

30

RECORD OF A MEETING BETWEEN THE BRITISH HIGH COMMISSIONER,  
AND THE INDIAN FOREIGN SECRETARY, HELD IN NEW DELHI: 20 APRIL 1982

1) cc extracts to Emergency Unit

Present:

Mr Sathe

Mr Karray

Sir John Thomson

Mr Wetherell

STAD  
CEST  
Falkland File  
Info - Falk file  
Afghanistan file

2) Mr. Duley  
Mr. Ewan  
Mr. Gifford

M 2/4  
L-a.

among developing countries. Sir John Thomson observed that the UK had always supported the Indian position on a number of IDA issues, including India's share of 40% of the available funds. Mr Sathe repeated the widespread appreciation for the UK position in India.

#### Falklands

4. Mr Sathe recalled that the Acting British High Commissioner had called on him on 5 April to suggest that India might

- (a) consider the temporary withdrawal of her Ambassador from Buenos Aires;
- (b) cut off her trade relations with Argentine;
- (c) cut off military supplies to Argentina.

He had explained to Mr Samuel that (c) was inapplicable in India's case and that trade between the two countries was so insignificant as to render its suspension meaningless. As far as (a) was concerned, he had undertaken to report to Mrs Gandhi, but had expressed the personal view that the recall of Ambassadors was not part of India's diplomatic style and that the presence of an Indian Ambassador in Buenos Aires might even be to the UK's advantage. This view had now been confirmed by Mrs Gandhi herself as the Indian position. Mr Sathe said that the High Commissioner would have seen the Indian statement put out on 3 April. He did not think that the Government of India would want to make a further statement in the near future. He noted the negotiations being conducted by Mr Haig and suggested that there was nothing India could say or do while these were going on. He hoped that the problem would be resolved peacefully. But it would take some time to see how this could be achieved.

5. Sir John Thomson said that recent Argentine moves in the Coordinating Bureau of the NAM in New York suggested that there was indeed something India could do. He spoke as instructed in FCO telno 145 to Accra and left Mr Sathe the attached speaking note. He was not sure that India could afford to keep quiet under the circumstances. It was very important that the NAM should uphold international law. This was the crucial issue in the dispute. There could rarely have been a more clear cut case under international law - one in which the wishes of the local population had been repeatedly expressed. If it was a case of colonization, it was a case of Argentine colonization.

6. Mr Sathe asked whether there was an Argentine population on the Island. Sir John Thomson said that 80% of the Islanders were descended from people who had settled there before 1850. There had been some immigration from the UK since. There were a few US citizens and a very small number

(made up almost exclusively of wives) of people of Argentine origin. He doubted whether the people of Spanish/Argentine origin amounted to more than 2% of the population. It was a very homogeneous population and was 100% English speaking.

7. Mr Sathe undertook to speak urgently to Mr Rasgotra (his successor, to whom he was now passing most of his papers) and Mr S K Singh about developments in New York. He accepted that there was not much time left. Sir John Thomson left Mr Sathe a paper (attached) which set out the UK position on decolonization and self-determination and the text of the main part of Sir Anthony Parsons' statement to the Special Committee on the Non-Use of Force, which, he said, gave a good account of the issue itself and of developments leading to the crisis. It showed what a clear case existed under international law. It was the Argentines who had ignored the appeal of the President of the Security Council, and who had said that they would not accept the Security Council Resolution. The issue raised questions about the expectations and even laws governing the conduct of international relations.

