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HEADQUARTERS • SIEGE NEW YORK, NY 10017

TEL.: 1 (212) 963.1234 • FAX: 1 (212) 963.4879

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THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

**Caribbean regional seminar on the implementation of the Third International Decade
for the Eradication of Colonialism: goals and expected accomplishments**

**Kingstown, Saint Vincent and the Grenadines
31 May to 2 June 2011**

STATEMENT

BY

Turks and Caicos All-Party Commission

Of the Constitution and Electoral Reform

(Mr. Conrad Howell)

Saint Vincent and the Grenadines

31 May to 2 June 2011,

Third International Decade, for the Eradication of Colonialism. 2011-2020,

Theme "Implementation of the Third International Decade for the Eradication of Colonialism: goals and expected accomplishments".

Ladies and Gentlemen, I submit to you that the handling of Turks and Caicos for the last two years, branded as DIRECT RULE, by the British Government, resoundingly makes the case for the Eradication of Colonialism.

Addressing the Special Committee, re: Advancing decolonization, on February 24, 2011, Secretary General Ban Ki-moon noted that, "*The completion of the process of decolonization will require the concerted efforts of all concerned: first and foremost, the Special Committee, the administering Powers, and the peoples in the Non-Self-Governing Territories. Dialogue aimed at improving cooperation between the Special Committee and the administering Powers continues to be of utmost importance.*"

We in the Territory are truly grateful that we are not being left to our little selves to desire such illusions as self-determination, and I personally offer thanks for this very opportunity to look at goals and expected accomplishments in this "**Third International Decade for the Eradication of Colonialism.**"

There is quite a difference between the world of 1945 and today's world. Back then there were some ninety six colonies and eleven "Trusted Territories," while today there remain sixteen Territories. Notice carefully, however, that in the Caribbean or western Atlantic, some twenty eight years has elapsed since the last sovereignty joined the ranks.

Only **thirteen** (1998) years ago, under the theme, "Progress through Partnership," a White paper listing several initiatives, changed the status of the British Territories from "Dependent" to "Overseas," and granted the remaining Territories full British Citizenship – a right that was said to be none reciprocal.

It is clear in the proposed 2011 Constitution, for Turks and Caicos, that such reciprocity, albeit, five years delayed and legal residency required, has become the way the Administration intends to "**enlarge the franchise.**" This is a recommendation of a **single Judge panel** in his report of the 2009 Commission of inquiry he presided over.

Today, what we see in the Territories, especially TCI and Anguilla, make it difficult for well thinking, patriotic people to long for anything but the Eradication of Colonialism. What exist mirrors so closely sixteen century colonialism, that then and now appear to be identical twins.

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Let's Examine -

1. The Interim Constitution has removed all sense of Democracy. The Governor has absolute authority. Even with his appointed Advisory Council and Consultative Forum in place, he is under no obligation to follow their advice or suggestion. **This is initiating and empowering Autocracy.**
2. Last September, the Minister responsible in the United Kingdom, suspended INDEFINATELY the time for general Elections and, put in place milestones which **must be met**, in order for TCI, to return to free and fair Elections. **This is a Human Rights abuse on the part of the EMPIRE.** (Declaration on Criteria for free and fair elections – 154 session – Paris, 26 march 1994).
3. No representation of, for and by the people, leaves room only for continued abuse. While many felt this could never happen under and by the British, it **has** on numerous occasions.
4. So as to minimize opposition, both the Human Rights Commissioner and the Chairman of the Public Service Commission, are members of the Advisory Council. Thus, decisions by the Administration cannot be independently and justifiably oppose or even adjudicated by them, because they are part and parcel of the decisions made.
5. The actions of the Interim Government/British Administration have demonstrated no regard for the interest and well-being of the Turks and Caicos Islanders or the Islands as a whole.
6. Under the guise of corruption, several inward investment projects were discontinued, delayed or simply frustrated out. Opportunities have moved away from the Islands, thriving industries have been stalled if not forever halted, and persons who can, are moving away from Turks and Caicos because of uncertainty.
7. Further, quite a number of persons from the UK have been brought in as "Advisors," albeit some or most of them are ill-equipped and occupying positions that Turks and Caicos Islanders ought to have and are prepared to handle. These persons are paid on time, while TCI Belongers have had to wait and be late on their bank obligations with penalties. In all this, The Turks and Caicos were never given any financial assistance so as to prop up our economy.
8. Of course, because of the ebbing of inward investment, taxes are being imposed at a rate which supposes that the intent is to completely destroy the Islands' economy and create two distinct classes. The very poor and the very rich - no middle class. This "Taxation without Representation" is being challenged by Mr. Jerzy Kolodziej of Grand Turk, TCI, for judicial review. (See attached complaint).

