gaza is still occupied. The people of Gaza, the 1.6 million Palestinians, half of them children under the age of 16, live in an open-air prison. That is the reality that underlies the current crisis. And until we, not only understand that, but until you, Excellencies, your Governments, your General Assembly, take responsibility to end that occupation, we cannot even hope that the current crisis is over.

In October, on the last occasion jurists from the Russell Tribunal addressed this Committee, we were assured that our representations and reports would be advanced on the floor of the General Assembly for general debate. If things go well today, we may hope to hold you, Excellencies, to that assurance.