8. Mr Sathe said that he understood that Anglo/Argentine discussions on the Falklands had been taking place since about 1953. The Argentines had been taking the line that they had wanted to discuss the problem. But they claimed that the UK had not allowed the discussions to get into matters of substance and had even called them off. Argentine patience had therefore worn very thin. Sir John Thomson said that this was not at all the case. The most recent round of Anglo/Argentine talks had taken place in New York at Ministerial level in February. There had been representatives of the Falkland Islanders themselves. The Joint Communique agreed at the end of the talks had referred to a cordial and positive atmosphere and to the resolve of both sides to find a solution to the problem. Less than five weeks later, the Argentines had invaded the Falklands. It was true that the talks between the two countries had lasted over a long time and that no solution had been found, but it was untrue to say that the UK had not put forward any serious proposals. For example, the UK had raised the possibility of leasing back the Islands from Argentina. In reply to Mr Sathe's question, he said that the UK position was that the wishes of the Islanders must be respected. These had been expressed through a number of elections. As far as the idea of a leasing back arrangement was concerned, the thought had been that the UK might consider Argentine sovereignty so long as the leasing of the Islands to the UK allowed the Islanders to continue their own chosen way of life. He could not provide a blow by blow account of discussions since the mid-50s. But these had taken place on many occasions at a high level and up to very recently.

#### Visits To Moscow And Washington

9. Mr Sathe said that the prospect of visits by Mrs Gandhi to the US and Soviet Union had been discussed for a long time. In view of the pressure on her calendar, there had been some

/difficulty



## SPEAKING NOTE

### THE FALKLAND ISLANDS

We understand that Argentina is working for a meeting of the Coordinating Bureau of the Non-Aligned Movement in New York, which may take place as early as today, 20 April, with a view to achieving agreement on a communiqué which would give a blanket endorsement to Argentina's position on the Falkland crisis. We are concerned that, if allowed to go through, such a communiqué would ignore the origins of the crisis and, therefore, the basis for the Security Council's Resolution 502.

If a meeting of the Coordinating Bureau takes place in New York, we hope that, together with Governments of other non-aligned countries, the Government of India will instruct its representatives in New York to work for a communiqué consistent with Security Council Resolution 502, which has the force of law and enjoys the support of the majority of the international community.

Specifically, we hope that any communiqué adopted by the Non-Aligned Movement will refer to Security Council Resolution 502; request both parties to comply with it fully; and reflect non-aligned doctrines on adherence to the United Nations Charter, the non-acquisition of territories by force, the peaceful settlement of disputes, and the exercise of the right to self-determination of peoples, a right explicitly guaranteed by General Assembly Resolution 1514 from which we understand the Argentine draft communiqué quotes selectively, as well as ignoring Resolution 502.

British High Commission  
NEW DELHI

20 April 1982

## THE FALKLAND ISLANDS

1. The fundamental element of the British Government's approach to the dispute with Argentina over the Falkland Islands is that the wishes of the Islanders themselves must be paramount. For their part, the Argentines deny that the Islanders have the right to determine their own future and maintain that the issue is one simply of decolonization.
2. The Falkland Islands issue is not one of decolonization. As normally understood, decolonization has consisted of the withdrawal of an alien administering power and the transition of new states to independence in accordance with the freely expressed wishes of their people, to whom sovereignty and the powers of sovereignty are transferred. The UN has never countenanced the decolonization of a territory by agreeing to hand over its people to alien rule in the face of their persistent opposition. For Argentina to incorporate the Falkland Islands in its territory on the pretext of decolonization would simply constitute the imposition of colonial status on the Islands by force in violation of all UN agreed norms of conduct in the fields of decolonization and relations between states. It would offend the principle of self-determination.
3. Britain's record of decolonization and our policy towards the inhabitants of the non-self-governing territories, for which we have been and remain responsible, demonstrates a consistent respect for the principle of self-determination, which the United Nations has endorsed and applauded.
4. Respect for the principle of self-determination remains a basis for the development of friendly relations between states and is one of the fundamental measures to strengthen international peace and security. This is recognized in a number of important international instruments, including the United Nations Charter itself, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural rights, the Friendly Relations Declaration adopted by the UN General Assembly in October 1970, and General Assembly Resolution 1514(XV) of 1960.

An essential element of this principle is the free and genuine expression of the will of the people, such as has taken place regularly in the Falkland Islands and on which the United Kingdom have regularly reported to the Secretary General of the United Nations. Argentine statements that they would take the Falkland Islanders' interests into account are no substitute for the right of self-determination. In any case, it is the Islanders themselves who are the best judge of their own interests. They have consistently and clearly rejected any measure of Argentine control over their lives. It is the British Government's view that their wishes should be respected.