

Message Input Number 003/23

Date 23 May 1982

This transmission consists of 13 page(s) PLUS leader.

From CHANCERY UKMis NEW YORK

To EMERGENCY UNIT FCO

FALKLANDS

SECURITY COUNCIL: PANAMA

Following is text of Foreign Minister Illueca's
intervention in the Security Council on 22 May.

(See our telno 157.)

Transmitted at

By

S/PV.2362
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Mr. ILLIBCA (Panama) (interpretation from Spanish): I should like to greet you most cordially, Ambassador Ling Qing. We are that a statesman of your stature, who represents one of the major Powers of the world, is guiding these debates, to the satisfaction of all and in a manner consistent with the ideals of the United Nations. I should like also to greet your predecessor, Ambassador Kananda wa Kananda of Zaire, who presided over the deliberations of the Council last month.

Panama is particularly pleased at the presence of two Latin American Foreign Ministers, representing two countries with a great Latin American history which we respect, admire and esteem.

(Mr. Illueca, PANAMA)

I am referring to the Minister for Foreign Affairs of Argentina Mr. Ricardo Costa Mendez, and the Minister for Foreign Affairs of Venezuela, Mr. José Alberto Zambrano. They represent two nations whose peoples shed their own blood in the days of the struggle for independence in order to liberate other peoples. Behind them is the image of Simón Bolívar and of José de San Martín, and the ideal of the unification of Latin America as reflected in the Panama Congress of 1826, an endeavour not yet completed but about to be concluded.

I refer to this because we truly do have a colonial question before us, as was stated at the Council's meeting of 3 April. At that meeting I expressed my own country's concern at the threat represented by the colonial presence of an extra-continental Power in Latin American territory.

On 3 April there had been no breach of the peace, there had been no outbreak of hostilities. When the Government of Argentina carried out the occupation of the archipelago which rightfully belongs to it, it did so with great respect for peace and for individual safety which reflected great care for human life, and it caused no personal harm to any British soldier or to any civilian. It was claimed that that action by Argentina violated the legal order, but the opinion of Panama and the opinion of the United Nations in many resolutions is that the State that was committing a breach of the peace was the State which does not belong to that continent, which did not comply with the United Nations resolutions on decolonization and which was disregarding General Assembly resolution 1514 (XV). Here we have proclaimed an anti-colonial law which has not been codified but which appears in many resolutions and which the colonial and neocolonialist Powers naturally do not want to see codified. Therefore peoples that want to maintain their territorial integrity, freedom and independence must lay claim to their anti-colonial rights as enshrined in the Charter of the United Nations and in numerous resolutions. Those resolutions emerged as Latin American initiatives at the time when Latin America constituted the strongest regional group of the Organization, which has been strengthened with the passage of time by the Asian, African and Arab nations and by some European nations which work in a way which is attuned to the interests of the third world. Those anti-colonialist resolutions proclaim in a clear-cut way, without ambiguity, that peoples that are subject to colonial oppression may use all means available to them in order to put an end to that colonial situation.

(Mr. Illueca, Panama)

It was for that reason that my country objected to the adoption of resolution 502 (1982) on 3 April of this year. On that occasion we made a very clear statement that the intransigent anti-historical attitude of the United Kingdom was going to cause great problems, tribulations, conflicts and painful situations for the countries represented in the Council the Western world and mankind at large, including the Socialist and Eastern Powers because this is not a problem that is confined to Latin America and Argentina but rather one which is bringing the world to the brink of a conflagration. It is time to appeal for reflection, for prudence and calm so that there should be no more of these punitive expeditions where two-thirds of a British naval fleet - now I should say it is four-fifths of its fleet - is despatched, to attempt to punish and humiliate and confront Argentina, disregarding the fact that there is a Latin American continent that has historical and cultural links and that an affront and threat to Argentina is an affront and threat to the dignity and rights and aspirations of all Latin American peoples. An attempt has been made to conceal and cloud the colonial problem, and it is regrettable that countries that call themselves civilized view Latin American nations merely in terms of their Governments. There are countries with a history and a social and cultural structure that have permanent values, values that cannot be obfuscated, that are not negotiable, are not on the market, cannot be bargained away - those are the values of our peoples and perhaps that is why the Anglo-Saxons do not understand Latin Americans.

Those values of our peoples cannot be subjected or violated because that would cause blood and tears for mankind. There are many such cases in the history of mankind. It will be seen that Latin America, together with Argentina is right in this case, that the Security Council and particularly the countries represented here must look at the roots of this problem, which are purely and simply colonial. Resolution 502 (1982), in spite of our opposition, contained three elements. One was a cessation of hostilities, which at that time did not exist and that is why we had stated that the resolution was illogical. Those hostilities have now occurred with only one party to blame, one aggressor with only one Government acting in an irrational and disrespectful way, disrespectful of the United Nations system and the system of contemporary civilization.

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(Mr. Illueca. Panama)

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It is lamentable to see in the newspapers that the leaders of the United Kingdom are saying that civilized peoples should be grateful for the action taken by the United Kingdom. This is a reflection of colonial thinking - to speak in this day and age of civilized peoples implies that there are uncivilized peoples. Who is civilized and who is not? Is the Prime Minister of the United Kingdom civilized when she tells the Chairman of the BBC that British patriotism has to be defended and has to be told that the media exist not to defend patriotism but to provide the facts, and that an Argentine widow deserves as much pity as a British widow?

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are considering here an infamous loss of life which has no possible justification, no reason to exist in a civilized world - to use her own words - world which has reached this stage of development.

That same resolution talked about negotiations. It was not a matter of cessation of hostilities, because unlawful action was taken by the nation that proposed this. We have to go back to General Assembly resolution 2065 (XI), which told Argentina and the United Kingdom to sit down at the negotiating table to discuss what? The decolonization of the Malvinas. Why? Because Argentina's claim was proper, not the United Kingdom's. It was stated that account should be taken of the interests of the inhabitants, not the rights of the inhabitants. There is no right to self-determination in this case. You should not be surprised to hear me say that there is no right to self-determination in this case. The right to self-determination is for the oppressed, not for the oppressors. The 1,800 inhabitants of those islands are all dependants of a British colonial company with headquarters in London, which has some 700,000 sheep that are grazing in the Malvinas, and it would really be making a mockery of the right to self-determination if we were to say that the future of the islands must be decided by the employees of a colonial company who are of the same nationality as the oppressor nation. That is the position.

That resolution was prepared by those who later were going to violate it, but in any event we do have those two elements which must be considered.

The United Kingdom has set itself up as the executor of that resolution, but in order to violate it, and what are those violations? On 3 April we stated here that the United Kingdom, with its obduracy in this matter, was going to provoke a crisis in the inter-American system. We stated this before the crisis ever took place, but now the crisis has occurred, and why has it occurred? The United Kingdom has decreed a maritime exclusion zone extending 200 miles from the Malvinas archipelago. That could only be done by the Security Council. We need only read Articles 39, 41 and 42 of the United Nations Charter to see that such a thing can only be done by the Security Council, so this is an affront to the Security Council.

(Mr. Illueca Panama)

We cannot be indifferent to this. Is there order, or is there not? Does the Charter of the United Nations exist or not? Must it be respected or not? But that is not the only thing. That exclusion zone runs counter to the zone of geographical security enshrined in article 4 of the Inter-American Treaty for Mutual Assistance. So it can clearly be seen that this is not a crisis that we are inventing; it is a crisis that was designed by the United Kingdom, which is disregarding this entire inter-American system. I am mentioning this here because the situation must be considered in depth and a solution must be found before more regrettable extremes are reached, because we are all aware of the loss of life, the damage to property and the very profound spiritual injury done to all the Latin American peoples.

But the violations of resolution 502 (1982) do not stop there. The Venezuelan Foreign Minister, in an outstanding and most lucid way, described those violations, one of the most disdainful of acts committed because a major maritime Power - which is what the United Kingdom is - is taking action which the President of the Republic of Panama, Dr. Aristides Royo, has quite rightly described as a deceitful action. Why? Because the cruiser "General Beltrano" which was torpedoed by one of the nuclear submarines belonging to the United Kingdom was outside that maritime exclusion zone. If we follow the logic of that civilized people - to use its own words - well then, in a civilized way England decided that, so as not to violate its own zone, the zone should be extended to within 12 miles of Argentine continental territory. Does that exonerate England, or does it mean that England wanted freedom to act, to take justice into its own hands by might, to gain time so that the troops arriving in a luxury liner would manage to reach the Malvinas Archipelago and Argentine territory? The zone of war is being extended, and it is being extended without any declaration.

~~... knowledge that ...~~ has a territorial sea of 200 miles.

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(Mr. Illueca, Panama)

We, the developing countries, have greatly suffered from the actions of the maritime Powers. Innocent passage is requested of us. At the Conference on the Law of the Sea we had great difficulties because of that obsession to keep the seas closed. How many of those maritime Powers, above all the European Powers, have protested or condemned this irrational, unreasonable act on the part of the United Kingdom? I know of only one - the Soviet Union. It must be stated that the Soviet Union has stated that it can not in any way accept the type of decision taken by the United Kingdom. But if there is any other such country, I think it would be very helpful if it state here in the Security Council that it does not accept that type of decision taken unilaterally by the United Kingdom, which feels itself very powerful. And we are going to see why.

