

Réunion : Comité spécial chargé d'étudier la situation en ce qui concerne l'application de la Déclaration sur l'octroi de l'indépendance aux pays et aux peuples coloniaux (C24)

Date : 15 juin 2012

Durée : 6'33'' (144 mots/minute)

Orateur : Ministre principal de Gibraltar

Difficulté : \*

Éléments à fournir:

Guardia Civil	Guardia Civil (Force de gendarmerie espagnole)
Treaty of Utrecht of 1713	Traité d'Utrecht de 1713
UNCLOS United Nations Convention on the Law of the Sea	UNCLOS Convention des Nations Unies sur le droit de la mer

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Mr Chairman,

Since the decolonization resolutions set out the principles applicable, the People of Gibraltar have spoken with one voice in this respect; always dedicated to ending colonialism in favor of achieving the maximum possible level of self government short of independence.

And that, Mr Chairman, cannot be curtailed by the creation of any limiting doctrine in cases where the territory in question is subject to a sovereignty dispute, as some have recently, in our view, erroneously suggested.

But that appears to be, Mr President, of little consequence to what the Kingdom of Spain has been saying to you in order to attempt to stymie our decolonization.

From the time when your committee was addressed by the representatives of a fascist regime of General Franco to the modern era of a democratic Spain, very little of substance has changed in the message from Madrid.

In the very successful seminar in Ecuador which was attended on behalf of my Government by Mr Bossano and Mr Gomez, the position of the Spanish Government was put in clear and I dare say stark terms by Snr Alberto de la Calle, Spain's representative at the Seminar.

He told you that Spain does not and never will acknowledge any international legal status of the current inhabitants of Gibraltar, much less our right to decide the future of our land.

Mr Chairman,

Can any position be more anti-democratic and totally contrary to the express provisions of Article 73 of the Charter which refers explicitly to the paramount, paramount rights of the inhabitants of the territories that have not yet achieved a full measure of self government ?

How can twenty first century Spain adopt this eighteenth century attitude to the process of decolonization of Gibraltar?

How can Spain simply ignore the express provisions of the Charter?

Indeed, such an attitude is in contradiction with statements made by successive foreign ministers of Spain, that Spain would not wish to accept the delivery of the land of the Gibraltarians against the wishes of the Gibraltarians.

So let us at least understand that we as the people of the territory of Gibraltar and you as the Committee charged in protecting our rights as a colonial people, are facing in the position of Spain a morass of irreconcilable contradictions.

Indeed, one of the top Spanish diplomats of recent generations, Snr Inocencio Arias, who was until ten years ago Spain's Permanent Representative at the United Nations has recently recognized, in a memoir, that all of Spain's strategies for the recovery of Gibraltar have failed.

Well, we did not need to be told that, nor do we want any strategy to succeed, but he is right to have started a debate in Spain which in effect is telling Spanish diplomacy what we have been saying for generations:

'wake up and smell the coffee : GIBRALTAR WILL NEVER BE SPANISH'.

Yet in recent months, the attitude of Spain's foreign ministry appears to have ignored the failures of the past and is working very hard indeed to secure even greater failures for the future.

In this context, my Government regrets that the process of tripartite talks between Gibraltar, the United Kingdom and the Kingdom of Spain on all matters of mutual interest have been suspended by the new Spanish Government.

Mr Chairman and Your Excellencies will recall that this trilateral process is referred to by the 4th Committee in October in the Decision published by that Committee on the Question of Gibraltar.

It is also important that you are aware of what is presently happening in the British Gibraltar Territorial Waters around the Rock.

We are consistently now suffering invasions of our indisputable territorial waters by the Spanish para-military force known as the Guardia Civil.

These incursions have been a constant feature for many years.

Indeed, in 2009 things reached a boiling point when the Guardia Civil tried to assert jurisdiction in these waters.

They are trying to do so again in respect of fishing by Spanish fishermen who wish to operate in breach of Gibraltar's environmental protection laws.

Spain makes the unmeritorious argument that Gibraltar has no territorial waters because none were ceded by the Treaty of Utrecht of 1713.

Of course, the fact is that Gibraltar has the waters recognized by the Conventions on the Law of the Sea, most recently the 1982 MONTEGO BAY UNCLOS Convention.

Moreover, incursions by the Guardia Civil are not just breaches of UNCLOS, but also breaches of the good neighborliness provisions of Article 74 of the Charter.

Every Chief Minister of Gibraltar who has addressed the UN has challenged Spain to take its unsustainable argument about the waters around Gibraltar for an advisory opinion to the International Court of Justice or to the International Tribunal for the Law of the Sea, both of which have jurisdiction to determine such disputes.

