

CONFIDENTIAL

ANGLO-ARGENTINE MINISTERIAL TALKS ON THE FALKLAND ISLANDS:
NEW YORK, 26/27 FEBRUARY 1982

A.J.C. 12/3

PRESENT

Mr Richard Luce MP
(Minister of State)

Sr Enrique Ros
(Under Secretary for Foreign Affairs)

Mr A J Williams CMG
(HMA Buenos Aires)

Sr Ortiz de Rozas
(Argentine Ambassador in London)

Mr Fearn
(Head of SAmD)

Sr Blanco
(Head of Antarctic and Malvinas Dept)

Mr Cresswell
(PS/Mr Luce)

Sr Molteni
(Minister at the Argentine Embassy
in London)

Mr Bright
(SAmD)

Sr Balcarce
(Antarctic and Malvinas Dept)

Dr Penney
(Research Dept)

Sr Cullen
(Argentine Mission to the UN)

Mr Maclay
(UKMis New York)

|| Mr Blake) Falkland Island Councillors
Mr Cheek)

FIRST DAY, FRIDAY 26 FEBRUARY: FIRST SESSION, IN THE UK MISSION
AT 10.00

1. Mr Luce welcomed the Argentines and introduced his
delegation. Sr Ros reciprocated.

2. Mr Luce explained that he wished to make the British
position clear from the outset. We had no doubts about
British sovereignty over the Falkland Islands and their

/Dependencies ..

CONFIDENTIAL

Dependencies. The wishes of the Islanders themselves were paramount: that was why he had felt strongly that the Islanders should participate in the talks. It was their future which was being discussed. No changes could be made without both their consent and that of the British Parliament. However, both the British Government and the Falkland Islanders felt that continuation of the dispute could only be harmful to all concerned. He therefore welcomed the opportunity to see whether it was possible to break the impasse. Above all, it was important to work towards a secure future for the Islanders. The only sensible way to proceed was for both sides to discuss matters frankly.

3. Mr Luce recalled that this was the third round of talks held during the lifetime of the present British Government. At the last round the British side had proposed a freeze of the dispute, but this had been rejected by the Argentines. This was disappointing, as we thought this proposal might have shown a way forward. However, now the Argentines had made their own proposal (attached) to which we had already responded briefly. It would now be useful to discuss this proposal in depth and first to hear from the Argentines an elaboration in detail. Finally, before Sr Ros made his opening remarks, Mr Luce said that the British side were taking it for granted that these talks were, like their predecessors, held without prejudice to the position of either side on sovereignty.

4. Sr Ros recalled that Argentina had been trying to reach a solution to this dispute for over 16 years. Britain and Argentina enjoyed close relations but it could not be denied that the dispute was a serious obstacle in our path: it was therefore in our mutual interest to find a solution, as urged by no fewer than three UN General Assembly resolutions. During the years that we had striven to find common ground there had been only limited progress. The purpose of the

/Argentine ..

CONFIDENTIAL

Argentine bout de papier was to propose an entirely new instrument for accelerating the pace of the negotiations. The Argentines wished to avoid these occasional gatherings in New York. They wanted to see, and quickly, whether there was any possibility of agreement. Argentina had no doubts about their sovereignty, but they wished to reach a common understanding with HMG if possible.

5. Sr Ros then expanded on the separate sections of the Argentine paper. He stressed that the principal question for the Argentines was sovereignty. The key to their position was the need for Britain to recognise Argentine sovereignty in the area. It was simply not possible to ignore the dispute: it was forming an ever-increasing presence in Argentine political life. The dispute would not go away, it would only get worse. It remained the Argentines' wish to achieve a peaceful solution to the dispute: all Argentine governments of whatever complexion had agreed on this. It was also in this sense that the three UN resolutions had been adopted. The Argentine Government had appealed in 1981 for real negotiations and they now wanted to see if the political will existed on the British side to start a process which might lead to a solution. The dispute was becoming more and more acute. The Argentines wanted to satisfy the Islanders' interests, indeed they were obliged to do so by the terms of the UN resolutions. The Island Councillors who had attended the February 1981 meeting had been encouraged to list the safeguards that they would need under Argentine administration, but no response had since been forthcoming. The Argentines firmly believed that a solution was possible which would preserve the Islanders' way of life by statute, which could be guaranteed by the UN.

6. Sr Ros believed that all the efforts to make progress in the dispute had come from the Argentine side. The Communications Agreement had been in force for ten years, but all Argentine attempts to improve links with the Islanders

/had ..

CONFIDENTIAL

had failed either because of Islander resistance, or because they fell foul of Islands legislation. The Argentines had hoped that the Communications Agreement would improve relations and lead to better mutual understanding, but there was little evidence of this. The proposed statute of guarantees could cover many subjects, e.g. exemption from military service, exemption from Argentine taxation, the right to property ownership and so on. Argentina had no intention of disturbing the Islanders' style of life; what they wanted was a balance between Islanders' interests and Argentine sovereign rights.

7. Sr Ros also touched on other aspects of the Argentine paper. He thought that the question of natural resources should be looked at by the proposed Negotiating Commission with the aim of providing benefits for all concerned. But he wanted the British side to be in no doubt that any agreement on the economic side would have to be an integral part of a sovereignty solution. Security in the South Atlantic was also very important for the Argentines, who wished to protect their interests in the area and found the dispute a serious impediment. The Argentine proposal aimed to establish an instrument which would enable the UK and Argentina to cooperate to find a solution to all the various aspects of the dispute.

8. Mr Luce thanked Sr Ros for his exposition, which he had found helpful. He thought it might be useful to explore some of the points in more detail, but first he wanted to ask the Councillors for their views. Mr Blake questioned Sr Ros's assertion that Argentine efforts to develop links with the Islanders had been blocked by Islander resistance or legislation. He wanted to make it clear that, as far as he knew, no legislation had been specifically introduced in an attempt to foil Argentine initiatives. Sr Ros said that he had been referring not to new legislation but to statutes such as the Aliens Ordinance.

CONFIDENTIAL

9. Mr Fearn said that there was no doubt that both sides wanted to solve the dispute by negotiation. Sr Ros had set out the Argentine view of the end result very clearly; it would not however be easy to negotiate a solution if one side thought there could only be one solution. It was important that all approaches should be looked at.

