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Foreign and Commonwealth Office

London SW1A 2AH

20 May 1982

Prime Minister

A. J. C. 20/5

Dear John,

Falkland Islands: Interim Agreement

In his letter to you of 19 May, Henry Steel noted that the FCO had misgivings about the Prime Minister deploying publicly the information in paragraphs 4, 5 and 6 of the Attorney-General's Note which he enclosed.

There is certainly a risk of criticism of the restrictive nature of the Ordinances referred to in the Note. This might not be too difficult to rebut. The regulations concerning immigration and electoral franchise are broadly similar to those which obtain in the UK and many other countries. The Aliens Ordinance (which has been effective in its present form since 1950) is more controversial, since it has allowed the Falkland Islands Government to prevent any acquisition of land by Argentine nationals. It is more restrictive than similar regulations in other territories (eg Switzerland, the Channel Islands). But it could be defended as a necessary and understandable bulwark against Argentines taking over the Islands by the back door. It has reflected the particular circumstances of the sovereignty dispute: and the need for it has been amply demonstrated by the Argentine insistence in the present negotiations on unrestricted access during the period of an Interim Agreement. The right time to regulate the question of land acquisition would be in negotiations on a final settlement.

Nevertheless, at a time when we wish to make much of Argentina's intention to 'flood' the islands in the interim period, details about apparently unduly restrictive practices on our side would only muddy the waters. We therefore continue to see a need for considerable caution in making use of the points covered in the Note enclosed with Henry Steel's letter, unless this is in response to particular lines of questioning.

I am copying this letter to Henry Steel.

(J E Holmes)  
Private Secretary

Yours ever  
John Holmes

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