Instead, Mr Chairman, Spain prefers to pit its Guardia Civil para military force against Gibraltar Police officers and the Royal Navy.

Already in one month on 9 occasions UNCLOS warnings to leave our waters have had to be given to Guardia Civil vessels in the area.

Well, now here at the United Nations, I formally challenge Spain to act in keeping with the spirit of the Charter and the established principles designed to avoid the escalation of disputes.

I formally challenge Spain to agree to a reference to the International Court of Justice or the International Tribunal of the Law of the Sea to finally settle this matter once and for all.

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Réunion : Comité préparatoire de la Conférence d'examen du TNP

Date : 30 avril 2012

Durée : 6'31'' (114 mots/minute)

Orateur : Représentant de la Suisse

Difficulté : \*\*

Éléments à fournir :

ICRC International Committee of the Red Cross	CICR Comité International de La Croix Rouge
NPDI Non-Proliferation and Disarmament Initiative	Initiative sur la non-prolifération et le désarmement

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Mr. Chairman,

Serious concerns related to humanitarian dimensions of nuclear weapons have been voiced repeatedly. When the horrific consequences of their use became apparent in Hiroshima and Nagasaki, the International Committee of the Red Cross took a clear position calling for the abolition of these weapons of “extermination”.

The sheer horror of use of nuclear weapons in 1945 was later reflected in the NPT’s Preamble, which makes reference to the quote “devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples” end of quote.

If such weapons were to be used again, be it intentionally or accidentally, immense humanitarian consequences would be unavoidable. In addition to the immediate fatalities, survivors of the horrendous effects of a nuclear explosion would endure immeasurable suffering. International organizations providing emergency relief would be unable to fulfill their mandates, as the ICRC has already concluded. Studies have shown that the radiation released by even a single nuclear weapon affects populations, agriculture and natural resources over a very wide area and constitutes a threat for future generations. Further studies conclude that even a “limited nuclear exchange” – in itself a contradiction in terms – would provoke a global climate change with serious and long-lasting impact on the environment and food production, which could cause a global famine affecting over a billion people.

Mr. Chairman,

Nuclear weapons have the destructive capacity to pose a threat to the survival of humanity and as long as they continue to exist the threat to humanity will remain. This, coupled with the perceived political value and prestige attached to these weapons, are further factors that encourage proliferation and noncompliance with international obligations. Moreover, it is of great concern that, even after the end of the Cold War, the threat of nuclear annihilation remains part of the 21st century international security environment.

The utility of these instruments of mass destruction to confront traditional security challenges has been questioned by many States as well as civil society experts. Moreover, nuclear weapons are useless in addressing current challenges such as poverty, health, climate change, terrorism or transnational crime. It seems at least questionable to use vast financial resources each year for maintaining, modernizing and expanding nuclear arsenals in times of decreasing funds available for social welfare, health care or education. The choice should be clear.

Mr. Chairman,

In addition to the grave humanitarian concerns, the use of nuclear weapons also raises important legal issues. Nuclear weapons are unique because of their destructive capacity and because of their uncontrollable effects in space and time. All rules of international humanitarian law apply fully to nuclear weapons; those rules notably include the rules of distinction, proportionality and precaution, as well as the prohibition to cause superfluous

injury or unnecessary suffering and the prohibition to cause widespread, severe and long-term damage to the environment. Recently, the Council of Delegates of the International Red Cross and Red Crescent Movement adopted a Resolution emphasizing not only the incalculable human suffering resulting from any use of nuclear weapons but also stressing that it is difficult to envisage how any use of nuclear weapons could be compatible with the rules of international humanitarian law.

Mr. Chairman,

It is of utmost importance that these weapons never be used again, under any circumstances. The only way to guarantee this is the total, irreversible and verifiable elimination of nuclear weapons, under effective international control, including through the full implementation of Article VI of the NPT. All States must intensify their efforts to outlaw nuclear weapons and achieve a world free of nuclear weapons. Civil society plays a crucial role in raising the awareness about the dramatic humanitarian consequences as well as the critical IHL implications of nuclear weapons.

The full implementation of the NPT 2010 Action Plan as well as of previous NPT outcomes is an important step in this regard. For this review cycle, it is essential that the humanitarian consequences of nuclear weapons are thoroughly addressed. We call on States Parties, especially the nuclear weapon States, to give increasing attention to their commitment to comply with international law and international humanitarian law. This should also be adequately reflected in the outcome of the 2015 Review Conference.

Thank you for your attention.

