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Foreign and Commonwealth Office

London SW1A 2AH

31 July 1986

Dear Charles,

UN Security Council: Nicaragua/ICJ Decision

Your letter of 29 July informed us that the Prime Minister wished ^{at Hop} to be consulted about our Vote in the Security Council on this issue.

/ I enclose a copy of the Resolution as tabled. Our Ambassador at the UN expects the voting to take place later today.

This is a particularly difficult issue: we are faced with a stark choice between support for international law or for our US ally. It is particularly delicate for us, as the only permanent member who accepts the jurisdiction of the ICJ (and has done so even when faced with adverse judgements).

The Foreign Secretary discussed this issue with Mr Shultz in Tokyo on 4 May, and explained that we would be obliged to distance ourselves from the Americans on this issue. Mr Shultz replied that he would be obliged to wince, but that he understood our difficulties. Since then we have remained in close touch with the US about our position. Sir Geoffrey Howe received this morning a personal message from Mr Shultz, urging us in strong terms to avoid a diametrically opposed position to the US and asking us to abstain.

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The Foreign Secretary believes that we should not ignore this appeal from our US ally. We know also that the French intend to abstain, and Sir Geoffrey Howe hopes to speak today to his French colleague to ensure that we both abstain on the Vote. We shall have to try to justify this abstention on narrow legal grounds, arguing that the Resolution does not address all aspects of the problem. We can therefore expect to face considerable criticism afterwards. The Foreign Secretary is, nevertheless, clear that this is the right decision, in the light of all the circumstances.

We are now sending appropriate instructions to Sir John Thomson.

Yours ever

A handwritten signature in blue ink, appearing to read 'Robert Culshaw'.

(R N Culshaw)
Private Secretary

C D Powell Esq
No 10 Downing St

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10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

31 July 1986

UN SECURITY COUNCIL: NICARAGUA/ICJ DECISION

Thank you for your letter of 31 July conveying the Foreign Secretary's recommendation that we should abstain in the Security Council on the Nicaragua draft resolution on the ICJ. I am confident the Prime Minister would be content with this.

C. D. POWELL

R. N. Culshaw,
Foreign and Commonwealth Office

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