

165. Memorandum of Conversation¹

Washington, April 23, 1982, 2:15–4:30 p.m.

SUBJECT

Falkland Islands Framework

PARTICIPANTS

US

The Secretary
Under Secretary Lawrence S.
Eagleburger
Lt. General Vernon Walters
Deputy Assistant Secretary Stephen
Bosworth
Deputy Assistant Secretary Robert L.
Funseth
Deputy to Under Secretary for
Political Affairs, David Gompert
Scott Gudgeon, L/ARA
John Campbell, EUR/NE

UK

Foreign Secretary Pym
Ambassador Sir Nicholas
Henderson
Julian Bullard, Deputy to the
Permanent Under Secretary
Ian Sinclair, Legal Advisor
John Ure, Foreign Commonwealth
Office
Brian Fall, Private Secretary to the
Foreign Secretary
Francis Richards, Assistant Private
Secretary to the Foreign
Secretary
Nicholas Fenn, FCO News
Department
Derek Thomas, Minister UK
Embassy
Stephen Wall, UK Embassy
Christopher Crabbe, UK Embassy

SUMMARY: After lunch at the British Embassy, the US and UK sides resumed their meeting, which had been interrupted by the Foreign Secretary's appointment with the British press. (See separate memcon for the earlier portion of the meeting.)²

The first part of the formal conversation at the British Embassy focused on the text of the Falkland Framework proposal, which had incorporated in it changes suggested before Pym's press break. (Text attached.)³ The Secretary and the Foreign Secretary then discussed the Argentine request for NASA LANDSAT photographs of South Georgia, with Pym expressing the hope that the US would not provide the coverage. The Secretary noted that whether to do so would be an

¹ Source: Department of State, Under Secretary of State for Political Affairs, Miscellaneous Files, March 1981–February 1983, Lot 83D210, D. Gompert. Secret; Sensitive. Drafted by Campbell; cleared by Goldberg. The meeting took place at the Residence of the British Ambassador.

² See Document 164.

³ Attached but not printed.

American decision.⁴ The final portion of the meeting consisted of Pym's summing-up of the UK reaction to the draft framework. Essentially, he argued, the text he would be taking back to London rewarded Argentine aggression. END SUMMARY.

Pym opened the discussion by asking where the concept of "7 days" as a time frame for withdrawal came from.

Gompert responded that our goal had been to find a time frame acceptable to the Argentines.

Paragraph 4: The Secretary noted that the redraft of paragraph 4 included the modifications suggested by the British side at the earlier meeting that morning. The Secretary said that while he recognized that the paragraph caused the British problems, he hoped that the Foreign Secretary would take it to London. Pym said that he would do so.

Paragraph 5: The Secretary said we specifically referred to ten persons to assure London that the number of Argentines that would be present on the Island would be limited.

Paragraph 6: The Secretary said that we want to suggest that the framework document is an integrated whole. Sometimes we have had to split the differences between HMG and Buenos Aires in hopes of achieving something acceptable to both. Here with respect to the composition of the governing councils, HMG would have a decisive majority.

Paragraph 7: Pym said that his government would have trouble with the appointment of representatives to the Executive and Legislative Councils by the Argentine Government. In reply, the Secretary reminded Pym that the rest of the paragraph contained what London had asked for. The Secretary and Pym agreed to alter the text to add a colon after ". . . enlarged to include: . . .".

Pym speculated whether or not the Interim Authority could be substituted for the Argentine government as the appointing authority; "it would help us optically." Sir Nicholas Henderson asked what the UK was getting in return for the major concession of allowing the Argentine government appointed representatives on the Executive and Legislative Councils.

⁴ On April 23, Burt sent Eagleburger an action memorandum regarding the Government of Argentina's April 22 request for LANDSAT coverage of South Georgia. Burt recommended informing NASA that the Department had "no objection" to providing the requested LANDSAT coverage and that he, Burt, inform the British Embassy of the U.S. decision. Eagleburger disapproved both recommendations. (Department of State, Executive Secretariat, S/S Special Handling Restrictions Memos 1979-1983, Lot 96D262, ES Sensitive April 20-23 1982) A later Argentine request for LANDSAT images, presented to Eagleburger on April 30, was approved. See Document 197.

The Secretary replied that it served no purpose for the British to say that there could be no Argentine representation. It was an Argentine decision to say whether "its representation on the councils would come from the mainland or from the Islands."

The Secretary said that our redraft addressed the concerns which Pym had expressed at the morning meeting. There was no longer reference to personal compensation; the referring of Interim Authority recommendations to the councils had been added, and the word "equal" had been suppressed from paragraph 7.2. But, Pym objected, the word "equal" remained in paragraph 7.1.

Bullard suggested that rather than the word "equal" it might be better to use "equitable". The Secretary said the Argentines wanted their co-nationals to have an "equal shot" on the Island. But, objected Sinclair, paragraph 7.1 was not restricted to the inhabitants of the Islands. The Secretary then asked if the phrase "on a non-discriminatory basis" would help. Henderson and Pym both agreed that this phrase was better. Gudgeon observed that it was a principle that was being talked about here; it did not obligate HMG to any specific measures. The Secretary said that the British had accepted a similar principle in their 1971 agreement with Argentina but had failed to carry it out. That was why the word "facilitate" was important to the Argentines. He went on to observe that the British have two safety valves: they would dominate the councils, and HMG would have to approve anything which was "operational". Gompert added that the text left intact already existing discriminatory regulations.

