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CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND
THE FALKLAND ISLANDS

—
COMPARISON OF THE DRAFT PROPOSALS

Note by the Secretaries

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Attached are the texts, set out side by side for easy comparison, of -

- a. The draft proposals: agreed between the United States Secretary of State, Mr Haig, and British Ministers on 12 April;
- b. The draft proposals received from Mr Haig after his visit to Buenos Aires on 19 April;
- c. The draft proposals as amended by British Ministers and put by the Foreign and Commonwealth Secretary to Mr Haig in Washington on 22 April;
- d. The latest draft brought back by the Foreign and Commonwealth Secretary on 24 April.

Signed ROBERT ARMSTRONG
R L WADE-GERY
R L L FACER

Cabinet Office

24 April 1982

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(HAIG/HMG 12 APRIL)

1. On the basis of United Nations Security Council Resolution No 502, and noting relevant United Nations General Assembly Resolutions, Argentina and the United Kingdom have agreed on the following steps, which form an integrated whole:

2. All military and security forces other than local police shall be withdrawn within a short period of time, but not later than two weeks from the date of this agreement, from three areas defined by circles of 150 nautical miles radius from the following co-ordinate points:

- a. Lat. 51° 40' South
Long. 59° 30' West
[Falklands]
- b. Lat. 54° 20' South
Long. 36° 40' West
[South Georgia]
- c. Lat. 57° 40' South
Long. 26° 30' West
[South Sandwich Islands]

(HAIG 19 APRIL)

On the basis of United National Security Council Resolution 502, and the will of the Argentine Republic and of the United Kingdom to resolve the controversy which has arisen between them renouncing the use of force, both governments agree on the following steps which form an integrated whole:

1. Effective on the signature of this agreement by both governments, there shall be an immediate cessation of hostilities.

2. Beginning at 0000 hours on the day after the day on which this agreement is signed, the Republic of Argentina and the United Kingdom shall not introduce nor deploy forces into the zones (hereinafter, "zones") defined by circles of 150 nautical miles radius from the following co-ordinate points (hereinafter, "co-ordinate points"):

- A. LAT. 51 DEG 40' S
LONG. 59 DEG 30' W
- B. LAT. 54 DEG 20' S
LONG. 36 DEG 40' W
- C. LAT. 57 DEG 40' S
LONG. 26 DEG 30' W

2.1 Within 24 hours of the date of this agreement the United Kingdom will rescind its zone of exclusion and Argentina will not conduct operations in the zones.

2.2 Within 24 hours of the date of this agreement Argentina and the United Kingdom will commence the withdrawal of their forces in accordance with the following details.

2.2.1. Within seven days from the date of this agreement, Argentina shall have withdrawn one half of its military and security forces present in the zones on the date of this agreement, including related equipment and armaments. Within the same time period, the United Kingdom will have completed the withdrawal of all of its forces from the zones and the United Kingdom Naval Task Force will stand off at a distance of at least 1750 nautical miles from any of the co-ordinate points.

(HMG 22 APRIL)

On the basis of United National Security Council Resolution 502, and the will of the Argentine Republic and of the United Kingdom to resolve the controversy which has arisen between them renouncing the use of force, both governments agree on the following steps which form an integrated whole:

1. Effective on the signature of this agreement by both governments, there shall be an immediate cessation of hostilities.

2. Beginning at 0000 hours on the day on which this agreement is signed, the Republic of Argentina and the United Kingdom shall not introduce nor deploy forces into the zones (hereinafter, "zones") defined by circles of 150 nautical miles radius from the following co-ordinate points (hereinafter, "co-ordinate points"):

- a. LAT. 51 DEG 40' S
LONG. 59 DEG 30' W
- b. LAT. 54 DEG 20' S
LONG. 36 DEG 40' W
- c. LAT. 57 DEG 40' S
LONG. 26 DEG 30' W

2.1. Within 24 hours of the date of this agreement the United Kingdom will suspend enforcement of its zone of exclusion and Argentina will not conduct operations in the zones.

2.2. Within 24 hours of the date of this agreement Argentina and the United Kingdom will commence the withdrawal of their forces in accordance with the following details.

2.2.1. Within seven days from the date of this agreement, Argentina shall have withdrawn one half of its military and security forces present in the zones on the date of this agreement, including related equipment and armaments. United Kingdom Naval Task Force will stand off at a distance of at least 150 miles from any of the co-ordinate points.

2.2.2. Within 15 days from the date of this agreement, Argentina and the United Kingdom shall have removed all their forces, equipment and armaments from the zones. Thereafter, the United Kingdom Naval Task Force and submarines shall revert to their normal duties.

