

239. Memorandum From the Permanent Representative to the United Nations (Kirkpatrick) to Secretary of State Haig¹

New York, May 7, 1982

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Memorandum of Conversation with the Secretary General

Ambassador William Sherman of USUN conveyed to the Secretary General's Deputy the contents of Secretary Haig's views as expressed in State 123255.²

Later the Secretary General spoke with Ambassador Kirkpatrick and asked her to convey the following views:

1. The Secretary General thanked the Secretary of State for his observations and advice.

2. The Secretary General asserted that he was working under Article 40 of the UN Charter³ toward provisional measures which could serve as preconditions for the ultimate peaceful resolution of the conflict.

3. He asked me to assure the Secretary of State that it seemed clear to him that a cease fire, withdrawal of Argentine forces and redeployment of the British Navy would all necessarily take place simultaneously. Any effort by Argentina to impose resolution of the sovereignty question as a precondition would doom the UN effort.

4. Finally, the Secretary General believes that any other initiatives would be counterproductive at this time and would have the effect of undermining his efforts.

The Secretary General assured me he would keep me fully informed about developments over the weekend.

¹ Source: Department of State, Executive Secretariat, Files of Alexander M. Haig, Jr., 1981-1982, Lot 82D370, No folder. Confidential. There is no indication that Haig saw the memorandum, although a notation in the bottom right-hand corner indicates that it was received in S on May 7.

² See Document 237. An unknown hand underlined the portion of this sentence beginning with the word "Haig's" and ending with "State."

³ As part of Chapter VII of the Charter of the United Nations, which addresses "Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression," Article 40 states: "In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39 [which empowers the Security Council to identify any threat to or breach of the peace or act of aggression], call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable."