

LOBBY BRIEFING

time: 11.00 date: 30.4.82

PRIME MINISTER'S DAY

The Prime Minister is working in No 10 all day.

This morning at 9.45am she chaired a meeting of the group of Ministers concerned with the Falklands crisis. (Home Sec., Foreign Sec., S/S Defence Chancellor of the Duchy, CDS).

This evening the PM has a party engagement in Bedfordshire which she hopes to fulfill (50th Anniversary dinner of Mid-Bedfordshire Conservative Association).

She would hope to go to Chequers at some stage over the weekend (provisionally plans to arrive Saturday morning and return to London Sunday night).

WHITE PAPER LIST

Distributed.

PRESS NOTICE

Appointment of three part-time members of the Police Complaints Board for three years from 1 May: Mrs Shreela Flather, Mr Denis Hodges, Dr Richard Rathbone.

IN THE HOUSE

There are no statements today.

NO ANSWERS OF INTEREST identified.

PM'S ENGAGEMENT

She is not likely to say anything of importance at the Bedfordshire dinner, if she attends it. No plans to visit the Northwood War Room. Her other meeting at No 10 today was an internal meeting without Ministers.

No business statements are expected today. Expect members to leave London this weekend if they have engagements outside. No instructions to stay close to their posts.

HAIG PROPOSALS

Would have been discussed in Falklands Cabinet this am. It is for Mr Haig to divine the meaning of Arg. reaction. We have no plans to publish the proposals which are not ours. Nor do we feel we are under a deadline for responding to them. They are not a million miles from the ones Mr Pym brought back from Washington and there are difficulties about them. We do not know what the Arg. reservations are but suspect they are about sovereignty.

UN VISIT

Do not know much about Costa Mendez's moves towards UN. The focus remains on BA. They will have to react to Haig who will not hang about for ever.

TEZ

TEZ comes into force at noon. Port Stanley airport will then be closed. Any aircraft on the ground may be safe. If they are doing no harm they may not get attacked. The main aim of the TEZ is a blockade to stop supplies coming in and out. No-one will be able to fly in without permission of MoD in London. We have had no reports that the air bridge had been closed, but equally no reports of planes flying across. We have no intention of using gratuitous force but every intention of enforcing the exclusion zone. Our prime aim remains to get the Args. to leave the island in good order.

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RED CROSS

Do not yet have a presence on the island but have been requested to go there by Britain and will presumably do so shortly.

ARG. TEZ

One zone is as good as another.

SHIFT OF MOOD

No change in the PM's firmness of purpose over the crisis. We have always been prepared to negotiate. Mr Pym would go to the UN if it is thought anything useful could come out of it.

ARG. NATIONALS

We do not have a quarrel with the Argentine people, but with their Government as aggressors.

GENEVA CONVENTION

It applies in this instance, since they are prisoners of hostilities. That is why we have notified Brazil and ordered inquiry into death of prisoner.

PAY CLAIMS

Some announcements about pay fairly soon, but final decisions have not been made on many of them.

JL

Province. Since 25 March 43 weapons and 4,389 rounds of ammunition have been recovered by the security forces. Seventy-five persons have been charged with terrorist-type offences, including three with murder and three with attempted murder. In the same period, the security forces neutralised 10 bombs.

Mr. Molyneux: As the Secretary of State has decided that a new Assembly will have no powers over security and will not be in any position to remedy the security situation, and given the list of horrific murders that he has read out, will he recognise that no progress will be possible in Northern Ireland until terrorism has been eradicated? Will he give an assurance that he will do all that he can to make full use of the specialised units that have achieved such spectacular success elsewhere?

Mr. Prior: I assure the House that I am doing all that I can, in conjunction with the GOC and the Chief Constable, to defeat terrorism. Every effort will be made to continue to do so. I accept that the mere setting up of an Assembly will not of itself change the security situation, but we must seek political stability in the Province, as it is one of the ways in which we can help to overcome the bad security situation.

PRIME MINISTER

Engagements

Q1. Mr. Race asked the Prime Minister if she will list her official duties for Thursday 29 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall have further meetings later today.

Mr. Race: Will the Prime Minister tell the House how many British and Argentine soldiers, and how many Falklanders, she is prepared to see killed—[*Interruption.*]—to establish the sovereignty that she will later concede in negotiations?