10. Mr Williams thought that the only really new aspect of the bout de papier was the proposal to establish a Negotiating Commission. He referred to the Argentine communiqué of July 1981 and his subsequent meeting with the former Foreign Minister, Dr Camilion. Dr Camilion had felt that the two sides had not previously approached the subject in a suitably global fashion. There had been too much emphasis on the individual aspects of the problem, it would now be best to draw up an inventory of all these and tackle them together. This had seemed to be an interesting idea which could be developed and helped to lead towards more fruitful discussion and away from generalities. If this was what was now envisaged for the Negotiating Commission, it would require an elaborate organisation. Sr Ros confirmed that the Argentine proposal envisaged a global approach. The negotiating mechanism would establish quickly whether a solution was at all possible and whether the political will could be found. Mr Luce thought it would be profitable to discuss what kind of inventory each side might have in mind. He agreed that the approach would have to be global, but the problem must presumably be broken down into its individual aspects.

11. Sr Ros emphasised that the main subject for consideration by the Negotiating Commission had to be sovereignty. Sovereignty necessarily included all other aspects. All the details were linked by the need to find a solution on sovereignty. Mr Luce recalled that Sr Ros had identified four principal areas in his opening remarks - sovereignty, the

/Islanders' ..

CONFIDENTIAL

CONFIDENTIAL

Islanders' interests, natural resources, and security. He wanted to know whether Sr Ros envisaged separate working groups on each of these subjects. Sr Ros said he did not. The proposal was for one overall Negotiating Commission which could, if necessary, establish a variety of sub-groups or committees to make progress in designated areas.

12. Mr Williams presumed that the purpose of such a Commission would not be simply to exchange rhetoric. He wondered therefore how it would work. Would both sides prepare and exchange papers or what? A great number of very complex and very technical subjects were involved, and a great deal of work would have to be done before all questions could be answered satisfactorily. Sr Ortiz de Rozas replied that the whole purpose of the Commission was to get away from the exchanges of rhetoric which had been so much a feature of previous talks on the subject. It was not acceptable to continue the present sporadic meetings. The Argentines wanted to make rapid progress towards a solution. Nothing would be excluded from the Commission's work; each side should make plain from the outset what it expected from the other side. For example, the Argentine Government had pledged to safeguard Islanders' interests. This was a real commitment, but it was up to the Islanders to say which interests they wanted to preserve. There were many other areas where there could be a profitable exchange. The Negotiating Commission might prefer to tackle the subjects itself, or to allow working groups to look at the details: no subject would be excluded. If the two sides could only agree that negotiations should be pushed forward, the Commission could discuss anything.

13. Mr Fearn had two questions. First, at what level did the Argentines envisage participation? Would it involve Ministers or just officials? It would be important that the British team included Islanders if they wished to attend. Second, he assumed that the Argentines accepted that the

/Commission

CONFIDENTIAL

CONFIDENTIAL

Commission would look at a variety of scenarios. HMG understood that the Argentines would start from a premise of a transfer of sovereignty to them, but equally the Argentines should understand that we would wish to start from a premise of British sovereignty. He sought confirmation that the Commission would look at the problem from a variety of different angles.

14. Mr Williams questioned whether it was possible for the Islanders to produce a list of their interests. It was like being asked in an examination to write down all you know. The Islanders could not expect to know in detail the situation in Argentina; the Argentines probably did not know all there was to know about the Islands. It would be important as a first step to determine the differences between the respective ways of life before seeing how peoples' concerns could best be met. Sr Ortiz de Rozas thought it more likely that people would want specific answers to practical problems, both in terms of existing Argentine law and of special considerations which might be evolved to deal with special cases. The necessary laws might already exist: new ways might be needed. There was no point looking at theories and generalities; it was necessary to look at cases.

15. Sr Ros repeated that, whatever solution the Commission eventually proposed, the whole would be included in a statute which would be guaranteed by the UN. As for the level of participation, he envisaged a political and technical Commission which would be headed at the same political level as now. But each party would be free to bring in experts to deal with individual aspects. Mr Luce said that it would presumably not be necessary for meetings to be held each time at Ministerial level; Sr Ros said that he expected the Commission to be chaired by Ministers once a month. Mr Luce sought confirmation that meetings at official level would not be precluded. Sr Ros said that the Commission would be

/master ..

CONFIDENTIAL

CONFIDENTIAL

master of its own proceedings. Mr Fearn thought that practical reasons alone meant that there would have to be great flexibility on Ministerial participation. Mr Luce agreed. Ministers should clearly take an interest but it would be very difficult for them to be available as regularly as Sr Ros hoped.

16. Sr Ros asked Mr Fearn to elaborate further on his question about the premises on which the Commission would operate. Mr Fearn explained that the present talks were being held without prejudice to sovereignty. Any Negotiating Commission would have to operate on the same assumption. But the Argentine paper was premised on one and only one conclusion to the dispute, i.e. that the work of a Commission should simply be to settle the details of a transfer of sovereignty, HMG could not easily envisage a Commission based only on that premise. As he saw it there were a variety of possible outcomes. What he wanted to know was whether the Commission would have the necessary flexibility. As we all accepted, sovereignty would be the hardest nut to crack. If we were to attempt from the outset to operate from one premise only, we were unlikely to make much progress. Sr Ros thought that as long as sovereignty, which was the Argentines' principal interest, was a substantial part of the negotiations, the Commission could discuss what it liked. The objective was to find a solution to the sovereignty dispute in whatever way might be feasible.

17. Mr Williams thought that there would be great problems to be overcome in the Commission's work. To take but one example - fishing: if we were to cede sovereignty to Argentina, control of fishing in waters would be the Argentines' responsibility. If British sovereignty were maintained it would be ours. But a solution acceptable to all sides would probably be much more complicated than that, involving a variety of rights and responsibilities in the area. A great

/deal ..

CONFIDENTIAL

CONFIDENTIAL

deal of highly technical consideration would need to be given to these matters. Sr Ros repeated that the Argentines wanted to solve the dispute. All discussions would have to work to that end. There was no point in discussing individual aspects except in the context of an overall solution. He would be grateful to know the British reaction to the proposal to establish a Negotiating Commission.

18. Mr Luce asked how South Atlantic security would figure in the Commission's work. Sr Ortiz de Rozas thought that while some matters, such as security and the Antarctic, were not strictly speaking components of the dispute, they could profitably be discussed within the same negotiating machinery. These were matters of great importance to both sides, and our interests coincided. We could examine these matters and agree on how to proceed once the Negotiating Commission had recommended a solution to the dispute.

19. Sr Ortiz de Rozas wanted to make clear that Argentina had no quarrel with the Islanders. There were many British people who were fully integrated into Argentine society. In many ways, the Islanders were innocent bystanders, descendants of those who had illegally occupied the Islands in the 19th century. Argentina's dispute was not with the Islanders, but with the UK. Argentina wanted to ensure the Islanders' material and cultural well-being. They understood the Islanders' emotional ties with the UK and their wish to continue them. The same was true of other British communities in Argentina, e.g. the Welsh in Patagonia. The Islanders had a distorted view of Argentina as an enemy. This was wrong. The Islanders' interests were the prime concern of both British and Argentine Governments. Mr Luce agreed that our common interests was to solve the dispute if at all possible. However, he wished to make clear that for Britain it was the Islanders' wishes, not their interests, which were paramount. This was why it would be essential to have Islander representation and participation in the whole

/process ..