Foreign Minister Zambrano has already referred to the nuclear or nuclear-powered submarines which are being used for military purposes, in our view, in violation of the Treaty of Tlatelolco, the Treaty that prohibits nuclear weapons in Latin America.

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(Mr. Illueca, Panama)

Prohibited explosives have also been used, bombs that really constitute a crime against mankind. We have seen photographs. It has been said that it is not true. Well, if it is not true, I think it would be good to have that repeated here in the Security Council, because that type of device should not be used. It should also be stated that nuclear weapons must not be used and are not going to be used, but we have not witnessed any great haste to make that kind of pledge.

The chain of violations of resolution 502 (1982) by the United Kingdom has created a crisis in the United Nations system of security - a crisis which worsened when other members of the European Community, also in violation of the clear provision of the Charter that it is for the Security Council alone to decide on taking such action, decided to impose sanctions against Argentina.

That crisis has now been reflected in the inter-American security system. We must look at this calmly and give it profound thought. In 1947 the American States signed the Inter-American Treaty of Reciprocal Assistance - the Rio Treaty. That stipulates that an attack, particularly one by an extraterritorial Power, against a signatory State is to be considered an attack against all the other States parties to the Treaty.

Pursuant to the Treaty, during the first week of this month a meeting was held in Washington of the Ministers for Foreign Affairs of the countries parties to the Rio Treaty. An historic event occurred. The countries gathered there recognized Argentine sovereignty over the Malvinas. They decided to make collective representation to the Security Council and to the parties involved. They also requested a cessation of hostilities. Seventeen countries voted in favour of that decision and only four abstained. But the Treaty proved ineffective in this connexion, although it envisages sanctions against the aggressor, measures to support the country against which a violation is directed and measures for the collective security of the Rio Treaty countries.

Why has it not been possible to apply the Treaty? A strategic problem arises. The question of the Malvinas invites serious reflection because, in addition to its being a colonial question - which is the root of the problem -

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(Mr. Illueca, Panama)

Other considerations are involved which are not ideological but involve strategic interests. The major Powers are interested in the South Atlantic sea routes. The nations of the North Atlantic Treaty Organization (NATO), of course, would be extremely pleased if the United Kingdom, even if by force, were to maintain control over the Malvinas Archipelago, given the fact that it is in the South Atlantic.

But it is possible to consider whether Argentine sovereignty affects the interests of any other country? Argentina has a legitimate right to sovereignty over those islands and to exercise its full authority there. Of course, in the framework of world relations it is for Argentina to assume its responsibilities. But this is a matter that falls under Argentine sovereignty. There is a conflict between countries. Strategic alliances are involved. We can see that here there is a NATO conflict. We have the Rio Treaty, but it has proved ineffective because Latin America lacks a system of collective security.

A distinguished United States admiral publicly declared in statements that were published in the press that the United States was not obliged to help the United Kingdom because the NATO Treaty applied north of the equator but that did not include the Malvinas. But we can invoke the Rio Treaty.

We should not like to see this matter handled from a strategic standpoint. We believe that we must come back to its essential roots, that is, its colonial nature. I say that we do not want it handled that way because clearly if, in view of the fact that the United Kingdom is concentrating all its naval forces in the South Atlantic to commit this aggression against Argentina, other NATO countries make replacements of services in NATO, there is just an exchange of positions. In other words, it could be France, the United States or any other NATO country effecting a transfer of military equipment. Then a party to the Rio Treaty with its own commitments could be involved.

There is growing resentment against the United Kingdom and against all the nations that are lending themselves to the United Kingdom's aggression against Argentina, and this must be put on record.

(10)

(Mr. Blüwece, Panama)

Hence we consider that the root of the problem is colonial, that the United Kingdom is against the legal order of the United Nations, that in attempting to maintain its anachronistic colonial presence it is against the contemporary spirit - against the process of change: a process of change which must take place right there in the Malvinas, and which will have to be registered in Gibraltar also. Anachronistic as is the United Kingdom presence in the Malvinas, so also is it in Gibraltar. Indeed, it is offensive to all of us with an Iberian-American conscience. This is something that must not be overlooked by the Council or by the other Members of the United Nations. Above all, the people of the United Kingdom must realize that at the close of the twentieth century these colonial enclaves have no justification; they are inadmissible, reprehensible, and stand condemned by the world conscience.

The Non-Aligned Movement has declared its support for the Argentine claim. True, the Group of 77 is not a political group, but economic sanctions caused it to be concerned about these issues. Hence its representatives in various capitals have declared their support for Argentina and their opposition to sanctions. We therefore believe that the Security Council should find a way of reaching some type of decision or agreement that would effectively bring about a cessation of hostilities, a separation of forces and the withdrawal of that colonial presence, thereby opening the way for negotiations.