The Prime Minister: To answer the hon. Gentleman indirectly, there is only one thing that is more important than peace, and that is liberty and justice. If someone had not fought to get that for us, the hon. Gentleman could not even have asked me that question.

Mr. Lennox-Boyd: Will my right hon. Friend find time this afternoon to reflect on the significance of the observations of the Secretary-General of the Commonwealth, which indicated that in his opinion the Commonwealth not only fully supported the British diplomatic position, but accepted that there might be a need for further force?

The Prime Minister: Yes, Sir. I saw Sir Shridath Ramphal's observation, and I might have something to say about it later. It was excellent and showed that the British Commonwealth firmly believes in upholding international law and in seeing that unprovoked aggression does not win.

Mr. William Hamilton: Since the United States of America's attempt to play the honest broker seems to be about to fail, will the Prime Minister give an undertaking that if the American Government do not then come of the

fence immediately and impose economic sanctions on Argentina—which could mean the quick end of the dispute without bloodshed—she will consider withdrawing the invitation to President Reagan to address both Houses of Parliament next month?

The Prime Minister: I have every reason to believe that the fundamental friendship between the United States of America and Great Britain will continue, and will continue to flourish.

Mr. Wellbeloved: Will the Prime Minister find time today to tell those who supported the dispatch of the task force, but who now have doubts about its use, that they have a clear duty to spell out their view of the terms of an honorable settlement and the time scale that they would countenance for achieving it? Does the right hon. Lady agree that there is a world of difference between a genuine search for a negotiated peaceful withdrawal of the Argentine invaders and a disgraceful, blatant policy of appeasement of aggression?

The Prime Minister: The hon. Gentleman has made his point very effectively. The task force has no point, even in support of diplomacy, unless it is clear that one is prepared to use it if necessary. I very much agree with the hon. Gentleman about the time scale for negotiations. The longer they are, the longer our people will be under the heel of the Argentine dictator.

Mr. W. Benyon: Will my right hon. Friend accept that many of us strongly deprecate the discussion of the tactical options facing our forces either here or in the media? Will she persuade them to shut up?

The Prime Minister: I very much share my hon. Friend's concern. If such concern is expressed in the House, some of the media may take notice of it. I hope that all concerned will have in mind only one thing, which is that everything that they say may put someone's life in jeopardy. Therefore, we all have a responsibility to those in Her Majesty's fleet.

Q2. Mr. Stan Thorne asked the Prime Minister if she will list her official engagements for 29 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some months ago.

Mr. Thorne: Following the Prime Minister's experiences of the Argentine Fascist junta, will she give the House a categorical assurance that her Government will sell no more arms to Fascist and neo-Fascist States, wherever they may be?

The Prime Minister: Governments of both parties have been responsible for contracts for sales of arms to Argentina. As the hon. Gentleman knows, we look at each and every order as it comes. There is not a general rule.

Rev. Ian Paisley: Does the Prime Minister agree that two considerations must be kept in mind: first, the defence of sovereign British territory; and, secondly, the wishes of the Falkland Islanders, and that they must have top priority in any decision that is made?

The Prime Minister: I think that I see the special point in the hon. Gentleman's question. Of course both those things are supremely important, and they are very much in the forefront of my mind.

Mr. David Steel: Will the Prime Minister confirm that even at this late stage Mr. Secretary Haig is actively

pursuing a peaceful solution to the dispute? Will she confirm also that he has sent proposals both to London and Buenos Aires on the matter? Have the Government responded to those proposals?

The Prime Minister: I wonder whether the right hon. Gentleman will leave that question until a little later, when I shall have something to say about it. I should prefer to stick to what I have already prepared.

Mr. Alan Clark: If the Prime Minister has any communication with the Secretary-General of the United Nations, as has been so stridently urged by the Leader of the Opposition, should not the first question to which the Secretary-General should address himself be the speedy and effective implementation of resolution 502 of his Security Council, which has been outstanding for over three weeks?

The Prime Minister: My hon. Friend is right. If that resolution were to be implemented there would be few problems left in relation to the Falkland Islands, but it has always been one of the fundamental weaknesses of the United Nations that it does not have the means of implementing its resolutions. If it did, Afghanistan would not be occupied, we would not still have the terrible situation in Vietnam and Cambodia and we would have solved the Cyprus situation. There are many other examples. My hon. Friend has hit upon the fundamental weakness. Therefore, we have to take action.