CONFIDENTIAL

CONFIDENTIAL

process of a Negotiating Commission. Mr Blake agreed. Small communities were always suspicious of outsiders. The Islanders were just as suspicious of the UK as they were of Argentina. They were always afraid that they would be swamped. For example, Sr Ros had voiced his objection to the Aliens Ordinance, but its sole purpose was to prevent the Islanders being swamped by outsiders. This was a basic fear for the Falklands. At the moment the Islanders were a majority. Tomorrow they might well be the ethnic minority.

Sr Ortiz de Rozas claimed to understand this perfectly. Most of the British delegation were fairly new to these negotiations; in contrast he and Sr Ros had been attending them for the last 16 years. He had a strong sense of déjà vu. His delegation had been told 16 years ago of the virtue of dispelling the Islanders' fears about Argentina. The Argentines had found this a sensible idea, and the Communications Agreement had developed from it. He well appreciated the Islanders' doubts. But unless the Argentines were given a fair chance to demonstrate their good intentions, he did not see how they could ever win the Islanders over. They wanted to show what they could do.

20. Mr Luce suggested that if the Argentines had nothing further to add on the substance of the Commission's work, both sides could adjourn until the afternoon. Sr Ros suggested an examination of the mechanics of a Commission, e.g. regularity of meetings and the time it would be given to operate. Mr Fearn thought it would be valuable for the British delegation first to discuss among themselves the outcome of the morning talks and Mr Luce agreed.

21. The meeting adjourned at 11.45.

CONFIDENTIAL

CONFIDENTIAL

FIRST DAY, FRIDAY 26 FEBRUARY: SECOND SESSION, IN THE UK MISSION
AT 1600

1. Mr Luce opened the afternoon session by thanking Sr Ros again for his exposition of the Argentine proposal in the morning. The British delegation had taken the opportunity of the early adjournment to examine it in detail. We wished now to present a working paper to ensure that both sides understood each other fully on the framework within which a Negotiating Commission would operate. This would be to avoid any misunderstanding. (Copies of the British draft were then handed out).

2. Sr Ros commented on the inclusion of wording recording the Islanders' right to participate in the Commission. While the Argentines had no objection to the Islanders' presence, it must be clear from the outset that they were members of the British delegation: there must be no question of giving the Islanders the right to participate as a third party. Mr Luce emphasised that the British paper was only a draft and it was not intended for public use. It was a paper to clarify the two sides' respective positions on the proposal to establish a Negotiating Commission and it could usefully form the basis of their recommendation to their respective governments. Sr Ros repeated that the Argentines could not say in public that the Islanders had a right to participate in the talks. Mr Luce repeated that the paper was not intended to be a press statement. Sr Ros again expressed the hope that the British delegation were not intending to change the Islanders' status at the talks. This would not be acceptable to the Argentines. Mr Blake said that for the Islanders too the only basis for acceptance of this document was as a working paper.

/3. ..

CONFIDENTIAL

CONFIDENTIAL

3. Mr Williams made clear that the draft represented the British understanding of the position; it was an attempt to pin down what was really meant by the Argentine proposal. Sr Ros then questioned the inclusion in the draft of a sentence to the effect that no approaches which might lead to a solution of the dispute should be ruled out. For the Argentines it would not be possible to accept any agreement that excluded the Argentine claim to sovereignty. If the British side proposed to work on the premise of the retention of British sovereignty or, for example, a freeze, then there was no point in even starting work. He would prefer the exclusion of any such reference. Mr Williams thought that the implications of this phrase were that the Commission's discussions should not be limited in any way. It would be important to determine whether every aspect had been covered before the commission reached a conclusion. It was important for neither side to be blinkered in their approach. Sr Ros repeated that the inclusion of the possibility of considering any solution which excluded recognition of the Argentine claim would invalidate the whole exercise. The Argentines wanted to find common ground to solve the dispute. Mr Luce thought the Argentines were reading too much into the phrase. It meant only that both sides should feel free to explore every avenue. Its purpose was to demonstrate ^{the} broad latitude which the British side were prepared to adopt. Mr Fearn did not see how a Negotiating Commission could operate if its outcome were prejudged. Sr Ros thought that if he were to accept this wording he might be conceding that the Argentine claim need not even be considered. He would be exposing himself to great criticism in Argentina. Mr Luce thought Sr Ros's reservations were groundless. It was important to have a comprehensive examination of all aspects of the problem. Nothing in the paper excluded this. Mr Fearn felt that it was reasonable to assume that there was not just one possible solution to the dispute; there had to be a number of middle positions in the divide between the status quo on the one hand and a transfer of sovereignty on the other.

CONFIDENTIAL

(The delegations then separated to seek to agree wording to meet the Argentine difficulties on the original draft).

4. After agreeing that each delegation should reflect on the revised draft overnight, Mr Luce asked whether Sr Ros had any other points to raise. Sr Ros said that the Argentines were worried that the British Government might say in public statements that a final solution to the dispute need not take the Argentine claim into account. He wished to make it clear that there was no question of the Argentines putting aside their claim. Mr Luce made clear again that the purpose of the working paper was to refine our mutual understanding of the nature and purpose of a Negotiating Commission. Sr Ortiz de Rozas was concerned that the British position might not coincide with the Argentines'. In his view the way the Commission would operate was for the Argentines to present their proposal (as they already had) and for the UK to present a counter proposal. Our agreed aim must be to solve the dispute. But Sr Ros had to be careful of Argentine sensibilities. It was very important how Mr Luce handled statements in Parliament: nothing should be said to preclude the Argentine claim. Both sides had to be honest with each other. It was possible to work on the basis of assumptions, i.e. a solution to certain aspects could be worked out on the assumption that an overall solution would eventually be possible, but the Argentine position remained that sovereignty over the Falklands was rightfully theirs.

5. Mr Luce said that he understood the sensitivities. However, the Argentines must also recognise the sensitivity of the

/Islanders ..

Islanders and his accountability to Parliament. The common objective was to find a solution to the dispute. He agreed that both sides would have to be careful about what they said in public but he stressed again that the paper under discussion was not for public use; and it was only a working document.

6. Sr Ros drew attention to the fact that certain items mentioned in the original Argentine proposal did not appear in the working paper, e.g. venue, level of participation, periodicity and a cut-off point. On venue, the Argentines felt strongly that meetings should be held alternately in the two capitals. They felt this would help both sides to face facts. Mr Fearn agreed that meetings in capitals would enable the Commission's work to be much more efficient, at least for the host country. But there were dangers from the point of view of retaining confidentiality. Mr Luce agreed that meeting in capitals would be politically more sensitive and might attract unwelcome attention to the proceedings. Mr Williams reminded the Argentines that one reason we met in New York was to avoid dramatising the dispute and attracting press interest. This would be more difficult in capitals. Sr Ortiz de Rozas agreed that care would need to be taken, but thought that the difficulties would be outweighed by the psychological advantages and the considerations of greater efficiency.

7. On periodicity Mr Luce agreed that the Commission would need to proceed as rapidly as possible, but thought that we should be tying ourselves down unnecessarily if we were to agree to monthly meetings. He thought it better not to hold meetings at precise intervals but to have them as and when required. He agreed that there should be a launching meeting and that this should be at Ministerial level. This first meeting would identify certain requirements (e.g. what sub-groups would need to discuss) and it would then decide who

/should ..

CONFIDENTIAL

should participate in which group and when they should meet. Mr Fearn felt there would clearly be practical difficulties in pinning Ministers down to certain fixed times. Mr Williams agreed. He thought it was also important to allow time to prepare sufficient input for the meetings. This was the best way to avoid rhetoric.

8. Sr Ros asked for the British reaction to the proposal that the work of the Commission should be terminated after a year. Mr Luce felt that timing this precise could be counter-productive. It would put the work of the Commission under pressure which would make the negotiating task more difficult. There was clearly a need to push the whole process along; he wanted the Argentines to be clear that HMG wished to find a solution too. This was why we were prepared to consider the new structure being proposed. But he felt that a fixed date for termination would make the task more difficult. Mr Cheek agreed that it would be undesirable. It might be that the Commission was making good progress but would have to stop work because of the arrival of a rigid deadline. Mr Williams thought the idea of a preordained cut-off point would be politically dangerous if it leaked to the press. It would attract highly unwelcome attention to our activities. Mr Luce wondered whether it would not be possible to consider a review mechanism at Ministerial level. After a fixed period of time, e.g. one year, Ministers could review the achievements of the negotiating mechanism and decide whether it was worthwhile. Sr Ros felt such an idea to be contradiction in terms: the whole Commission would be held at Ministerial level. Mr Luce agreed that the first meeting should be held at Ministerial level but did not see the need for Ministerial presence at each meeting. He could certainly not guarantee his presence at regular meetings. Sr Ros repeated his feeling that 12 months should be more than enough to ascertain a basis for a solution to the problem. Sr Ortiz de Rozas said that the Argentines did not expect to have a final treaty within a /year ..

CONFIDENTIAL

year. But it was important for his government to see that a date was incorporated from the outset. After 16 years of inactivity the Argentines had to show that progress was being made. If they could not do so, public opinion in Argentina would grow even more hostile.

9. Mr Luce said he had found all this discussion helpful and would reflect overnight on the various points raised. He repeated that the paper was only a framework. Details would have to be worked out later. He proposed that the meeting adjourn until the next day and discuss the mechanisms of the Commission's work then. Sr Ros asked how long the British Government would need to give an answer to the overall proposal. Mr Luce said that he would put the recommendation to his colleagues as soon as possible and he was sure that the Islanders would do the same. We wanted to make progress. He would consult with his colleagues and give a reply as soon as possible. Sr Ros tried to pin Mr Luce down. Would a reply be forthcoming within a month? Mr Luce said that he could promise that a reply would come in weeks rather than months, and a decision would be based on his positive recommendation. However, he could not commit his government to replying by a certain date.

10. The meeting adjourned at 1845.

CONFIDENTIAL

SECOND DAY, SATURDAY 27 FEBRUARY: THIRD SESSION, IN THE ARGENTINE MISSION AT 1000

1. Sr Ros welcomed the British delegation and asked whether they had considered the Argentine proposal further.

2. Mr Luce said that before he commented in detail on the Argentine proposal he would like to make one or two general points about the Argentines' feeling of frustration. He recalled that Sr Ros had said on the previous day that, despite 16 years of negotiations, no progress had been made. The British view of the discussions was that all parties should be trying to generate an atmosphere of mutual trust in which progress could be made. If this was so, it was not helpful for the Argentines to take actions which generated mistrust and resentment amongst the Islanders and public opinion in the UK. Examples of this were the illegal occupation of Southern Thule; the operation of a ham radio and the franking of Argentine stamps in Southern Thule; unauthorised overflights of the Islands and Dependencies; the offer of the Magallanes Este block; and, in recent weeks, speculation in the Argentine press about the possibility of military action. All this caused great irritation, both in the Islands and in Britain. He asked whether Councillors would wish to elaborate on anything he had said. Mr Cheek said that over the last 16 years there had certainly been considerable contact between Islanders and Argentines and this had probably been to the benefit of both. Over the years, despite unquestionable Islander suspicion, the relationship had developed quite well. The Argentines had been kind to the Islanders. But they had probably expected matters to make much faster progress than they had. This might have led to occasional Argentine harshness which, however, in its turn made further progress more difficult. He accepted that the Argentines were not

/solely..

CONFIDENTIAL

CONFIDENTIAL

solely to blame for this; both Islanders and Argentines had to accept responsibility. Mr Blake added that it was very difficult for large countries to appreciate the sensibilities of small communities. Events of minor importance could arouse widespread opposition. The recent comment in the Argentine press, for example, had made the two Councillors' attendance at the New York talks particularly difficult.

3. Sr Ros felt that the main purpose of the talks was to discuss the sovereignty dispute. If progress could be made here he was sure that these minor difficulties could be overcome. He reminded the British side that the Argentines' sense of frustration was deep-rooted. Despite all the years that had passed and the many attempts to find a way forward there had been no progress. The Argentines had made many offers and practical suggestions to the Islanders; these had all been rejected, apparently for the sake of rejection. Argentine sensitivities had to be taken into account as well. Sr Ortiz de Rozas cited the example of the recent issue of stamps for the Falkland Islands Dependencies depicting the Princess of Wales. This had been seen in Argentina as a direct provocation. Mr Luce ended this part of the discussion by saying that he had just wished to convey certain points to the Argentines as background. He proposed that the discussion move on to the mechanics of the Negotiating Commission.

4. Sr Ros said that he had spoken to his Foreign Minister overnight and had been instructed to urge that the Commission should meet for the first time on 1 April. Mr Luce doubted whether April Fool's Day was the most appropriate day to begin work. More fundamentally, he stressed that he would have to discuss the whole proposal for a Negotiating Commission with his Ministerial colleagues; the Councillors would have to consult their colleagues as well. There was no doubt that both he and the Councillors wished to respond as soon as

/possible ..

