

FALKLAND ISLANDS: FCO SITREP (DETAILED VERSION):

0730, 12 MAY 1982

UN

(a) State of Negotiations

- A
(UKMIS
New York
telno 728)
1. Late on 11 May the Secretary-General gave Sir A Parsons a text which he had drafted and which had been accepted by the Argentines covering non-prejudgment of negotiations and a target date for completion of these negotiations.
 2. The latest Argentine views are as follows. Target date for negotiations: 31 December should be a target date for completion of negotiations 'taking into account the Charter of the UN and the relevant resolutions of the General Assembly'. Prejudgment of negotiations: The parties would negotiate in good faith and 'these negotiations shall be initiated without prejudice to the rights, claims or position of the parties and without prejudgment of the outcome'. Interim administration: Acceptance that individual members of the Legislative Council, in their personal capacity, could be used by the administrator for advisory purposes so long as the administrator was also empowered to call on an equal number of individuals from the Argentine population of the Islands for the same purposes. Transit of persons, communications and the acquisition of property: Hope serious consideration could be given to having as few restrictions as possible. Zones of withdrawal: Hope agreement could be reached on Task Force withdrawal which would dispel impression Argentines were withdrawing under pressure because of its proximity.
 3. Sir A Parsons welcomed the developments above and made the following points to the Secretary-General. Text accepted by the Argentines: We would not be entirely happy with reference to relevant GA resolutions and there remained outstanding the question of what would happen if no agreement had been reached by 31 December. Dependencies: The Argentines had said nothing about this. Withdrawal from South Georgia would be extremely difficult. Interim administration: Sir A Parsons did not believe London would be able to accept that 1,800 Islanders should have the same representation as 30 Argentines.
 4. The Secretariat have suggested that problem of withdrawal could be eased if concept of circles were abandoned. Idea is agreement should provide for UK forces to withdraw north of a certain latitude and Argentine forces west of a certain longitude. Sir A Parsons said idea merited examination.

(b) Sir A Parsons' Assessment

- B
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5. Sir A Parsons judges that, for better or worse, our tactics have worked. While it is not easy to assess Argentine motives, Sir A Parsons concludes that on balance they are either sincere or are trying to force us to break negotiations in such a way as to leave us wrong-footed. The Argentine attitude now, at face value, suggests that we should be able to reach agreement on operational questions such as phasing of withdrawal/cease-fire, lifting of military zones, etc. But the Argentines may seek to wrong foot us on withdrawal from South Georgia and/or the nature of the UN Administration.

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6. Sir A Parsons suggests we would be most exposed if negotiations broke down over South Georgia, leaving us isolated in the U N. We would be slightly less exposed on the question of Islander participation, but even here the great majority of U N members would think us obdurate if we failed to reach agreement.

7. Sir A Parsons has told the Secretary-General that he could not reasonably expect a response from us before this afternoon New York time. Sir A Parsons suggests that it is in our interest, from the U N point of view, that our first response should be positive and that we should give the Secretary-General a response today.

(c) Background

8. Events set out above have largely overtaken earlier reporting from our Mission in New York. Points remaining of interest are as follows. Verification: The Secretariat believe Canada may be acceptable to the Argentines. Non-prejudgment of negotiations: The situation has been altered radically now but in his earlier telegram (No 714 at Flag C) Sir A Parsons queried the instructions he had received concerning an accompanying statement or letter on non-prejudgment. British draft agreement prepared by UKMIS New York: This incorporates instructions received from London. Sir A Parsons suggests that he should use this as a quarry deploying individual articles from it in discussion with the Secretary-General over the latter's text. Our own text would not be given to the Secretary-General. Sir A Parsons asks for urgent comments.

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9. Landsat photography of the Falklands 7 - 12 May has been obtained by the Argentines.

10. Mr Haig is planning to leave today for a visit to Greece, Turkey and Brussels, 12-18 May. He expects to see Sir N Henderson before leaving. We have full details of Mr Haig's travel plans.

Comment

11. Significant progress has been made. It is now for us to respond. Sir A Parsons will need further instructions (by 1700Z) for his meeting for the Secretary General today). Points requiring consideration are:

(a) On the Secretary General's draft language, whether we can accept:

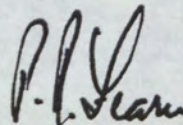
(i) the reference to General Assembly Resolutions as balanced by reference to UN Charter;

(ii) the language on pre-judgment;

/(b)

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- (b) Distance of withdrawal, taking into account Ahmed's ideas on lines of withdrawal West and North of lines of latitude and longitude;
- (c) The position on interim administration following 31 December 1982;
- (d) The place of the Executive/Legislative Council in the interim administration (responding to the inadequate Argentine proposal for comparable Islander/Argentine representation);
- (e) References to communications, transit and acquisition of property (including Argentine point on acquisition of shares in the Falkland Islands Company) This will need to be looked at in the light of the 1971 Communications Agreement;
- (f) Finally, there is the question of the place of the Dependencies in an agreement. Sir A Parsons considers this critical in retaining UN sympathy. His suggestion of separate agreements on the Islands and on the Dependencies requires a reaction.



P R Fearn
Emergency Unit

12 May 1982