(LATEST DRAFT)

On the basis of United Nations Security Council Resolution 502, and the will of the Argentine Republic and of the United Kingdom to resolve the controversy which has arisen between them, renouncing the use of force, both Governments agree on the following steps, which form an integrated whole:

1. Effective on the signature of this agreement by both Governments, there shall be an immediate cessation of hostilities

2. Beginning at 0000 hours local time of the day after the day on which this agreement is signed and pending a definitive settlement, the Republic of Argentina and the United Kingdom shall not introduce or deploy forces into the zones (hereinafter, "zones"), defined by circles of 150 nautical miles radius from the following co-ordinate points (hereinafter, "co-ordinate points"):

- A. LAT. 51 DEG 40' S
LONG. 59 DEG 30' W
- B. LAT. 54 DEG 20' S
LONG. 36 DEG 40' W
- C. LAT. 57 DEG 40' S
LONG. 26 DEG 30' W

2.1. Within 24 hours of the date of this agreement, the United Kingdom will suspend enforcement of its zone of exclusion and Argentina will suspend operations in the same area.

2.2 Within 24 hours of the date of this agreement, Argentina and the United Kingdom will commence the withdrawal of their forces in accordance with the following details.

2.2.1. Within seven days from the date of this agreement, Argentina and the United Kingdom shall have withdrawn one-half of their military and security forces present in the zones on the date of this agreement, including related equipment and armaments. Within the same time period, the United Kingdom naval task force will stand off at a distance equivalent to 7 days' sailing time (at 12 knots) from any of the co-ordinate points, and Argentine forces that have been withdrawn shall be placed in a condition such that they could not be reinserted with their equipment and armament in less than 7 days.

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2.2.2. Within 15 days from the date of this agreement. Argentina shall remove all of its remaining forces, equipment and armaments from the zones. Within the same time period, units of the United Kingdom Naval Task Force and submarines shall redeploy to their usual operating bases or areas.

2.2.2. Within 15 days from the date of this agreement, Argentina shall remove all of its remaining forces and redeploy them to their usual operating areas or normal duties. Within the same period the United Kingdom naval task force and submarines shall redeploy to their usual operating areas or normal duties.

2.3. The United States, depending on its acceptance, shall verify compliance with provisions 2 through 2.2.2.

3. After the date of this agreement and pending a definitive settlement, no military or security force shall be introduced into the areas defined in paragraph 2 above. On completion of the withdrawal specified in paragraph 2 all forces that have been deployed in connection with the current controversy shall be redeployed to normal duties.

7. Within a short period of time, but not later than two weeks from the date of this agreement, steps shall be taken to terminate the economic and financial measures adopted in connection with the current controversy, including restrictions relating to travel, transportation, communications, and transfers of funds between the two countries. Likewise the United Kingdom shall request third countries that have adopted similar measures to terminate them by that date.

4. The United Kingdom and Argentina shall each appoint, and the United States agrees to appoint, a representative to constitute a Special [Interim] Commission which shall provide observers to verify compliance with the obligations in the preceding paragraphs. Each Commissioner may be supported by a staff of not more than ten persons.

5. On an interim basis, all decisions, laws and regulations hereafter adopted by the local administration on the islands shall be submitted to and expeditiously ratified by the Special [Interim] Commission, except in the event that the Special [Interim] Commission deems such decisions, laws or regulations to be inconsistent with the purposes of this agreement or its implementation. The traditional local administration shall continue, including the Executive and Legislative Councils, which would be enlarged to include representatives of the Argentine population whose period of residence on the islands is equal to that required of others entitled to representation, such representatives to be in proportion to that population subject to there being at least one such representative on each Council. The Special [Interim] Commission shall fly the flag of each of its constituent members at the Commission's headquarters.

3. After fifteen days after the date of this agreement and pending a definitive settlement, no military or security forces shall be introduced by the signatories into any of the zones defined by circles of 150 nautical miles radius from the coordinated points.

4. From the date of this agreement, steps shall be taken by the two governments to terminate simultaneously, and without delay, the economic and financial measures adopted in connection with the current controversy, including restrictions relating to travel, transportation, communications, and transfers of funds between the two countries. The United Kingdom without delay shall request the European Communities and third countries that have adopted similar measures to terminate them.

5. The United Kingdom and Argentina shall each appoint, and the United States has indicated its agreement to appoint a representative to constitute a special interim authority which shall provide observers to verify compliance with the obligations in this agreement.