CONFIDENTIAL

possible but he could not now give a definite date by which a reply would be ready. As soon as an agreement had been reached, dates could be pursued through our respective Ambassadors. Mr Luce could not commit himself so early but he had already agreed that the first meeting should be at Ministerial level and he would be happy to work out the earliest convenient dates with the Argentine Ambassador in London.

5. On the question of venue, Mr Luce repeated that he had no strong objections to meeting alternately at capitals. He thought the danger of attracting attention to the talks would be outweighed by the greater efficiency. Mr Fearn and Mr Williams could see the increased difficulty of keeping the meetings confidential in capitals, but conceded that this would have greater symbolic value than continuing to meet in third countries.

6. Mr Luce then turned to the question of a time limit for the Commission's work. He had liked Sr Ortiz de Rozas' suggestion that Ministers should meet to review the value of the instrument after one year's operation. He thought this would give the necessary new impetus to the discussions without applying counterproductive pressure. Sr Ortiz de Rozas said that it was essential for Argentine public opinion that a fixed term was imposed ab initio. There was widespread criticism that nothing had happened following previous rounds of talks and the Argentine Government could not risk this happening again. Obviously if, after a year's operation, the Negotiating Commission was near agreement on a solution then it would continue. But without a cut-off point it would be very difficult to make the necessary progress. Sr Ros emphasised that it must be understood from the outset that his Government were firmly committed to a one year term for the Commission's work and no longer. He agreed with Sr Ortiz de Rozas that this time limit needed to be imposed

/in ..

in addition to the discretion given to either side to end the Commission's work at any time if they could detect no progress. Mr Luce felt that it was important to give this new mechanism a chance. We were all working for the same objective but it was more difficult to work under pressure. Mr Williams agreed that both sides should see how the mechanism worked. If it was not successful we should try to develop a new and more effective one. Sr Ros said that the Argentines were prepared to give as much time and effort as was necessary but only as long as positive progress was made. Sr Ortiz de Rozas stressed that it was very much in Argentine interests for the Commission to work; it was, after all, an Argentine proposal. Mr Fearn said it was the responsibility of both sides to make the Commission work.

7. Sr Ros said that if this one year term was to be useful it would be important to set a fast rhythm and a pace from the outset. That was why the Argentines wanted a commitment to monthly meetings of the Commission.

There then followed a long, repetitive and sterile argument about the frequency with which meetings should be held. The British side (Mr Luce, Mr Williams and Mr Fearn) maintained that it was not realistic to think in terms of monthly meetings. It would be more practical to meet as required. The first Ministerial-level meeting would set work in hand and decide an appropriate time-scale. It was important not to be too rigid. There was no question of deliberate procrastination, it was merely a matter of the practical difficulties of carrying out the work that would be necessary and ensuring that it was comprehensive. Mr Luce said that he could accept wording like 'the Commission should meet as

/regularly ..

regularly as required and with the maximum possible frequency' but he could not agree to commit himself to monthly meetings. The Argentine side (Sr Ros, Sr Ortiz de Rozas and Sr Blanco) maintained that it was essential for their Government that there should be a commitment from the beginning to meet each month. They conceded that the Commission would be master of its own procedure and could decide the exact timing of its own meetings, but they could not concede meetings at more than monthly intervals. They held that the only way to be sure that progress could be made towards a solution to the dispute within a year was to force all concerned to work to this rapid pace. They later agreed that, if only the British side could accept the principle of monthly meetings, the Argentines could accept that the Commission need not meet quite as regularly as this; e.g. if a particularly difficult objective had to be examined, the Commission might take two months to look at it carefully. They were strongly opposed to allowing the Commission to set up its own time-table as they were convinced that if they did so dates would almost certainly slip. Nor did they feel that the whole question of the regularity of meetings should be left to the first meeting of the Negotiating Commission; if the two sides could not agree in New York, there was little prospect of their agreeing in capitals. (Over lunch Sr Ros finally agreed that all reference to periodicity should be omitted from the working paper, provided Mr Luce informed his colleagues of the Argentine preoccupation with the need to give visible urgency to a Commission's work and provided that the British view on the question of frequency of meetings were given in the eventual response to the Argentine proposal).

8. Sr Ros then wished to clarify the level of participation.

/He ..

CONFIDENTIAL

He proposed that, as well as the first meeting being held at Ministerial level, each subsequent meeting should be chaired by the Minister of the host government. Mr Luce said he saw little difficulty with this, providing the Argentines understood that the host Minister might not necessarily be present throughout the sessions. He would open each meeting and technically remain in the chair but he might well have to delegate his functions to a senior official. Sr Ortiz de Rozas thought that his side would have little difficulty with this idea, as long as the British side understood that it would have to be a senior official in charge of the Commission. He proposed, and Mr Luce agreed, that if the Minister of the visiting team wished to attend a particular meeting he could do so.

9. The meeting then looked again at the British draft working paper. Mr Fearn recalled that it was no more than a mind-clearing exercise and expressed the British understanding of the agreement reached. If the Argentines wished, a paragraph could be added on the question of mechanics. Sr Ros accepted that the paper had no formal status, but as it was intended to reflect mutual understanding, it was important that it should include a section on the mechanics. It was agreed that Sr Blanco and Mr Fearn should look at the paper in the light of the morning's discussion and agree a text for submission to the afternoon session.

10. The British side then presented the Argentines with a short draft communiqué and asked for their views. Sr Ros's initial reaction was that he would prefer to have a more substantive communiqué, reflecting in detail the Argentine proposal. Mr Luce said that he would have no objection to a mention of the proposal but to include details would be to preempt the outcome of his discussion with his colleagues. It would create dangerous speculation and attract unwelcome

/pressure ..

CONFIDENTIAL

pressure, which would help neither side. Mr Fearn and Sr Blanco then discussed in private the wording of the communiqué. The principal difficulty was the Argentine wish to include a reference to the need to accelerate the rate of progress over the dispute. This was unacceptable to the British side, who were however prepared to acknowledge in the communiqué the Argentines' wish to expedite matters.

11. The meeting then reconvened in plenary and agreed to finalise the text of both the communiqué and the working paper in the afternoon session. The meeting adjourned at 1300.

SECOND DAY, SATURDAY 27 FEBRUARY: FOURTH SESSION, IN THE ARGENTINE MISSION AT 1530

1. Mr Luce opened the final session by saying that there should be no misunderstanding about what all those attending the talks should say on their return home. For example, while he was well aware of the Argentine position on sovereignty, he would have no option but to reaffirm in public that Britain had no doubt about her sovereignty over the Falklands. We were firmly committed to acting only in accordance with the wishes of the Islanders and there could be no getting away from that principle. If asked about the substance of the talks he would naturally say that the discussions were confidential but that all sides wished to solve the dispute by peaceful means. Sr Ros agreed that all concerned needed to be very careful what they said at home. For his part he would say that the Argentine side had presented a proposal to expedite the work towards a peaceful solution to the sovereignty dispute and that the proposal was subject to final answer by HMG in the near future.

2. Mr Cheek asked Sr Ros whether there was anything which the Councillors should avoid mentioning. Sr Ortiz de Rozas said only that it would be damaging if any party said something that had not been said elsewhere. The Argentines would not reveal details of their proposal because of Mr Luce's obligations to his Ministerial colleagues. There would be no mention of the detail of a 'Negotiating Commission'. In return, the Argentines would expect there to be no rejection of their claim to sovereignty. Mr Blake found the discussion very helpful. He thought that most aspects had been covered quite satisfactorily, now that he and Mr Cheek knew what

/the ..

the Ministers intended to say. He was sure that he could stay within the parameters laid down. Mr Williams was sure that both sides would be asked what substance had been discussed. Would it be possible to say simply that the meeting had been to discuss procedures only? Sr Ros felt that this might give the impression that the talks had again been entirely unprofitable for the Argentines and he would prefer that this should not be said.

3. Agreement was then quickly reached on the final text Annex C,D of an informal working paper and a communiqué.

4. The talks ended at 1700.

South America Department
Foreign and Commonwealth Office

2 March 1982

TEXT OF ARGENTINE BOUT DE PAPIER

(delivered on 27.1.82)

BEGINS

1. ARGENTINE POSITION

THE ARGENTINE POSITION ON THE QUESTION OF THE MALVINAS SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS IS WELL KNOWN BY THE BRITISH GOVERNMENT, BUT IT WOULD BE USEFUL TO SPELL IT OUT ONCE AGAIN TO MAKE ANY ARGENTINE PROPOSAL EASIER TO UNDERSTAND.

THE PRESS COMMUNIQUE PUT OUT BY THE ARGENTINE GOVERNMENT ON 27 JULY 1981 IS A FUNDAMENTAL BASIS. ESSENTIAL POINTS IN THE NEGOTIATIONS WERE SET OUT IN IT.

A) QUESTION OF SOVEREIGNTY

IN THE FIRST PLACE, BRITISH RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ABOVE-MENTIONED ARCHIPELAGOS IS THE BASIC ELEMENT OF THE ARGENTINE POSITION. IT REMAINS A SINE-QUA-NON REQUIREMENT FOR THE SOLUTION OF THE DISPUTE.

SO LONG AS THIS QUESTION IS UNRESOLVED THE DISPUTE WILL CONTINUE. CONSEQUENTLY NEITHER MUST IT NOR CAN IT BE IGNORED, BECAUSE THE ARGENTINE REPUBLIC, HOWEVER MUCH TIME MAY PASS, WILL NEVER ABANDON ITS CLAIM NOR RELAX ITS DETERMINATION UNTIL THIS HAS BEEN SATISFIED.

FROM THE BEGINNING IT HAS HAD RECOURSE TO NEGOTIATION AS A MEANS OF SEEKING A PEACEFUL SOLUTION TO ACHIEVE ITS JUST CLAIM. THIS NEGOTIATION HAS INVARIABLY BEEN PROMOTED BY SUCCESSIVE ARGENTINE GOVERNMENTS ON THE BASIS OF WHAT WAS ESTABLISHED BY THE UNITED NATIONS GENERAL ASSEMBLY IN ITS RESOLUTIONS 2065(XX), 3160 (XXVIII) AND 31/49 (XXXI).

B) ESSENTIAL CHARACTERISTICS OF THE NEGOTIATIONS ON SOVEREIGNTY

IN THIS CONTEXT, THE ARGENTINE GOVERNMENT APPEALS FOR THE NEGOTIATIONS TO BE SERIOUS AND IN DEPTH, BASED ON THE GREATEST GOOD FAITH AND THE POLITICAL DETERMINATION NECESSARY RESOLUTELY TO PUSH FORWARD FROM NOW ON A PROCESS CULMINATING, WITHIN A REASONABLE PERIOD OF TIME AND WITHOUT PROCRASTINATION, IN THE RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ISLANDS IN DISPUTE.

CONFIDENTIAL

SO FAR, AND DESPITE THE NEGOTIATING MEETINGS HELD IN THE PAST, THERE HAS BEEN NO CONCRETE PROGRESS.

IT IS ALMOST IDLE TO POINT OUT THAT THERE HAS BEEN FOR SOME TIME A GROWING AWARENESS BY THE ARGENTINE PEOPLE OF THE LACK OF PROGRESS IN THE MALVINAS QUESTION, AND THAT THE MATTER HAS NOW REACHED A POINT WHICH DEMANDS SOLUTIONS, WITHOUT FURTHER DELAYS OR DILATORY ARGUMENTS.

C) INTERESTS OF THE ISLANDERS

THE ABOVE-MENTIONED RESOLUTIONS OF THE UNITED NATIONS GIVE DUE ATTENTION TO THE QUOTE INTERESTS UNQUOTE (UNDERLINED) OF THE INHABITANTS OF THE ISLANDS, IN THE CONTEXT OF THE NEGOTIATION TO WHICH THEY INVITE BOTH GOVERNMENTS. AT NO POINT DO THE DECISIONS OF THE WORLD ORGANISATION REFER TO THE QUOTE WISHES UNQUOTE (UNDERLINED) OF THE ISLANDERS, BECAUSE THE DISPUTE IS CONFINED TO THE ARGENTINE AND BRITISH GOVERNMENTS.

THE POSSIBILITY EXISTS OF FINDING A MEETING POINT BETWEEN OUR RESPECTIVE POSITIONS IN THIS ASPECT OF THE MATTER, IN THAT THE ARGENTINE GOVERNMENT, ALWAYS IN THE SPIRIT OF PUSHING THE NEGOTIATING PROCESS RESOLUTELY FORWARD, HAS REPEATEDLY DEMONSTRATED ITS CLEAR INTENTION OF RESPECTING THOSE INTERESTS, INCLUDING THE PRESERVATION OF THE WAY OF LIFE AND CULTURAL TRADITIONS OF THE ISLANDERS. TO THIS END, IT IS READY TO DRAW UP A SPECIAL STATUTE OF SAFEGUARDS.

