

20 May 1982


FALKLANDS

I enclose a telegram which the Prime Minister has received from Mr. Anton Keller, apparently on behalf of members of the Swiss Parliament. The telegram appears to have been copied widely and I note that a copy was sent to the Foreign and Commonwealth Secretary.

I should be grateful if you could arrange for an appropriate reply to be sent on behalf of the Prime Minister.

AJC

John Holmes, Esq.,
Foreign and Commonwealth Office.



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IMMEDIATE

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5/19/1982 1213 CET

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ATTN THE PRIME MINISTER AND THE FOREIGN MINISTER

U R G E N T

RE: SOUTH ATLANTIC ISLANDS CONFLICT

YOUR EXCELLENCY,

THIS IS TO FOLLOW UP ON OUR PREVIOUS COMMUNICATIONS ON THIS SUBJECT. AS NONE OF THE FORMULAS SO FAR CONSIDERED SEEM TO PROVIDE A SUFFICIENTLY STRONG COMMON DENOMINATOR FOR DEFUSING AND RESOLVING THE INCREASINGLY COSTLY AND DANGEROUS CONFLICT, WE RECOMMEND THAT URGENT CONSIDERATION BE GIVEN TO A MORE-THAN-MERELY-THERAPEUTIC IMPLEMENTATION OF THE MUTUALLY VENERATED HUMANITARIAN GENEVA CONVENTIONS.

NOBODY HAS A MONOPOLY FOR GOOD IDEAS WHICH MAY ALSO TAKE CARE OF TOMORROW'S NEEDS. IT MAY THUS BE HIGHLY INDICATED FOR ALL PARTIES CONCERNED TO FULLY EXPLORE THIS PERHAPS UNCONVENTIONAL AVENUE WHICH WAS FIRST RAISED PUBLICLY BY ANOTHER PARLIAMENTARIAN.

ON APRIL 29, THE HONORABLE LORD KENNET, A MEMBER OF THE BRITISH OPPOSITION COALITION, OFFERED THE FOLLOWING NOTEWORTHY OBSERVATIONS IN THE HOUSE OF LORDS:

"FOR THE ISLANDS THEMSELVES, TOMORROW, THE RED CROSS MIGHT PERHAPS PLAY A USEFUL ROLE AND A LARGER ONE THAN THEY HAVE PLAYED IN ANY MODERN CONFLICT. THE FOURTH GENEVA CONVENTION AGREES THAT THE RED CROSS MAY DO VARIOUS THINGS WHICH GO A STARTINGLY LONG WAY BEYOND THE TRADITIONAL DASHING ABOUT WITH STRETCHERS AND DELIVERING PARCELS TO PRISONERS. IF IT IS TRUE THAT THE ARGENTINIANS HAVE ALREADY ADMITTED RED CROSS TEAMS TO THE ISLANDS, THAT IS SOMETHING TO BUILD ON. ...

THE UNITED NATIONS ITSELF IS OF COURSE STILL THE BEST HOPE FOR A MEDIUM-TERM SETTLEMENT, AS OPPOSED TO A SHORT-TERM ONE. WHEN THE ARGENTINIANS AGREE TO LEAVE, THERE WILL PROBABLY HAVE TO BE A RED CROSS PRESENCE AND A UNITED NATIONS ONE. THE LATTER COULD GROW INTO SOME SORT OF PEACE-KEEPING FORCE, HOWEVER SMALL, AND A TRUSTEESHIP ARRANGEMENT COULD GROW OUT OF THAT. ...

IS IT NOT THE CASE THAT ARTICLE 14 (AND NOW ARTICLE 15) OF THE FOURTH GENEVA CONVENTION WOULD ALLOW THE INTERNATIONAL RED CROSS, IF INVITED BY THE RELEVANT PARTIES, TO SET UP SAFETY ZONES (FOR THE AFFECTED CIVILIANS -- NOW NEUTRALIZED ZONES WITH A SCOPE COMMENSURATE TO THE AUGMENTED HUMANITARIAN NEEDS) IN A ZONE OF COMBAT, WHICH MAY OR MAY NOT BE A ZONE OF DECLARED WAR, AND TO ADMINISTER THOSE ZONES? AND ... IS IT NOT THE CASE THAT YESTERDAY (I.E. APRIL 28) THE INTERNATIONAL COMMITTEE OF THE RED CROSS COMMUNICATED TO THE BRITISH AND ARGENTINE GOVERNMENTS ITS WILLINGNESS TO DO SO IN THE FALKLANDS, IF INVITED?" (HANSARD, 973, 1035)

OUR CONSULTATIONS TO-DATE ALONG THESE LINES HAVE LEAD TO THE FOLLOWING REVISED PROPOSAL FOR A FRAMEWORK FOR DEFUSING THE CONFLICT AND FOR A HONORABLE AND LASTING NEGOTIATED SETTLEMENT OF SAME. WE BRING IT TO YOUR EXCELLENCY'S ATTENTION IN THE HOPE THAT IT MAY SOMEHOW BENEFIT YOUR OWN RESPECTIVE UNTIRING EFFORTS AND THUS FACILITATE SUCH AN EARLY OUTCOME. WE REMAIN AT YOUR ENTIRE DISPOSITION FOR ASSISTING YOU IN ANY WAY DEEMED INDICATED TOWARDS THE ABOVE ENDS.