6A) Pending a definitive settlement, all decisions, laws and regulations hereafter adopted by the local administration on the Islands shall be submitted to and expeditiously ratified by the special interim authority, except in the event that the special interim authority deems such decisions, laws or regulations to be inconsistent with the purposes and provisions of this agreement or its implementation. The traditional local administration shall continue through the executive and legislative councils which shall be enlarged in the following manner: the Argentine Government shall appoint two representatives, who shall serve in each Council; the Argentine population whose period of residence on the Islands is equal to that required of others entitled to representation shall elect representatives to each Council in proportion to their population, subject to there being at least one such representative in each Council. The local police shall be continued under the administration of the councils, with a representation of the

3. After fifteen days after the date of this agreement and pending a definitive settlement, no military or security forces shall be introduced by the signatories into any of the zones defined by circles of 150 nautical miles radius from the coordinated points.

4. On completion of the steps specified in paragraphs 2, 2.1, 2.2, 2.2.1 and 2.2.2 above, shall take measures to terminate simultaneously, and without delay, the economic and financial measures adopted in connection with the current controversy, including restrictions relating to travel transportation, communication, and transfers of funds between the two countries. The United Kingdom at the same time shall request the European Community and third countries that have adopted similar measures to terminate them.

5. The United Kingdom and Argentina shall each appoint, and the United States has indicated its agreement to appoint a representative to constitute a special interim authority which shall provide observers to verify compliance with the obligations in this agreement. Each representative may be supported by a staff of not more than ten persons.

6A) Pending a definitive settlement, all decisions, laws and regulations hereafter adopted by the local administration on the Islands shall be submitted to and expeditiously ratified by the special interim authority except in the event that the special interim authority deems such decisions, laws or regulations to be inconsistent with the purposes and provisions of this agreement or its implementation. The traditional local administration shall be re-established including the executive and legislative councils each of which shall be enlarged to include one representative of the Argentine population resident in the Islands to be nominated by the special interim authority. The flags of each of the constituent members of the special interim authority shall be flown at its headquarters.

6B) Pending a definitive settlement, neither government shall take any action that would be inconsistent with the purposes and provisions of this agreement or its implementation.

(No paragraph 3)

4. From the date of this agreement the two governments will initiate the necessary procedures to terminate simultaneously, and without delay, the economic and financial measures adopted in connection with the current controversy, including restrictions relating to travel, transportation, communications, and transfers of funds between the two countries. The United Kingdom at the same time shall request the European Community and third countries that have adopted similar measures to terminate them.

5. The United Kingdom and Argentina shall each appoint, and the United States has indicated its agreement to appoint, a representative to constitute a special Interim Authority which shall provide observers to verify compliance with the obligations in this agreement. Each representative may be supported by a staff of not more than 10 persons on the Islands.

6.1 Pending a definitive settlement, all decisions, laws and regulations hereafter adopted by the local administration on the islands shall be submitted to and expeditiously ratified by the Special Interim Authority, except in the event that the Special Interim Authority deems such decisions, laws or regulations to be inconsistent with the purposes and provisions of this Agreement or its implementation. The traditional local administration shall continue, except that the Executive and Legislative Councils shall be enlarged to include: a) two representatives appointed by the Argentine Government to serve in the Executive Council; and b) representatives in each Council of the Argentine population whose period of residence is equal to that required of others entitled to representation, in proportion to their population, subject to there being at least one such representative in each Council. Such

resident Argentine population, and shall be subject to the supervision of the special interim authority. The flags of each of the constituent members of the special interim authority shall be flown at its headquarters.

6B) Pending a definitive settlement, neither government shall take any action that would be inconsistent with the purposes and provisions of this agreement or its implementation.

6. The Special [Interim] Commission shall make specific recommendations to the two governments or to the Executive and Legislative Councils, to facilitate and promote travel, transportation, communications and trade between the mainland and the islands.

7A) Pending a definitive settlement, travel, transportation movement of persons and as may be related thereto, residence and ownership and disposition of property, communications and commerce between the mainland and the islands shall, on an equal basis, be promoted and facilitated. The special interim authority shall propose for adoption appropriate measures on such matters, including possible arrangements for compensation of islanders who do not wish to remain. The two signatories undertake to respond promptly to such proposals. The special interim authority shall monitor the implementation of all such proposals adopted.

7B) Pending a definitive settlement, the rights and guarantees which have heretofore been enjoyed by the inhabitants of the islands will be respected, on an equal basis, in particular rights relating to freedom of opinion, religion, expression, teaching, movement, property, employment, family, customs, and cultural ties with countries of origin.

representatives of the resident Argentine population shall be nominated by the Special Interim Authority. The flags of each of the constituent members of the Special interim Authority shall be flown at its headquarters.

6.2 Pending a definitive settlement, neither Government shall take any action that would be inconsistent with the purposes and provisions of this agreement or its implementation.