NO-ONE CAN CAST DOUBT ON THE FACT THAT SUCCESSIVE ARGENTINE GOVERNMENTS HAVE MADE GREAT EFFORTS TO SATISFY ISLANDER INTERESTS IN A PRACTICAL WAY, AS DEMONSTRATED BY, AMONG OTHER THINGS, THE COMMUNICATIONS SYSTEM WHICH HAS BEEN IN OPERATION SINCE 1971.

IN SPITE OF ARGENTINE GOOD WILL, THIS POLICY HAS NOT PRODUCED THE RESULTS EXPECTED OF IT.

THERE IS A VIRTUAL ABSENCE OF INFORMATION IN THE ISLANDS ABOUT THE REAL THINKING OF THE ARGENTINE GOVERNMENT. FURTHERMORE, DELIBERATELY TENDENTIOUS VERSIONS ARE PUT ABOUT TO DETRACT FROM THE ARGENTINE POSITION AND DELAY THE PROGRESS OF A NEGOTIATED SOLUTION. THE NEXT MEETING SHOULD ADDITIONALLY SERVE TO CLARIFY AND PUT AN END TO SUCH A STATE OF AFFAIRS.

THE OBJECT OF THE STATUTE OF SAFEGUARDS MENTIONED ABOVE WILL BE TO CONSIDER AND RESPECT THE DIFFERENT ASPECTS WHICH COMPRISE THE QUOTE INTERESTS UNQUOTE (UNDERLINED) OF THE INHABITANTS, FOR EXAMPLE, MATTERS RELATING TO MILITARY SERVICE, TAX EXEMPTIONS, PROTECTION OF PROPERTY RIGHTS, MAINTENANCE OF THE LANGUAGE AND CERTAIN INSTITUTIONS, ETC. AS AN ADDITIONAL GUARANTEE THE

CONFIDENTIAL

CONFIDENTIAL

AGREEMENT WHICH THE PARTIES MIGHT REACH ON THIS MIGHT BE SUBMITTED TO THE UNITED NATIONS. IT MUST BE REPEATED HERE THAT ARGENTINA HAS NO INTENTION OF DISTURBING THE ISLANDERS' WAY OF LIFE, SO LONG AS THERE IS AN ADEQUATE BALANCE BETWEEN THEIR INTERESTS AND THE RECOVERY OF ARGENTINE SOVEREIGNTY.

TO MAKE PROGRESS IN THIS MATTER, IT WOULD BE NECESSARY FOR THE BRITISH GOVERNMENT TO MAKE KNOWN WHAT ARE THE SAFEGUARDS IT CONSIDERS NECESSARY AND CONDUCTIVE TO THE PRESERVATION OF THE WAY OF LIFE AND TRADITIONS OF THE ISLANDERS.

(D) NATURAL RESOURCES

THE ISOLATION IN WHICH THE ISLANDS HAVE FOUND THEMSELVES FOR MANY YEARS, THE SCANT ECONOMIC DEVELOPMENT, THE DIMINISHING POPULATION FIGURES AND OTHER NEGATIVE FACTORS FAVOUR A TENDENCY TOWARDS IMMOBILITY. THESE PROBLEMS WILL REMAIN WHILE THE DISPUTE IS UNRESOLVED, SINCE THIS CONSTITUTES A SERIOUS OBSTACLE TO THE EXPLOITATION OF NATURAL RESOURCES.

THE LACK OF EXPLOITATION ON THE ONE HAND AND THE DEPREDATION OF RESOURCES ON THE OTHER, IN THE CONTEXT OF A WORLD SHORT OF FOOD AND AVID FOR ENERGY, IS AN OBVIOUS NONSENSE AND ANACHRONISM WHICH MUST CEASE. THE ARGENTINE REPUBLIC, WHICH VIEWS THE MALVINAS QUESTION AS A GLOBAL SUBJECT WHICH MUST ALSO BE SOLVED GLOBALLY, IS READY TO SEEK PRACTICAL FORMULAE TO GIVE CONCRETE FORM TO THE EXPLOITATION OF THESE RESOURCES TO THE BENEFIT OF ALL CONCERNED.

IT MUST REMAIN VERY CLEAR HOWEVER THAT ANY IDEA OF MAKING PROGRESS IN THE SEARCH FOR PRAGMATIC FORMULAE FOR EXPLORATION AND EXPLOITATION WHICH MIGHT MEAN A DELAY OR PARALYSIS OF THE SOLUTION TO THE SOVEREIGNTY QUESTION IS TOTALLY UNACCEPTABLE TO ARGENTINA.

(E) SECURITY IN THE AREA OF THE SOUTH ATLANTIC

FOR THE ARGENTINE REPUBLIC, THE SECURITY AND DEFENCE OF THE AREA OF THE SOUTH WEST ATLANTIC IS A VITAL NATIONAL INTEREST. THE ARGENTINE GOVERNMENT HAS THE RESPONSIBILITY OF MAINTAINING MAXIMUM VIGILANCE FOR THE PROTECTION OF THIS AREA OF THE ATLANTIC, IN WHICH THE ISLANDS OF THE SOUTH ATLANTIC HAVE GREAT IMPORTANCE. THE MAINTENANCE OF THE DISPUTE IS INCOMPATIBLE WITH THE APPROPRIATE DEFENCE OF THE AREA OF THE ATLANTIC OCEAN OFF THE COAST OF THE ARGENTINE MAINLAND.

II PROPOSAL

IT IS THEREFORE IN THE UNDERSTANDING THAT THE QUESTION OF SOVEREIGNTY OVER THE MALVINAS, SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS MUST BE RESOLVED PEACEFULLY, DEFINITELY AND RAPIDLY (UNDERLINED) IN THE

CONFIDENTIAL

CONFIDENTIAL

INTERESTS OF THE PARTIES TO THE DISPUTE AND OF ALL THOSE INTERESTED IN RESOLVING IT, THAT THE ARGENTINE GOVERNMENT IN ORDER TO DEVELOP THE NEGOTIATING PROCESS, PROPOSES THE ESTABLISHMENT OF A PERMANENT NEGOTIATING COMMISSION, TO MEET IN THE FIRST WEEKS OF EACH MONTH ALTERNATELY IN EACH CAPITAL. THIS SHOULD BE RESPONSIBLE FOR MAINTAINING THE CONTINUITY AND IMPETUS OF THE NEGOTIATIONS, WITHOUT IT HAVING TO DEPEND UPON ONLY SPORADIC MEETINGS, DEVOID OF CLEAR OBJECTIVES AND CONCRETE RESULTS.