Indeed, as was stated by the Inter-American Legal Committee, what we have to negotiate is the withdrawal of the United Kingdom. There is nothing else to be negotiated. And it must be negotiated so that, in the most orderly, peaceful way possible, we can restore the legal order of the United Nations, which is completely anti-colonial.

The efforts of the Secretary-General are to be commended. The Secretary-General deserves the support expressed to him by the Head of State of Panama, as well as the support of all members of this Council. Thus far, however, those efforts have been unsuccessful because of the intransigence of the United Kingdom.

(11)

(Mr. Illueca, Panama)

The way in which this matter has been handled by the United Kingdom gives a very bitter taste indeed because, as events have unfolded, I think the very position of the Council has been affected. The intensive negotiations earlier this week, both here at United Nations Headquarters in the offices of the Secretary-General on the 38th floor and at his residence gave us grounds for hope. One of the participants in them was Mr. Enriquez Ros, a well known statesman here at the United Nations, whose human and professional qualities need no additional mention by me. Also present was the representative of the United Kingdom, Sir Anthony Parsons, who also enjoys our respect and who possesses excellent qualities in his own right. At the same time, we are aware that he is subject to instructions which at times, it is said, are 'iron-clad', even though we wish they were more human.

Now, just when the Secretary-General's efforts seemed headed for success and the Security Council had been convened the Council began to find itself in what I believe to be a very difficult and embarrassing position. When the rumour was circulated that the negotiations, as reported throughout the world press, had broken down, the Secretary-General communicated personally with the Prime Minister of the United Kingdom, Mrs. Margaret Thatcher. According to press reports, Mrs. Thatcher had made positive signs and asked the Secretary-General to continue his efforts. Similarly, the Secretary-General contacted the President of Argentina, General Galtieri, who also expressed the desire that the Secretary-General continue his efforts. As I understand it, the Security Council met this past Wednesday in an informal meeting and, as also reported in the press, on the basis of that background information decided to allow the Secretary-General an additional few days in which to pursue his peace-making efforts - efforts which, I repeat, we all commend and fully support. Indeed, we only wish he could be given a mandate to complete those efforts successfully - of course, with the co-operation of the parties concerned.

That was on Wednesday of this week. The Security Council, as everyone knows, had agreed to give the Secretary-General a few days more to continue his efforts. However, the rebuff to the Council came not from Argentina but from the other side of the Atlantic, because on the following day the Prime Minister of the United Kingdom appeared before the House of Commons to say that negotiations were leading nowhere and had broken down.

What caused that? The United Kingdom had made some proposals and issued an ultimatum to Argentina. That also was published. And if the version that I am stating here is inaccurate, may I be corrected. It was indicated that if Argentina failed to accept those proposals as put forward, the United Kingdom, which had been involved in a process of prolonging those talks in order to prevent specific agreement, was going, as indeed it subsequently did, to begin an escalation - an escalation which is taking place right now.

That, of course, leaves the Council in the position of being slighted. By its intransigence the United Kingdom is snubbing the Security Council and all its members. As I stressed in this Council on 31 April after adoption of the resolution, a punitive expedition had been mounted, and the resolution should in no way be understood as authorizing the United Kingdom to use force. I said that because a British expeditionary force was advancing towards the South Atlantic - a force of overwhelming military capability. No one here objected to the interpretation made by Panama that resolution 502 (1982) in no way authorized the use of force by the United Kingdom. Yet it has resorted to force and is now engaged in an escalation of the use of force, to the detriment of the Argentine people and of Latin American peoples at large.

(Mr. Illueca, Panama)

It has been stated in England that civilized peoples should be grateful to England for this oppressive, aggressive, warlike, unlawful action against Argentina. What we must say is that Latin American people are grateful to Argentina; that we are grateful to Argentina for its sacrifices; that Argentina and the Argentine people have behaved nobly, as they did in the days of liberation and independence, when Argentina helped peoples throughout America to achieve independence. The Latin American conscience is moved by the reaffirmation of its own cultural, political and economic values.

I wish to conclude by stating that the Security Council must take clear and categorical action for the cessation of hostilities. But at the same time I should like to tell the men and women of Argentina, the mothers and sisters who have lost their children, their brothers or their husbands, that all this sacrifice will not be in vain; that this tragic process will lead to a new Latin America - a united, worthy, active Latin America with a greater awareness of the role it must play so that peace and justice may prevail in the world.

The PRESIDENT (interpretation from Chinese): I thank the Minister for Foreign Affairs of Panama for the kind words he addressed to me.

The next speaker is the representative of Canada. I invite him to take a place at the Council table and to make his statement.

24 MAY 1982

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