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9. It has become increasingly obvious that there is little or no intent on the part of the Interim Government/British Administration to listen to the voice of the indigenous people of the TCI. Every decision is prefaced with claims of corruption and the actions of the previous Administration, so as to cast blame. **The UK has been at the helm of Government for one year and ten months and must now accept responsibility for that time of their administration.**
10. While the initial reasons given for the British occupation may have seemed good, the approach was certainly a regrettable one. Serious harm has been done to the economy; the confidence of the populace is at an all time low; and the chorus chanted is that "corruption has simply changed colour" (from the local black Government, to the Interim white Government) - appalling at best. Many of its previous well-wishers are now regretting that they asked for the British intervention, while silently the other Territories wonders, who is next?

While preparing this document, in and throughout Turks and Caicos, the proposed 2011 draft Constitution was being debated with FCO personnel on TCI soil, May 16 – 19, 2011. However, the FCO's initial plan to exclude and deny Providenciales a town hall meeting sprung outrage among residence, the center for business activity and where majority of the people of the Turks and Caicos live. Only after this was voiced abroad and throughout the length and breadth of the Turks and Caicos and obviously became an embarrassment to the UK, were last minute plans made for a town hall meeting being broadcast live via TV and Radio.

The entire document was and is being rejected by the People of the Turks and Caicos with a resounding call for the return of the 2006 Constitution which was suspended in 2009. The major reason is that the 2006 document demonstrated a shared responsibility and a progressive people, as opposed to the 2011 proposed Constitution which is punitive at best, returns major power to the Governor even-though it encapsulates the celebrated 2006 document.

The matter of governance ought to be left to the full democratic process to correct. Ever since 1799, Turks and Caicos along with the Bahamas, Bermuda and Jamaica, has had the right to legislate for themselves. As such, one of the Political Parties in the Turks and Caicos Islands, in its call for a progressive constitution, has made it clear that it intends to pursue Independence.

Proposals for the Territories:

- ✓ Leaders within the Territories must carefully determine that it will pursue two and a half to three years for educating its people on the benefits, advantages and disadvantages of self determination and what that mean for the Territory.

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- ✓ Create for itself a standing Constitution Commission that will look at the ever changing needs of its society as it relates to the Constitution,
- ✓ Create a Committee on Foreign Affairs, Diplomatic and/or Protocol office/Committee to begin to focus as become necessary along these lines,
- ✓ Create for itself a Paramilitary core of a size and remit of its own choosing.
- ✓ Ensure alongside these, are institution that become pillars of the Society as they relate to Finances and the Economy, Laws and Education, etc.,
- ✓ With the assistance of the United Kingdom and the United Nations, determine the best way forward for its legal tender, and where necessary make tentative or formal agreements for use of the same,
- ✓ Determine a means of measurement visible to all, that the “milestones” have been achieved, and that the Territory has the means to sustain itself throughout its future.

Proposal for the United Kingdom:

- ❖ Demonstrate recognition of and for the rights of its Territories and their people to Self determination,
- ❖ Work in tandem with the Territory toward this inevitability,
- ❖ Create in conjunction with the Territory and the United Nations a written charter signed by the tripartite for the express purpose,
- ❖ As a goodwill gesture, fill the post of Attorney General with a residing QC in the various territories, or allow (as desired) by some territories that such a post is filled by a successful candidate for the House of Assembly. If the AG is by elected office then the DPP should be a local QC,
- Make available study and/or attachment opportunities for Territorial indigenous persons filling these new posts.

Proposal for the United Nations:

- While the effort and activities has gone a long way, I believe more can be done to obtain complete eradication of colonialism.

- It is well noted that the charter does not assign any particular task to the UN with respect to non-self-governing territories. You might recall that my colleague at the October sitting in New York, from the TCI Forum, Mr. Alpha Gibbs, suggested that there be some oversight of the UK dealings with TCI, in the light that the UK was re-colonizing the Turks and Caicos Islands. Thus, my call for the tripartite paper with signatures for the decolonization of the Territories.
- The United Kingdom has made bold statements that if either of its territories/colonies wants to become Independent; the UK will not stand in its way. At the same time, however, it makes no effort to prepare the Colonies for such a move.
- We do not ask the United Kingdom or the United Nations to **do** anything for us, but to act in tandem with us for the stated purpose as "Partners."

The Constitution then, must demonstrate devolution with power concentrated in the elected officials of the Territories as opposed to what currently obtains.

The benefits to be had are not all completely known, as they have not all been explored. Nevertheless, first and foremost, TCI has been a colony of the United Kingdom since the sixteenth century, real and tangible progress has been seen only in the last thirty-five years of Ministerial government.

Certainly, locally elected officials are under obligation to make the conditions of their Government and peoples suitable to attract both local and foreign investment, which gives way to the progressive living in TCI and of the residences here. We sometimes conclude that we managed a false economy, in that very little of that economy is locally owned. The truth is, that it was built through the hard work of local politicians and business people partnering to create a high end Tourist destination, with a Service and complimenting Industries that are beneficial and sustainable to, for and by us. Certainly the same is done throughout our sister Territories, both in the Atlantic and Pacific Oceans.

The view of the Administering powers that they know best what works in various political and economic settings is not always true. If we have had to learn to survive there, must we not be the ones who truly understand their intricacies? While we welcome the expertise available in and by the Administering Powers, often, we are taken for granted and asked to implement policies not applicable to our setting. **One size does not fit all.**