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Foreign and Commonwealth Office

London SW1A 2AH

I have seen the content of the speech & it looks all right

29 October 1982

Paul Munster:

Attached is the draft as amended by the Foreign Office.

Dear John,

Falklands at the General Assembly

JF

Sir John Thomson has sent us (UKMIS New York telno 1755) the draft of the speech he expects to deliver on 2 November, towards the beginning of the debate.

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We believe it must be primarily for Sir John Thomson to decide what kind of speech would be effective in the tactical situation he faces in New York. The Mission had spoken to a hundred delegations in the last few days and will now have a clear idea of what would help to secure our objective of the maximum number of abstentions and negative votes. There are a number of additional points about Argentina's behaviour that it might be right to make in a different context and before a different audience but we should not press Sir John Thomson to make such points in his opening statement if he judges it inadvisable given the mood of delegations. Sir John Thomson will have other opportunities to speak (in right of reply at the end of each day and in explanation of vote before the vote) when he could make other points as the occasion demands.

There are however a number of points which we think need to be adjusted, particularly in the first half of the draft speech. The most important point is at the end of paragraph 23 where Sir John Thomson should not say that when there has been a change of heart on the part of Argentina 'then it will be appropriate to talk about negotiations.' We propose that he should say that there will then be 'hope that this dispute can be put behind us.' Some of the other amendments we propose are designed to remove any suggestion that our perception of the principles at stake was different before the crisis or that emotion and 'political realities' account for our position on negotiations. We have also filled out the historical material in paragraph 12 dealing with the period before 1833. Sir J Thomson will have discretion to use this if, as expected, the Argentine statement goes into detail on these points.

what does that mean? We are not going to negotiate about sovereignty at all - unless the people of the Falklands want to

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/ I enclose our revised version of the speech. We shall be sending Sir J Thomson's instructions by Monday evening, 1 November. If the Prime Minister has any comments it would be helpful to receive them as soon as possible on Monday. Mr Pym is also looking at the speech over the weekend.

*Yours ever
for Holmes*

(J E Holmes)

Private Secretary

Mr A J Coles
10 Downing Street

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FALKLAND ISLANDS

1. Draft Speech for delivery by Sir J Thomson on 2 November.

Mr President

1. This is the first time on which I have had the honour to speak from this rostrum. It is a privilege to address what may be called the Parliament of the World. If it is to develop as the founding fathers hoped and if it is to avoid the pitfalls to which the Secretary-General has recently drawn attention this Assembly will wish to proceed on the basis of a common respect for the principles of the UN Charter. We are all by virtue of our membership of the UN dedicated to upholding international law and to maintaining decent standards of behaviour in inter-state relations. I am proud to re-iterate my Government's commitment to these principles and to state that we take our obligations seriously.

2. I am sad however that the occasion of this first speech should be in the context of a quarrel. May I

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say it is not a quarrel of our choosing? The whole Assembly knows the events of last April, to which I refer. I will not rehearse them. Instead I would rather dwell on the long ties of friendship and mutual interest which have existed between Britain and Argentina, and indeed more widely between Britain and Latin America.

3. Numerous memorials and statues all over Latin America eloquently bear witness to the fact that Britain played an important role in the liberation of Latin America in support of just that principle of self-determination which is at issue here today. There are few if any countries in Latin America with which Britain has older or closer links than with Argentina.

4. Mr President, Britain is proud of her relationship with the countries of Latin America and places a high value on their unique contribution to our common civilization.

5. Hence, our sense of sadness to find ourselves unwillingly in a state of confrontation with the present Government of Argentina and I emphasise that it is not with the people of Argentina, let alone the people of Latin America, but with the regime in Argentina.

6. In April a military confrontation was forced upon us by this regime in despite of a mandatory resolution of the Security Council calling for an immediate withdrawal of Argentine forces. Now an unnecessary political confrontation has been forced upon us. We will no more run away from the one than from the other.

7. We considered carefully whether this political confrontation could be avoided. However we concluded that it could not. Everyone knows that it is seven months to the day since Argentina invaded the Falklands against the resistance of a tiny but valiant garrison. Everyone knows that the life of the Islanders was totally and brutally disrupted. It will take time to restore the damage both materially and psychologically. Everyone knows of the depth of feeling that was aroused in Britain and the determination not to allow aggression to be rewarded. Many women saw their sons and husbands leaving their homes abruptly to fight a war they did not seek in very difficult and dangerous conditions. They fought in defence of noble principles which are not to be brushed aside as being of no account. Everyone knows that there were grave casualties and that the dead are still being mourned. Lives are still in peril from the mines so indiscriminately scattered by the Argentine occupying forces.

8. It is not surprising Mr President that in these circumstances the people of my country and the people of the Falkland Islands should feel very strongly. It is evident that emotion in Argentina likewise is running high. In these circumstances, so soon after the Argentine invasion, it is unrealistic to expect that a resolution could be devised which could be accepted by my country and by Argentina.

9. Since we did not seek this political confrontation our next thought was whether we could reduce its effect. It seemed to us that the requirements and emotions of all parties might be satisfied by making their positions clear to this General Assembly. We took soundings to see whether there was any possibility that we could have a debate without a resolution and a vote. The answer was no. We were told that such a possibility did not realistically exist. We were told that Argentina would not accept it. Subsequently we heard that Argentina had launched a major campaign against us in the capitals of most of the countries represented here.

10. However, we did not oppose the proposal that this year the Falklands item should be considered in the General Assembly instead of the Fourth Committee as has been the practice in the past. We felt that a

matter which involves such fundamental principles, the decent conduct of international affairs and the rights of people should be given the serious attention it deserves in what I have called the Parliament of the World.

11. We believe with total conviction that we are standing for principles and codes of behaviour that matter to all of us. I will come to this in a moment, Mr President, but first I am obliged to deal with some of the misconceptions about the history of the dispute which have been put around.

12. I note that the Argentine Foreign Minister set special store by the question of who first landed there and who first settled on the Islands. Of course, these matters may have some relevance for the question of abstract sovereignty. Whoever first sighted the Islands, there is no doubt that the first landing was British, and the first attempt at settlement was made by a Frenchman - in 1764, followed closely by Britain in 1765. The Foreign Minister had his facts wrong. But of far greater significance for consideration of the Falkland Islands by the General Assembly now, in 1982, are other facts: the fact that a permanent settlement was eventually established in the Islands only in 1833 and the fact that that settlement has continued ever

since to the present day. These 149 years of continuous, peaceful settlement have led to a vigorous, firmly rooted community, stretching back to six generations, of people who know the Islands as their only home. Though it is a small community it has its own distinct culture. It has its own educational, social and political institutions. This afternoon two democratically elected Members of the Falkland Islands Legislative Council will be testifying on behalf of the Falklanders to the Fourth Committee. These facts have profound consequences, which I shall come to in a moment. Before I do, I must pause for a moment, in order to nail, once and for all, four persistent myths which have been a perennial feature of Argentine propaganda.

First: that Argentina inherited title from the Spanish empire. The Islands were abandoned by Spain in 1811, five years before Argentina's declaration of independence. After that and until 1820 the Islands were mostly deserted apart from occasional visits by whalers and sealers of various nationalities.

Second: that Argentina settled the Falklands after 1820. In the years following 1820 various colonising ventures from Buenos Ayres were planned but these were essentially private in nature and were never effectively carried out. In 1829 the Buenos

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Ayres Government issued a decree purporting to appoint a Governor of the Islands. This evoked a firm British protest which was repeated in 1832. Vernet's activities in the Islands from 1829 onwards were again of an essentially private nature and enjoyed no more than the paper backing of the Buenos Ayres Government. He received no salary as 'Governor' and the Islands paid no taxes. Vernet's authority in the Islands was not recognised by any other powers as is evidenced by the dispersal of his venture in 1831 by the Captain of the United States vessel the Lexington. It will be apparent that the Falkland Islands were never in any sense part of the territory of Argentina.

Third: that there was a settled Argentine population in the Islands in 1833. The Islands were practically devoid of settlement when Captain Onslow arrived at East Falkland in January 1833. The small military garrison had mutinied and murdered their commander. Of the few other people of Buenos Ayrean or other origin around Port Louis the majority asked to be repatriated to Buenos Ayres. Only eighteen could be persuaded to stay behind. When HMS Challenger arrived at Port Louis in January 1834 the township was deserted: there were no Argentine settlers of any description.

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Fourth: there is the perennial myth of the British "act of force" in 1833. As is already implicit~~ed~~ in what I have just said, there was no act of force. British reoccupation of the Islands in 1833 and 1834 was effected without a shot being fired.

13. I have only gone into the history in order to give some of the factual reasons why some of the misleading assertions put around should not be taken at face value.

14. I now turn to the real subject of this unfortunate dispute and to the resolution which has been put forward by several sponsors with Argentina at their head. We find this resolution objectionable both for what it says and, if anything, still more for what it does not say.

15. First of all let me list some, though in the interests of brevity not all of our objections to the draft resolution. Many distinguished delegates will have read a well known book entitled "How to win friends and influence people". One thing that is clear is that the way to win friends in the Falklands

and to influence people in the UK is not by insulting or threatening them. The second preambular paragraph of the resolution does both these things with its reference to colonial situations being incompatible with universal peace. Is this a suggestion that the peace is going to be broken again by the same people who undertook the invasion earlier this year? Is this a sensible prelude to seeking negotiations? It is true that the resolution talks about finding a "peaceful solution" but this is the very same phrase that has been used in previous resolutions and in other communications to which the Argentine Government has put its name and look what happened. Then is it sensible, if you want genuine negotiations, to drag in references to documents to which it is well known my Government has taken exception. Is the purpose not to prejudge negotiations before they start?

16. The word negotiations is important in international problems. In very many cases it is the right way to deal with differences. But all good words can be subverted. There is a proverb in my country that even the devil can quote scripture. Let us look at the meaning of this word in the particular context of the Falklands dispute.

17. Unfortunately in this context the word

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negotiations has a loaded meaning. Successive Argentine Governments have made it abundantly plain diplomatically and have rammed home the point to their own public opinion that negotiations are only to achieve one result, namely the transfer of the administration of the Islands from Britain to Argentina. They have stressed that for them negotiations mean discussions about the date on which they will acquire control of the Islands. They do not admit that negotiations can have any other outcome.

18. That is a peculiar and loaded definition of negotiations, a point which the draft resolution underlines by referring to "the sovereignty dispute". For the rest of us, negotiation means a process in which the result is not predetermined and in which many outcomes are possible.

19. We reject the idea that negotiations can have only one outcome. There is so much more in dispute than just the question of sovereignty over land. We have no doubt about the validity of our case on sovereignty. But we are more concerned - and, Mr President, I believe most of this Assembly is too - about the wishes of the people, the inhabitants of the land. Surely the people have a right to determine their own fate.

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20. Some persons suggest that negotiations could be resumed where they were broken off last April. That shows remarkable insensitivity to human emotions. By what right does anyone ask mothers and widows to forget their sons and husbands? The wounded are still in hospital. At this very time some of the dead are being re-buried. What are we to make of people who said their purposes were peaceful and then seized territory and people by force? How can anyone, let alone the Falklanders, have confidence in the good faith of these people. Even now, they refuse to renounce the use of force.

21. Things cannot go back to where they were when the Argentines broke off negotiations and invaded the Islands. They have only themselves to blame for this. After the invasion, they again rejected the path of negotiation and they chose the path of violence. It is naive to suppose that the illegal use of force has no effect. Once bitten, twice shy. It would be contrary to human nature to try to force the Falklanders or my Government on their behalf to act as if no invasion had occurred.

22. What happened last April brought out the real nature of the problem. Delegations will now understand that we are not faced with a small dispute

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in a distant place which can be wished away by some clever drafting. It is clear that fundamental principles are at stake. I have found that, whatever positions various groups may have adopted in the past, there is growing recognition here of the importance and relevance of these fundamental principles to the Falklands problem. Delegations at the United Nations increasingly recognise that when a solution to the dispute is reached it will have to be firmly based on those principles.

23. And on these fundamental principles, Mr President, there can be no compromising, no redrafting and no negotiating to make them mean something else. We stand by the Charter principles and reject the negotiations - loaded negotiations - for which some people call, what is needed is a basic change of attitude, perhaps one should call it a change of heart, on the part of the Argentine Government. When we see that this has happened, then there will be hope that this dispute can be put behind us.

24. These are some of the reasons why my Government opposes the resolution that has been tabled. But that is not all. It is, even more what the draft resolution omits than what it includes that is objectionable. There is no question of tinkering

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with the language to mend the defects of the resolution, some of which I have just described. We would need not only to take things out of the resolution. We would also need to put a lot into it. When one thinks about what would have to go into the resolution it is clear that the dispute is by no means restricted to sovereignty. It covers fundamental points of principle. On such matters it is not useful to paper over cracks in order to create a bogus consensus.

