

FORUM: Special Political and Decolonization (GA4)

QUESTION OF: the Falkland Islands/Malvinas

SUBMITTED BY: Antigua and Barbuda

CO-SUBMITTERS: Mexico, United Kingdom, Kuwait, Philippines, Haiti, Madagascar, Luxembourg, Ukraine, Micronesia, Belize, Tonga, Namibia, Armenia, Nepal, Australia, Lithuania, Czech Republic, Germany, USA, France, Morocco

RESOLUTION NUMBER: 190,

THE GENERAL ASSEMBLY,

Taking note of present-day conflicting territorial claims by Great Britain and Argentina over who is in sovereign possession of the islands with each state claiming that they are the rightful owners,

Deeply disturbed by the falsehoods propagated by Argentina based on the 1964 “Ruda Statement” including the claims that Britain forcibly expelled the Argentine population living in the Falkland Islands in 1833, when in reality only 45 people (members of a small garrison and their families) were asked to leave while those who wished to remain were permitted to do so, and that Britain replaced the population of the Falkland Islands with a temporary, implanted population of British citizens, when in reality the settlers were not there temporarily, nor were they solely British as settlers also came from Canada and Gibraltar, amongst other places,

Further disturbed by the claims that Argentina has never accepted British control of the Islands and Argentina has never ceased to protest it, when in reality a treaty signed in 1849 by Argentina and Great Britain settled all disputes between the two, including the Falkland Islands issue, and there was not any form of protest from Argentina until a brief mention of the claim in the 1941 opening statement of the Argentinian congressional body, as well as the claim that British sovereignty of the Falklands violates the territorial integrity of Argentina, when in reality several Argentinian maps, including ones from the Office for National Statistics of Argentina and the Agricultural Ministry of Argentina show the Falkland Islands as being separate from Argentina and there are no international agreements or laws stipulating proximity as a valid determination of sovereignty, along with the claim that The Falkland Islands are a colony of Great Britain and self-determination is not applicable to Falkland Islanders, when in reality the Falkland Islands are not a colony but an Overseas Territory of the United Kingdom and are both internally self-governing and economically self-sufficient,

Declaring that the 1980 Argentine invasion of the Falkland Islands violated the first article of the UN Charter, and as an extension, the sovereignty of Great Britain,

Bearing in mind the overwhelming results of the May 2013 Falkland Islands referendum that saw 65% of the population vote with 99.8% of the voters wishing to remain as a British overseas territory as opposed to being ruled by Argentina,

Taking into account the UN General Assembly Resolution 2065, which recognized the sovereignty dispute between Argentina and the UK and recommended that it be solved via a peaceful agreement between the two countries,

Fully Aware that the Falkland Islands are capable of extracting 500,000 barrels of oil from their territory, thereby sustaining a long term hydrocarbon industry and creating a source of tension that needs to be resolved,

1. Asks the Argentinian government to:
 - a) formally recognize the British sovereignty of the islands
 - b) withdraw all diplomatic campaigns against Great Britain that are worsening the relations of the two countries

- c) permit ships with the Falkland Islands flag to enter Argentine ports in order for the trade between the Falkland Islands and Argentina to be enhanced
 - d) grant permissions to charter flights from Chile and other Latin American states with final destination the Falkland Islands to pass the aerial space of Argentina as it damages the Islands' tourism industry and their economy as a whole;
2. Requests the Special Committee on Decolonization and the British Government upgrade the status of the Falkland Islands from a Non-Self Governing Territory (NSGT) to a Dominion of the UK, which would recognize the Falklands as an autonomous territory, meaning it would:
- a) have the ability to choose which firms the state can allow to trade within their borders in order to maintain state interests, but then respond to any economic demand sent from the UK, for example taxation
 - b) have the ability to respond to any sovereignty claims on their own, without having to directly respond to the UK, but still possessing the choice to involve them,
 - c) be a UK territory such that any attack on the Islands would be recognized by the UN as a violation of UK sovereignty;
3. Further Requests that Argentina, upon relinquishing their claims over the Falklands, be provided partial access to the islands, including benefits such as, but not limited to:
- a) free movement into the Falkland Islands, however with the limitation that:
 - i. the Argentine passport not be allowed into the rest of the United Kingdom, without proper visa conditions
 - ii. the Argentine citizens or firms coming into the Falklands must abide by UK trade and tax laws
 - b) An increase in economic relations between the UK, including benefits such as:
 - i. the softening of trade and investment restrictions between the nations
 - ii. the easing of tariffs against Argentine firms trading with the UK
 - iii. the easing of visa restrictions between Falkland islanders and the rest of Argentina;
4. Calls Upon the Argentine government to reconsider their maritime borders to account for the borders of the Falkland Islands, which would include measures such as, but not limited to:
- a) the establishment of UN Maritime Laws and all of the provisions that come with it, especially including the ceding of maritime land equal to the UN Maritime law of 12 nautical miles from the Falkland Shores as well as the establishment of UK maritime laws in the new maritime borders of the Falkland Islands which must be recognised by the UN
 - b) enabling an economic exchange under which there will be an establishment of a special economic zone that will allow the Argentine government to send working personnel, as long as it is verified by the UK, to work in the waters of the Falkland Islands, including occupations such as, but not limited to:
 - i. certified fishermen and other forms of occupations that fall within the certified line of aquaculture
 - ii. scientists found in the field of biology and ecology
 - iii. miners and oil drillers with certification and commercial interests within Falkland borders;
5. Endorses the appointment of a UN consultant or subsidiary to analyze any possible further claims or disagreements that the Argentine state could bring up, so as to streamline the process of resolving the issue whereby:
- a) this committee will assign itself powers that must be agreed upon by the UK and the Argentine state,
 - b) the UK will be able to choose whether or not they will work with this committee or not, if a claim comes up,
 - c) all UN member states will directly recognize the Falkland Islands as being under UK

