

18 JUN 1982

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CONFIDENTIAL

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TO IMMEDIATE CERTAIN MISSIONS AND DEPENDENT TERRITORIES
GUIDANCE TELEGRAM NUMBER 133 OF 18 JUNE 1982

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FALKLANDS: SECURITY COUNCIL RESOLUTION 502 AND NEGOTIATIONS

1. WE ARE HAVING GREAT DIFFICULTY IN OBTAINING FROM THE ARGENTINE GOVERNMENT A CLEAR AND DEFINITIVE STATEMENT CONFIRMING A TOTAL CESSATION OF HOSTILITIES IN THE SOUTH ATLANTIC. WHILE THEIR REGIME IS UNDERGOING AN UPHEAVAL THIS MAY REMAIN THE CASE, DESPITE OUR CONTINUING AND SUSTAINED EFFORTS. MEANWHILE ARGENTINA HAS NOT MADE PUBLIC THE TERMS OF GENERAL MENENDEZ' SURRENDER (THOUGH WE ARE ARRANGING TO CIRCULATE THE INSTRUMENT OF SURRENDER AS A UN DOCUMENT) AND WE MUST EXPECT FURTHER PRESSURE ON US TO ENTER INTO NEGOTIATIONS WITH THE ARGENTINES ABOUT THE FUTURE OF THE ISLANDS AS A PRICE FOR OBTAINING A DEFINITIVE CESSATION OF HOSTILITIES. IN THIS CONTEXT, OPERATIVE PARAGRAPH 3 OF SCR 502, CALLING ON THE UK AND ARGENTINA TO REACH A DIPLOMATIC SOLUTION, IS BEING CITED.

2. YOU SHOULD NOTE THAT THE PRIME MINISTER SAID IN THE HOUSE OF COMMONS ON 15 JUNE:

'RESOLUTION 502 WAS NOT HONOURED BY THE ARGENTINES. WE HAVE HAD TO SECURE THE WITHDRAWAL WITHOUT RESOLUTION 502. BECAUSE IT WAS NOT HONOURED, WE DO NOT NEED TO NEGOTIATE IN ANY WAY WITH THE UNITED NATIONS OR ANYONE ELSE ABOUT BRITISH SOVEREIGNTY OF THE ISLANDS. I MAKE THAT ABSOLUTELY CLEAR.'

IN FACT, THE CALL TO NEGOTIATE IN OPERATIVE PARAGRAPH 3 OF SCR 502 WAS PREDICATED ON A PRIOR ARGENTINE WITHDRAWAL WHICH THE ARGENTINE GOVERNMENT PERSISTED IN REFUSING TO CARRY OUT.

3. YOU SHOULD BASE ANY DISCUSSION OF SCR 502 ON THE CONSIDERATIONS IN THE ABOVE PARAGRAPH, WHICH CLEARLY EXPLAINS WHY WE VIEW THIS RESOLUTION AS HAVING BEEN OVERTAKEN BY EVENTS. YOU SHOULD HOWEVER BEAR IN MIND THAT SOME EUROPEAN COMMUNITY AND OTHER COUNTRIES MAY BE INCLINED TO CITE THE RESOLUTION AS A BASIS FOR

OR JUSTIFICATION OF THEIR SANCTIONS AGAINST ARGENTINA. WE ARE ANXIOUS THAT THESE SANCTIONS SHOULD CONTINUE UNTIL A LASTING CEASEFIRE IS ACHIEVED. IF, THEREFORE, YOU FEEL THAT IT WOULD HAVE AN ADVERSE AFFECT ON THE MAINTENANCE OF SANCTIONS YOU SHOULD NOT GO OUT OF YOUR WAY TO SAY THAT RESOLUTION 502 IS DEAD, BUT SHOULD ARGUE AS ABOVE IF THE QUESTION IS RAISED WITH YOU.

4. YOU MAY ALSO SAY THAT WE SHALL NATURALLY CONTINUE TO BE GUIDED BY ARTICLES 2(3) AND 33 OF THE CHARTER OF THE UNITED NATIONS WHICH PROVIDE FOR SETTLEMENT OF INTERNATIONAL DISPUTES BY PEACEFUL MEANS. IT WAS OF COURSE THE ARGENTINES WHO BROKE THE PEACE AND ABANDONED THIS ROUTE. OUR SUBSEQUENT ACTIONS WERE BASED ON THE RIGHT OF SELF-DEFENCE PROVIDED FOR IN ARTICLE 51 OF THE CHARTER. IF ASKED WHETHER THIS MEANS THAT WE SHALL NOW RECOMMENCE NEGOTIATIONS WITH ARGENTINA ABOUT THIS DISPUTE, YOU SHOULD EXPLAIN FIRMLY THAT - FOLLOWING RESORT TO FORCE BY ONE SIDE IN THE DISPUTE AND THE LOSSES THAT WE HAVE INCURRED - WE CANNOT BE EXPECTED TO SIT DOWN TO NEGOTIATE ABOUT THE FUTURE OF THE ISLANDS AS IF EVERYTHING WAS STILL AS IT HAD BEEN BEFORE. IN ANY CASE, WE CAN TAKE NO LONG-TERM VIEW ABOUT THE FUTURE OF THE ISLANDS UNTIL THERE HAS BEEN A CONSIDERABLE PERIOD FOR THE NECESSARY RECONSTRUCTION AND REFLECTION, AFTER WHICH THE ISLANDERS CAN BE CONSULTED. MEANWHILE WE SHALL PURSUE OUR RESPONSIBILITY FOR RE-ESTABLISHING DEMOCRATIC INSTITUTIONS ON THE ISLANDS AND ENABLING THE ISLANDERS TO PARTICIPATE INCREASINGLY IN THEIR OWN SELF-GOVERNMENT IN ACCORDANCE WITH ARTICLE 73 OF THE CHARTER.

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