Pym asked what does the phrase "equal basis" really mean? Gompert replied that it meant non-discriminatory. The Secretary agreed that the text proposed opening up the Islands, but HMG would control how the process was carried out. Fall observed that the use of the phrase "on an equitable basis" would really help. But the Secretary said that its use would raise "paranoia" in Buenos Aires. Bullard asked if "equal basis" had to remain in the first sentence. The Secretary replied that it did, because it stated a goal.

Paragraph 8: The Secretary began the discussion by observing that this paragraph contained the language which had been the hardest to negotiate in Buenos Aires. In this version, we had taken out the word "territorial". We had eliminated references to specific UN resolutions and the resulting language was very close to the original London version.

Pym observed that this paragraph was now much more neutral, even so it was bound to cause problems in London. The Secretary observed that to stand any chance of acceptability, the language must be ambiguous. Pym asked if reference could be made to the "rights" of the inhabitants.

The Secretary emphasized that the previous “tilt” in the paragraph toward Buenos Aires had been eliminated; the language is now neutral. For this reason, he would like to make it as close to the Argentine language as he could. He doubted that the text as it presently stood would secure Argentine agreement.

Paragraph 9: Pym opened by observing that 9.1 was helpful, 9.2 “a lot of trouble,” as was 9.3.

Pym asked what purpose 9.5 served. Gudgeon responded that the Argentines opposed 9.1 and the inclusion of 9.5 was an attempt to balance it: 9.5 was necessary to sell 9.1 to Argentina.

Both Pym and Fall objected to the proposal to compensate the Islanders who wished to leave. Fall said “it sounds like our color problem solution—you pay them to leave the UK”. Such an approach he said would trigger emotional hostility in the UK. The Secretary suggested that we should consider dropping all of paragraph 9.

Bullard asked about the six-month time frame. The Secretary responded that it was designed to resolve a situation in which there was no UK/Argentina agreement by December 31, it also showed Galtieri that there would be some movement in conjunction with negotiation.

The Secretary reminded the UK side that the original Argentine sovereignty and administration would be reestablished on the Falklands if no agreement was negotiated by December 31, 1982.

Brian Fall observed that we were contemplating a highly activist interim authority. The Secretary agreed, observing that “it would not be a bad thing”.

Reverting to paragraph 9, Pym asked if it would help to change the first sentence to read “. . . after consultations with the Councils, the Authority shall make specific proposals . . .”.

With respect to paragraph 9.2, Gudgeon suggested adding a “;” after the word “Islanders”. Ure supported this suggestion. After further discussions, the Secretary agreed to eliminate 9.2 and add the phrase “. . . including possible arrangements for compensating the Islanders . . .” to 9.4 after “. . . may request. . .”.

At this point the Secretary asked if he could raise an altogether different issue with the Foreign Secretary. He said that Argentina was a participant in the NASA LANDSAT program. Argentina was requesting data on South Georgia Island to be gathered over the weekend, in full accordance with their contract with NASA. The Secretary said that the data produced would be “without discrimination—so you can’t pick up ships on it”. Argentina was, he said, entitled to the data under its contract. If Argentina were turned down, Buenos Aires would take this as a major US signal at a particularly delicate time in our negotiations.

Derek Thomas said that while NASA may believe that the data had no military value, clearly the Argentines thought that it did—otherwise they would not have requested it. Bullard asked if action on the Argentines had provided NASA with sufficient advance notice. Eagleburger said that NASA would normally honor the Argentine request, even though it was on very short notice. Pym asked if he could respond to the Secretary after a twenty five-minute break. At that point, the two sides separated, to reconvene at 4:00 PM.

When the two sides met again, Pym said that he recognized that response to the Argentine NASA request was purely a US decision, but he said “I hope that it does not happen.”

The Secretary said that he understood Pym’s response, but had to point out that he would have to take his decision within the context of what we were trying to do both in London and Buenos Aires. He did not see how providing the data would confer any military advantage on the Argentines.

At that point, Pym said that he would like to make a few general observations about the Falklands framework proposal and then meet again with the Secretary at 7:00 PM. The Secretary agreed.⁵

PYM’S SUMMING UP: Pym made the following points:

A. HMG appreciated the Secretary’s efforts to meet London’s requirements.

B. The text under consideration this afternoon was considerably improved over the text transmitted by the Secretary from Buenos Aires.

C. But this text was considerably closer to the Buenos Aires text than the one the Secretary had taken away from London during his first negotiating round.

D. The current text had the following results:

1. It would provide Argentina with a political foothold on the Falklands and a political voice.

2. It established much stronger Argentine economic and commercial influence over the Islands.

3. It ended the status under which the Islands had been living before Argentine aggression.

Therefore, it rewarded Argentine aggression.

Pym said that he well understood the improvements which Haig had extracted from the Argentines. “But it will be difficult for us in London. I will take it to London.”

⁵ See Document 166.

The Foreign Secretary said that he also wished to put down one or two more thoughts on paper which he would give to the Secretary at their 7:00 PM meeting.

Secretary Haig observed that he doubted the text which they were considering had much of a chance of acceptability. Hence, he was particularly concerned that it bear the test of public scrutiny: "We must show we went the extra mile. However," the Secretary observed, "if the text should be acceptable, I do not believe we will be subject to undue criticism."