BEST WISHES AND REGARDS,
ON BEHALF OF MEMBERS OF THE SWISS PARLIAMENT,

H. ANTON KELLER

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CC: AMERICAN, ARGENTINE, BRAZILIAN, BRITISH, PERUVIAN AND SWISS
FOREIGN MINISTRIES,
UN SECRETARY GENERAL, ICRC,
ARGENTINIAN AND BRITISH AMBASSADORS TO THE UN AND THE CICR

DRAFT AGREEMENT TOWARDS RESOLVING OUTSTANDING ISSUES CONCERNING
THE ARGENTINE REPUBLIC AND THE UNITED KINGDOM

DESIROUS TO PROMOTE THE WELFARE OF THE INHABITANTS OF THE DISPUTED
SOUTH ATLANTIC ISLANDS, AND TO FURTHER THE ARGENTINE AND THE BRITISH
EFFORTS TO THIS END,

WITH DUE REGARD TO THE LEGITIMATE ASPIRATIONS, RIGHTS AND RESPONSIBILITIES
OF THE INVOLVED PEOPLES,

TRUSTING THESE FUNDAMENTAL INTERESTS TO BE BEST SERVED AND TO BE
SPEEDILY BROUGHT IN LINE WITH EACH OTHER IF CONDITIONS WILL PROVIDE
FOR THE RELEVANT RESOLUTIONS OF THE UN GENERAL ASSEMBLY AND THE
UN SECURITY COUNCIL TO BE IMPLEMENTED PROMPTLY AND IN ACCORDANCE
WITH THE APPLICABLE PRINCIPLES AND THE UNITED NATIONS CHARTER,

THE SIGNATORY STATES HAVE AGREED AS FOLLOWS:

1. IN ACCORDANCE WITH THEIR OBLIGATIONS UNDER THE GENEVA CONVENTIONS,
THE SIGNATORY STATES HAVE UNDERTAKEN TO PROVIDE FOR THE PROMPT,
UNIMPEDED AND SECURE EXERCISE OF THE FUNCTIONS OF THE DELEGATES
OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC),
INCLUDING THE ESTABLISHMENT OF A NEUTRALIZED ZONE IN THE SENSE
OF ARTICLE 15 OF THE FOURTH GENEVA CONVENTION OF AUGUST 12, 1949,
WHICH ZONE IS TO BE ADMINISTERED BY ICRC DELEGATES WHO, IN
PARTICULAR, AND IN CONSULTATION WITH ARGENTINIAN, BRITISH AND
THE ISLANDERS' REPRESENTATIVES, SHALL TEMPORARILY PROVIDE FOR
THE WELFARE OF THE ISLANDS' INHABITANTS.
2. THE SIGNATORY STATES UNDERTAKE TO CONFINE THEIR MILITARY FORCES
PROMPTLY AND TOTALLY TO WITHIN THEIR UNDISPUTED BORDERS OF
SOVEREIGNTY, BEGINNING WITH THE CEASE-FIRE AT ..., AND ENDING
NOT LATER THAN
3. THE SIGNATORY STATES HEREBY JOINTLY INVITE ... (E.G. THE UNITED
NATIONS, ONE OR BOTH OF THE PROTECTING POWERS BRAZIL AND SWITZER-
LAND, AND/OR SUCH MUTUALLY ACCEPTABLE THIRD NATIONS AS PERU AND
THE UNITED STATES OF AMERICA)

A) TO DISPATCH TO THE AREA OF DISPUTE A TEAM OF MILITARY OBSERVERS WHOSE TASK SHALL BE THE MONITORING AND VERIFICATION OF THE FULFILLMENT OF SAID TROOP CONFINEMENTS,

AND, FOR THE TIME FOLLOWING THE LIFTING OF THE NEUTRALIZED ZONE,

B) TO APPOINT AND DISPATCH TO THE ISLANDS UNDER DISPUTE AN ADMINISTRATOR WHO, IN CONSULTATION WITH ARGENTINIAN, BRITISH AND THE ISLANDERS' REPRESENTATIVES, SHALL TEMPORARILY PROVIDE FOR THE WELFARE OF THE ISLANDS' INHABITANTS, AS WELL AS FOR THE PROPER ADMINISTRATION OF THE ISLANDS' RESOURCES, AND

C) TO APPOINT A MEDIATOR WHOSE TASK SHALL BE THE PROMOTION OF A PROMPT AND EQUITABLE SETTLEMENT OF THE OUTSTANDING ISSUES, IN ACCORDANCE WITH THE ESTABLISHED PRINCIPLES OF INTERNATIONAL LAW, IT BEING UNDERSTOOD THAT IN THIS COURSE BOTH PARTIES MAY SEEK A FINAL AND MUTUALLY BINDING DECISION TO BE RENDERED BY WAY OF ARBITRATION.

END

WELL RECEIVED????

YES TKS

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