25. The draft resolution carefully omits the people. It is the inhabitants of the Falklands whose future and whose children's future is at stake. They are not slaves to be transferred at the stroke of a pen, to be bought or sold by bribes, to have their aspirations and wishes brushed aside without even a chance of expressing them.

26. If anyone thinks that these are harsh words let them reflect on the reality of the situation. Whenever I have put it to any of my colleagues here that the Falkland Islanders should not be compelled against their will to become citizens of another country and moreover of a country which as already ill-treated them I have never found anyone to dispute it.

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27. Mr President, the people of the Falklands are entitled like other people to the protection of the Charter, to the good will of the world community and to rely upon the obligations which my Government has undertaken and which the Falklanders have in the free exercise of their democratic rights asked us to maintain. The purpose and principles of the Charter are clear. I am thinking for example of the principles of the non-use of force and of self-determination. They apply to the Falklanders as to other peoples. In fact, they apply more closely to the Falklanders than to most of the rest of us.

28. The reason is that the Falklands Islands is a territory covered by Article 73 of the Charter. There can be no dispute about this. Since General Assembly Resolution 66(1), passed at the first session of this Assembly, my Government has reported annually to the Secretary-General in accordance with Article 73E. The Secretary-General has year after year accepted these reports. They have been published, they have been the subject of debates, references to them have appeared in a huge number of official UN documents including some in the last few weeks. Thus indubitably the Falklands are an Article 73 territory.

29. Under Article 73 we have accepted the

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obligation to "recognise the principle that the interests of the inhabitants of these territories are paramount". They are of course the best judges of their own interests. But under the Article my Government is enjoined to accept as a "sacred trust" the obligation "to promote to the utmost within the system of international peace and security established by the present Charter, the well being of the inhabitants of these territories". The Article continues that to this end we "must ensure with due respect for the culture of the peoples concerned, their political, economic, social, educational advancement, their just treatment and their protection against abuses." (The Falklanders have indeed suffered abuses recently).

30. Furthermore Article 73 lays on my Government the obligation to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions". In doing all this we are obliged inter alia to have regard to the particular circumstances of the territory, and the character of the people. When the shocks of recent events have faded and normal conditions are restored, the Falklanders will want to give careful thought to their constitutional and political future. If the Falklanders wish to strengthen their own political

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institutions, we will encourage and assist them in this, but nothing can or will be imposed on them.

31. Article 73 confers rights on the Falklanders and lays obligations on my Government. We intend to go on fulfilling these obligations and we are entitled to the support of the international community in so doing. When we began to report to the Secretary-General on non self-governing territories under Article 73 there were more than 60 of them. The list has now been reduced to about a quarter of that total. Those who are no longer on the list are now independent sovereign states or have chosen some other future. They have benefitted from Article 73 and the exercise of their right of self-determination. There is no reason why the Falklanders should not do so to. Surely neither those countries which have benefitted from Article 73 nor their fellow members of this General Assembly are going to ask us to do so or to deny their rights to those people who remain our responsibility under Article 73? To do so would be applying double standards with a vengeance.

32. As I said at the outset, we would like friendly and good neighbourly relations with Argentina. Article 74 of the UN Charter states that members of the UN agree that their policy in respect of

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non-self-governing territories must be based on the general principle of good neighbourliness, due account being taken on the interests and well-being of the rest of the world, in social, economic and commercial matters. Consistent with this, we recognise the need for the people of the Islands to construct a stable and harmonious relationship with their neighbours. This is important both for peace in the region and to allow the full development of its economic potential. It is what we have sought over the years. We are more than willing to live at peace with Argentina and get back to a more normal relationship. We have already taken a number of steps to that end. We acted quickly to return all the Argentine prisoners of war following the Argentine surrender. The recent reciprocal lifting of financial measures was another step forward. And we are looking for early progress on the reciprocal lifting of the remaining economic restrictions. So far however there has been a disappointing lack of reciprocation from Argentina.

33. Mr President I do not in any way say that there is no dispute between Britain and Argentina. We are all too conscious of this unfortunate fact. But I do say that it is not only between Britain and Argentina. The most important parties in this dispute are the inhabitants of the Falkland Islands.

It is their livelihood and their future which is at stake. Britain can look after herself but she has an obligation to look after the Falkland Islanders as well. We very much hope that the people of Argentina will recognise this and that in accordance with law and fair play they will extend a helping and friendly hand to the Falklanders not a menacing fist. Is it too much to ask that the dispute involving the Falklands should be resolved in accordance with the purposes and principles of the Charter?