ITS TECHNICAL-POLITICAL LEVEL SHOULD ALLOW A DEEP BUT AGILE TREATMENT OF THE SUBJECT MATTER, IN CONDITIONS FAVOURABLE TO PROPOSING SOLUTIONS TO THE GOVERNMENTS. THE COMMISSION WOULD HAVE A DURATION OF ONE YEAR. IT WOULD BE OPEN TO DENUNCIATION BY EITHER SIDE AT ANY TIME WITH PRIOR WARNING TO THE OTHER SIDE.

THE ARGENTINE GOVERNMENT CONSIDERS THAT THE ESTABLISHMENT OF THIS COMMISSION, PREFERABLY WITHIN THE SECOND TWO-MONTH PERIOD OF 1982, TOGETHER WITH SINCERITY AND GOOD FAITH TAKING ACCOUNT OF THE POSITIONS OF BOTH SIDES, WOULD OFFER THE BEST POSSIBILITY OF REACHING SUCCESS IN ITS WORK.

THE ARGENTINE GOVERNMENT WILL ANALYSE THE FUTURE OF THESE NEGOTIATIONS IN THE LIGHT OF THE REPLY WHICH THE BRITISH GOVERNMENT GIVES TO THIS PROPOSAL, HOPING THAT THIS MAY BE GIVEN BEFORE OR DURING THE NEXT ROUND OF NEGOTIATIONS TO BE HELD IN NEW YORK IN FEBRUARY 1982. ENDS.

CONFIDENTIAL

TEXT OF BRITISH REPLY

(delivered on 8.2.82)

BEGINS. HER MAJESTY'S GOVERNMENT ARE GRATEFUL TO THE ARGENTINE GOVERNMENT FOR THE CLEAR EXPOSITION OF THEIR ATTITUDE TOWARDS THE INTER-GOVERNMENTAL TALKS ON THE FALKLAND ISLANDS DISPUTE, CONTAINED IN THE BOUT DE PAPIER HANDED TO THE BRITISH AMBASSADOR IN BUENOS AIRES ON 27 JANUARY.

HER MAJESTY'S GOVERNMENT WISH TO REAFFIRM THAT THEY ARE IN NO DOUBT ABOUT BRITISH SOVEREIGNTY OVER THE FALKLAND ISLANDS, THE FALKLAND ISLANDS DEPENDENCIES, THEIR MARITIME ZONES AND CONTINENTAL SHELVES. THEY CAN NOT THEREFORE ACCEPT THE ARGENTINE ASSUMPTION THAT THE PURPOSE OF THE NEGOTIATIONS IS THE EVENTUAL RECOGNITION BY HMG OF ARGENTINE SOVEREIGNTY IN THE AREA. NEGOTIATIONS SO FAR HAVE BEEN CONDUCTED ON THE BASIS THAT THE SOVEREIGNTY POSITION OF NEITHER SIDE IS PREJUDICED. IT IS ON THAT BASIS THAT HMG REMAIN READY TO CONTINUE THE NEGOTIATING PROCESS, AND ON WHICH THE REPRESENTATIVES OF HMG ATTENDING THE FORTHCOMING TALKS IN NEW YORK WILL BE READY TO DISCUSS IN DETAIL THE PROPOSAL TO ESTABLISH WORKING GROUPS TO LOOK AT PARTICULAR ASPECTS OF THE DISPUTE.

HER MAJESTY'S GOVERNMENT WISH TO REAFFIRM THAT IT IS THEIR WISH TO FIND, BY NEGOTIATION, AN EARLY AND PEACEFUL SOLUTION TO THIS DISPUTE WHICH CAN BE ACCEPTED BY ALL CONCERNED, NAMELY THE BRITISH AND ARGENTINE GOVERNMENTS AND THE PEOPLE OF THE FALKLAND ISLANDS. ENDS.

The purpose of a UK/Argentine Permanent Negotiating Commission would be to accelerate progress towards a peaceful and comprehensive solution of the dispute between Britain and Argentina on sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands.

The Commission would be presided over by British and Argentine Ministers, who would direct the work of the Commission and who would decide upon the agenda of and participation in meetings held within the Commission's framework. It is understood that the British delegation to the meetings of the Commission may include Islanders.

The task of the Commission should be to identify all the elements of the dispute, to consider them in depth, either separately or in parallel, and to recommend how they might be resolved within an overall settlement. To that effect, in the Commission's work, either side may introduce any subject for examination which, in their view, could contribute to a solution of the dispute.

It is foreseen that the period of operation of the Commission should be for one year, at the end of which Ministers will review progress and reach conclusions on whether the Commission should continue its work. During this first year of operation, it will be open to either party to propose at any stage the Commission's termination. Meetings of the Commission should be held alternately in the capitals of the two countries. The first meeting will be attended by both Ministers and it will be open to Ministers of either side to attend any subsequent meetings. Meetings in each capital would be chaired by the Minister of the host Government, although he may delegate his functions to a senior official of his Government.

The work of the Commission should be conducted without prejudice to the sovereignty position of either Government.

JOINT COMMUNIQUE

The British and Argentine Governments held a meeting at Ministerial level in New York on 26 and 27 February 1982 to discuss the Falkland Islands question within the negotiating framework referred to in the relevant resolutions of the United Nations General Assembly.

The British and Argentine delegations were led respectively by Mr. Richard Luce MP, Minister of State at the Foreign and Commonwealth Office in London, and Ambassador Enrique Ros, Under-Secretary of State at the Ministry of Foreign Affairs and Worship in Buenos Aires.

The meeting took place in a cordial and positive spirit. The two sides reaffirmed their resolve to find a solution to the sovereignty dispute and considered in detail an Argentine proposal for procedures to make better progress in this sense. They agreed to inform their Governments accordingly.

Released at 12.30 GMT on 1 March 1982

Distribution

1. FCO

PS
PS/LPS
PS/Mr Luce
PS/PUS
Mr Ure
Mr Chamberlain (Legal Advisers)
Mr Millson, ESSD
Mr Mohan, MAED
Mr Gregory-Hood, Defence Dept
Mr Wilton, Information Dept
Mr Synnott, SED
Mr Marshall, News Dept
PUSD (2 copies)
Planning Staff
Dr Penney, Research Dept
LACPD (ODA)
SAmD (15 copies)

2. Other Whitehall Departments

PS/No 10
Mr Colvin (Cabinet Office)
Captain Tod (Cabinet Office)
Mr Hagestadt (OT5, DOT)
MOD (DS5)
MOD (DS11)
MOD (DS13)
MOD (DI4)
MAFF (Fish 2)
Miss Dickson, Dept of Energy

3. Posts

HMA Buenos Aires
HE The Governor, Port Stanley
HMA Montevideo
HMA Santiago
HMA Brasilia
Chancery, New York
Chancery, Washington