7A) Pending a definitive settlement the special interim authority shall make proposals to the two governments to facilitate and promote trade, transportation Communications, (including the movement of persons) between the mainland and the Islands. Such proposals shall simultaneously be transmitted to the Executive and Legislative Councils for their views. The two governments undertake to respond as soon as possible to such proposals. The special interim authority shall monitor the implementation of all such proposals agreed by the two governments.

7B) Pending a definitive settlement, the rights and guarantees which have heretofore been enjoyed by the inhabitants of the islands will be respected, [on an equal basis,] in particular rights relating to freedom of opinion, religion, expression, movement, employment, family, customs, and cultural ties with countries of origin.

7.1 Pending a definitive settlement, travel, transportation, movement of persons and, as may be related thereto, residence and ownership and disposition of property, communications and commerce between the mainland and the islands shall, on an equal basis, be promoted and facilitated. The Special Interim Authority shall propose to the two signatories for adoption appropriate measures on such matters. Such proposals shall simultaneously be transmitted to the Executive and Legislative Councils for their views. The two signatories undertake to respond promptly to such proposals. The Special Interim Authority shall monitor the implementation of all such proposals adopted.

7.2. The provisions of paragraph 7.1 shall in no way prejudice the rights and guarantees which have heretofore been enjoyed by the inhabitants of the islands, in particular rights relating to freedom of opinion, religion, expression, teaching, movement, property, employment, family, customs, and cultural ties with countries of origin.

8. December 31, 1982, will conclude the interim period, and during this period the conditions of the definitive status of the islands shall be negotiated consistently with the Purposes and Principles of the United Nations Charter.
8. December 31, 1982, will conclude the interim period during which the signatories shall conclude negotiations on modalities for the removal of the Islands from the list of non-self governing territories under Chapter XI of the United Nations Charter and on mutually agreed conditions for their definitive status, including due regard for the rights of the inhabitants and for the principle of territorial integrity applicable to this dispute, in accordance with the purposes and principles of the Charter of the United Nations and Resolution 1514 (XV) and 2065 (XX) [sic] and in the light of relevant resolutions of the General Assembly of the United Nations on the "Question of the Falkland (Malvinas) Islands". The negotiations hereabove referred to shall begin within fifteen days of the signature of the present agreement.
8. A December 31, 1982, will conclude the interim period during which the signatories shall negotiate mutually agreed conditions for the definitive states of each of the three groups of islands in accordance with the purposes and principles of the Charter of the United Nations are bearing in mind relevant General Assembly Resolutions. The negotiations shall begin within fifteen days of the signature of the present agreement.
8. 31 December, 1982 will conclude the interim period during which the signatories shall complete negotiations on removal of the islands from the list of Non-Self-Governing Territories under Chapter XI of the United Nations Charter and on mutually agreed conditions for their definitive status, including due regard for the rights of the inhabitants and for the principle of territorial integrity, in accordance with the purposes and principles of the United Nations Charter, and in light of the relevant Resolutions of the United Nations General Assembly. The negotiations hereabove referred to shall begin within fifteen days of the signature of the present agreement.

9. In order to assist them in bringing their negotiations to a mutually satisfactory settlement by the date stipulated in the preceding paragraph, the Authority shall after consultation with the Executive Council make specific proposals and recommendations as early as practicable to the two signatories, including proposals and recommendations on:

9.1 The manner of taking into account the wishes and interests of the islanders, insofar as islands with a settled population are concerned, based on the results of a sounding of the opinion of the inhabitants, with respect to such issues relating to the negotiations, and conducted in such manner, as the Authority may determine;

9.2 Issues relating to the development of the resources of the islands, including opportunities for joint co-operation and the role of the Falkland Islands Company; and

9.3 Such other matters as the two signatories may request, including possible arrangements for compensation of islanders, or matters on which the Authority may wish to comment in light of its experience in discharging its responsibilities under this Agreement.

9.4 The signatories have agreed on the procedure in sub-paragraph 9.1 without prejudice to their respective positions on the legal weight to be accorded such opinion in reaching a definitive settlement.

10. The United States Government has indicated that, at the request of the two governments, it would be prepared to assist them in bringing their negotiations to a mutually satisfactory settlement by the date stipulated in subparagraph (A).

10. The United States Government has indicated that, at the request of the two governments, it would be prepared to assist them in bringing their negotiations to a mutually satisfactory settlement by the date stipulated in subparagraph (A).

10. Should the signatories nonetheless be unable to conclude the negotiations by December 31, 1982, the United States has indicated that, on the request of both signatories, it would be prepared at such time to seek to resolve the dispute within six months of the date of the request by making specific proposals for a settlement and by directly conducting negotiations between the signatories on the basis of procedures that it shall formulate. The two signatories agree to respond within one month to any formal proposals or recommendations submitted to them by the United States.

11. This Agreement shall enter into force on the date of signature.