Réunion : 2<sup>ème</sup> Commission (Questions économiques et financières)

Date : 08 octobre 2012

Durée : 6'48'' (134 mots/minute)

Orateur : Représentante des Bahamas au nom de la CARICOM

Difficulté : \*\*\*

Éléments à fournir :

SIDS Small Island Developing States	PIED Petits États insulaires en développement
UNDESA United Nations Department of Economical and Social Affairs	DAES Département des affaires économiques et sociales (de l'ONU)

FOR TRAINING PURPOSES ONLY

Thank you Mr Chairman.

Mr. Chairman,

I have the honour to speak on behalf of the Member States of the Caribbean Community (CARICOM). At the outset CARICOM wishes to extend its congratulations to you and the Bureau of the 2nd Committee on your election.

Mr. Chairman,

You can be assured of the full support and cooperation of your CARICOM colleagues as you guide the work of this Committee.

Our work during this session is being conducted against the backdrop of a prolonged period of global economic instability and uncertainty. The fragile state of the global economy has placed in jeopardy achievement of the internationally agreed development goals, including the Millenium Development Goals (MDGs).

Given the size and structure of CARICOM economies, the region's economic prospects closely mirror the global outlook. Fiscal challenges in developed and developing countries have worsened over the past year triggering a crisis of confidence in the financial, labour and housing markets, and dampening global growth prospects. The economies of CARICOM's main trading and economic partners in the developed world continue to struggle as the fallout from the global financial and economic crisis persists.

There is an urgent need for greater flexibility in the rules of the Washington based multilateral institutions, which have the tendency to rush to "graduate" middle-income developing countries simply on the basis of statistics on per capita income. We fully share the view expressed by the UN Secretary-General, and I quote, "the use of per capita income to classify countries as a means of guiding development cooperation disregards the nature and multidimensional nature of development." The Secretary-General has further noted that this over reliance on per capita income to guide development cooperation ignores the fact that many middle-income countries have not yet fully developed the capacity and capabilities to independently resolve the challenges they face, and that many remain highly vulnerable to external shocks and internal crises, despite having higher levels of per capita income.

In this regard, CARICOM supports the recommendation contained in the report of the Secretary-General A/66/220 entitled "Development cooperation with middle-income countries" that calls for the establishment of a high-level panel or an ad hoc working group, which could elaborate, in greater detail, on the appropriate framework with which to tackle the development challenges of middle-income countries.

CARICOM also believes that the upcoming quadrennial comprehensive policy review of operational activities for development of the United Nations system should take into account the concerns of middle-income developing countries. The United Nations must strengthen its role in these countries to ensure that their remaining development challenges are addressed

effectively, the achieved gains are preserved and decreased financial assistance does not negatively affect their efforts to pursue sustainable development.

CARICOM welcomes the outcome of the Rio +20 Conference. We wish to extend our gratitude to the Government of Brazil for their excellent leadership. We need to capitalize on the momentum generated from this conference and swiftly implement what was agreed on in Rio.

We are particularly interested in the mandate given to the United Nations Statistical Commission at the Rio conference to launch a programme of work to develop broader measures of progress to complement gross domestic product (GDP) in order to better inform policy decisions, building on existing initiatives, in consultation with relevant United Nations system entities and other relevant organizations.

A number of CARICOM Member States have signaled their intention of serving in the bodies established at Rio +20 to undertake the work on Sustainable Development Goals and on a new strategy for financing sustainable development. We continue to insist that the perspective of our region must be incorporated in these processes.

For CARICOM a priority in the follow-up to Rio +20 is agreement on the modalities for the 3rd International Conference on SIDS in 2014. We believe that the modalities for the preparatory process must ensure a robust assessment of the gaps in implementation, challenges and new and emerging issues confronting SIDS. We call on the international community to support the 2014 conference and the preparatory process including through contributions to the SIDS Trust Fund in UNDESA. CARICOM also supports the designation of 2014 as the international year of small island developing states as a means of mobilizing support.

During this session the 2nd committee will consider a resolution on the sustainable development of the Caribbean Sea. Within the Caribbean we have recognized that an integrated management approach that involves all relevant stakeholders provides us with the best option for protecting the Caribbean Sea, our most valued shared resource. The Caribbean Sea Commission represents an oceans governance framework to promote cooperation towards effective management of the Caribbean Sea area. CARICOM calls on the international community to support this initiative including the designation by the General Assembly of the Caribbean Sea as a special area in the context of sustainable development.

Climate Change represents a grave threat to the survival and viability of CARICOM Member States and other SIDS. Science continues to warn that we are on the threshold of irreversible and potentially catastrophic changes to the global climate system. Recent science points to a gross underestimation of the severity of sea-level rise with the rate of sea-level over the past twenty years doubling the rate observed over the entire last century.