dominion to discourage the Argentine government from going back on its treaties with the UK, and in turn, the UN committee can provide legal protection for any firms coming from these countries, against problems such as:

- i. protection from transnational boycotting of products, after the firm traded for supplies coming from the Falklands
 - ii. protection from instances of large scale theft or destruction of products that come from the Falkland Islands
 - d) partial investment in all projects that are conducted by firms of other countries, with investments equal
 - e) to 5% will take place;
6. Strongly suggests the supervision of the area by UN-supported unarmed observers to verify whether the recommendations are being respected by both sides, through organizations such as the International Monetary Fund, the World Bank and the Department of Peacekeeping;
7. Asks for Argentina to respect the validity of the results of the 2013 sovereignty referendum of the opinions of the Falkland islanders, where the 99.8% voted in favor of their political status as an Overseas Territory of the United Kingdom;
8. Calls for the Argentinian and British government to initiate negotiations to reach a new agreement on:
 - a) regulation of fishing in the seas of Falklands
 - b) the use and exploitation of the Islands rich natural resources
 - c) the improvement of the Islands' infrastructure
 - d) the conservation of the unique fauna and flora of the Islands
 - e) the development of renewable energy resources to cover the Islands' needs
 - f) strengthening their economic relations by establishing better trade relations
 - g) encouraging the embassies of the two nations to cooperate and to open new channels with each other countries;
9. Suggests the two nations create a compromise for the natural resources found in the Falkland Islands, specifically the potential oil, with suggested means such as, but not limited to:
 - a) all petroleum and natural resources found within all Falkland claimed territories, which will be given to the UK and the islanders, while all resources found in open seas can be privately owned, through discussions between Argentina and the UK
 - b) any Argentine firm present in Falkland oil regions (within the Falklands economic zone) abiding by UK institutions such as:
 - i. the Construction Design and Management (CDM) regulations, which means that the coordination of health, safety, and welfare must be regulated by the UK
 - ii. UK trade tariffs and tax laws on international trade
 - iii. the UK justice system which will allow the UK to trial an Argentine company for infringing on any of the trade laws that have been put in place;
10. Proposes an improvement in the diplomatic relations between Argentina and the United Kingdom through economic incentives such as, but not limited to:
 - a) a 30% reduction in the Island Tax Treaty, paid by offshore oil providers outside of the United Kingdom. The reduction will be applied for both British and Argentine companies who wish to operate in the territories of the Falkland Islands
 - b) a 15% decrease in the exporting taxes of wheat and machinery on direct trading routes between the United Kingdom and Argentina
 - c) a 10% reduction of taxation related to air transportation between Argentina and the United Kingdom;
11. Recommends bilateral discussion between the EU and the UK which would specifically focus on

the economic impact of Brexit on the overseas territories such as but not limited to:

- a) creation of transition process tariffs for the fishing trade between the EU nations and the Falklands, specifically between the Falklands and Spain, who share fishing-based trade;

12. Emphasizes the need for de-escalation of militarized equipment located near or within the Falkland Islands, from both the UK and Argentina, under the provisions that:

- a) both sides decrease the number of ships stationed in or within the maritime borders of the Falkland islands, with Argentina reducing it by 50%, and the UK reducing their naval presence to the point where they deem that they would be able to defend the island with a minimal number of ships
- b) both sides must agree to a demilitarized naval and air zone in the international waters between the Falkland Island and Argentine maritime borders, not including commercial use
- c) upon the failure to meet these demands, as determined by the UN consultancy, that either side will be obligated to economically sanction the other, to a level as decided by a vote by the relevant Member States;

13. Urges UK and Argentina to cooperate and implement the following in order to help the Islands economically with measures including but not limited to:

- a) Increase accessibility of the islands to raw materials and agricultural products,
- b) Promote the Islands' products and services to the world in order to create new trading routes for the Islands,
- c) Broaden and deepen the activity of existing industries such as fisheries, agriculture and tourism,
- d) Diversify the economy and develop new industries with sustainability in mind
- e) Develop infrastructure such as roads, ports, hotels bridges that will:
 - i. Facilitate transportation around the islands
 - ii. Help islands to increase their trade activity
 - iii. Enable the development of tourism
 - iv. Create job opportunities.