

12/3/9

(4)

Mr. Hre

PS/Mr. Luce

PS

Aw 040/522/1		
RECEIVED IN REGISTRY NO. 78		
18 MAR 1982		
DESK OFFICER		REGISTRY
INDEX	PA	Action Taken

## FALKLAND ISLANDS: UN RESOLUTIONS

1. The Secretary of State has asked for a background note on UN Resolutions on the Falklands dispute.

2. The Falkland Islands feature on the list of colonies considered by the UN Committee of 24 each year. The Committee of 24 report to the Fourth Committee which in turn reports to the UN General Assembly. Since 1976, when the last UNGA Resolution on the subject was passed, the Committee of 24 have decided each year to defer consideration for a further year because negotiations were continuing. The General Assembly has always accepted this recommendation.

3. There are only three UN General Assembly Resolutions which deal specifically with the Falklands:

- A No 2065 of December 1965
- B No 3160 of December 1973
- C No 31/49 of December 1976

The voting on each Resolution is marked on the attached copies. I also attach a detailed breakdown of the voting on the 1976 Resolution.

- E 4. The 1965 Resolution was even-handed. It took no sides but enjoined both the UK and Argentina to begin negotiations on the dispute "in the interests" of the Islanders. However, the Resolution placed the dispute firmly in the context of decolonisation by referring to UNGA Resolution 1514 of 1960. HMG have never accepted that the Falklands issue is one of decolonisation. We insist that what is at stake is the Islanders' right to self-determination (a principle which is in fact subscribed to in Resolution 1514 though in the more specific context of independence for colonial territories).

5. The 1973 and 1976 Resolutions were more openly sympathetic to the Argentines. Without specifically endorsing the Argentine claim to sovereignty, they express gratitude to Argentina for its efforts to "facilitate the process of decolonisation" and "promote the well-being of the population of the Islands". Both parties are asked to refrain from introducing any unilateral modification into the situation and to speed up the negotiations over sovereignty in order to arrive at a peaceful solution.

6. The Argentines have sought throughout to keep our negotiations within the context of the UN Resolutions, claiming

/that

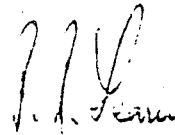
that these reflect overwhelming international support for their position. If the negotiating dialogue does break down, we can expect them to take the issue to the General Assembly again and to use every effort to secure wording which more overtly supports their claim.

7. If the issue does return to the UN, the perceived decolonisation context and Argentine membership of the Non-Aligned Movement must be expected to secure once again a clear majority in broad support of the Argentine position. There are, however, factors which could work against Argentina and which might at least lead to a greater number of abstentions

- (a) although the 1976 Resolution followed the military coup in Argentina that year, the scale of human rights violations by the military regime (and in particular the level of "disappearances") had not yet made a significant impact on international opinion;
- (b) since the change of Argentine Government in December 1981, Argentina has adopted a more overt pro-American line, particularly in relation to Central America. This could weaken its hitherto firmly entrenched support within the Non-Aligned Movement and there are even rumours that Argentina may withdraw altogether from the NAM;
- (c) the UK's record on decolonisation has recently been boosted by our bringing Zimbabwe and Belize to independence. (*to Antigua + Barbuda ...*)

8. Points (a) and (c) are ones on which we should seek to capitalise in our own lobbying. It will be equally important to ensure that a breakdown of negotiations can as far as possible be defensibly ascribed to Argentine intransigence rather than to any lack of will on our part. We and UND will be giving thought to how best to deal with the dispute in the UN; and we shall shortly be sounding out some selected Commonwealth countries on their attitude.

9. However, in the final analysis, even if we find ourselves again in a minority of one, General Assembly resolutions are not mandatory and will not materially affect the situation on the dispute.



P R Fearn  
South America Dept

11 March 1982

cc PS/PUS  
Mr Giffard  
UND  
CCD

*Para 8 above is important, as  
action in the UN is likely to be  
among the first Argentine response to  
a breakdown of negotiations. P. R. Fearn  
12/3.*

CONFIDENTIAL