Q3. **Mr. Flannery** asked the Prime Minister if she will list her official engagements for 29 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Flannery: Has the Prime Minister noticed the decline in bellicosity of the public statements by the task force commander, who now views the situation with more realism and has moved from a "walkover" to a "long and bloody struggle"? Will she take note of that? Will she realise that even at this very late stage there is still time for her to go to the United Nations and discuss a peaceful solution? Does she take note of the sheer bloodthirstiness of those in the ranks behind her, who have now lost touch with reality and no longer think in terms of peace and the United Nations, but resort to gutter allegations against those who are struggling for a peaceful solution?

The Prime Minister: The comments of the task force commander are always vivid, if various. We have been to the United Nations. We went to the United Nations before the invasion. We have the Security Council resolution. If that resolution could be implemented there would be no problems now.

Mr. Churchill: Is my right hon. Friend aware that she and the Royal Navy task force have the full and unqualified backing of the British people as a whole in regaining the Falkland Islands and liberating our people from Fascism? Is she further aware that her leadership and resolve at the moment when thousands of our finest young men are embarked on a hazardous and dangerous enterprise stand in marked contrast to those who run for cover at the first whiff of grapeshot?

The Prime Minister: I think that the vast majority of our people, whatever their political views, are firmly behind the action that the Government are taking.

Whatever their political views, they are delighted that Britain is firmly standing up once again for the principles in which she believes.

Miss Joan Lester: If a negotiated settlement is reached between Britain and Argentina on the question of the Falkland Islands, will the Falkland Islanders, whose wishes the Prime Minister says are paramount, have the right to veto such a settlement, or will their choice be between living under any new administration agreed between the two parties and leaving the Falkland Islands for this country?

The Prime Minister: I have noticed the word "veto" creeping in many commentaries on the present situation. The right of self-determination for inhabited territories is fundamental to the United Nations charter. That is what I believe the House will insist upon. That is what we are trying to ensure for the Falkland Islanders.

Mr. Maxwell-Hyslop: Does my right hon. Friend agree that it would be timely to remind our many friends in South America, in the world and in the House, of the tremendous services that this country has rendered towards the liberation of South America, that Simón Bolívar launched his liberation of four countries from Britain, that the Marques of Maranhão in the Brazilian nobility was better known here as the hon. Member for Honiton and as Admiral of the Fleet Lord Cochrane, and that the history of Great Britain in the South American continent is one of liberation, assistance towards independence and granting people the right to choose their own Government?

The Prime Minister: I am grateful to my hon. Friend, who has made an extremely important point. There has been a traditional friendship between Britain and many South American countries. We have contributed greatly to the development of their economies. That has been a traditional friendship in the past. It is one of the tragedies of the present situation that that traditional friendship had been totally disregarded.

4. **Mr. Myles** asked the Prime Minister if she will list her official engagements for Thursday 29 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Myles: Does my right hon. Friend realise that there is great support in the country for the leadership that she is showing in this crisis? Does she agree that the greatest deterrent of all to any tinpot dictator or other aggressor, or perhaps a greater power, is resolute and decisive Government?

The Prime Minister: I am grateful to my hon. Friend. It is important, if we are to deter dictators, to have the capacity to do so and to demonstrate our resolve, both on the part of Government and of the people.

Dr. Edmund Marshall: In view of the reported statements of Rear-Admiral Woodward, which Minister approved the arrangements for press representatives to be on the flagships?

The Prime Minister: My right hon. Friend the Secretary of State for Defence. I was wholly behind the arrangements. It is absolutely right and fully in accordance with tradition that we should carry war correspondents on Her Majesty's ships when they are on such a mission.

Mr. Greenway: While I appreciate that the House is mainly concerned, quite properly, about the situation in

the Falkland Islands, may I raise the issue of the disaster caused to Londoners by the doubling of their fares through the mismanagement of London Transport by the GLC, which has also doubled their rates? Will the Prime Minister urge the Secretary of State for Transport to take London Transport away from the GLC and set up a separate transport authority for London, as recommended by Sir Peter Masfield?

The Prime Minister: I rather agree with my hon. Friend that both fares and rates are too high. I think that there is much merit in the solution that he has proposed. I hope that it will be considered by the Select Committee which, I understand, is inquiring into the future of London Transport. If London had achieved the productivity levels of other major cities in this country, about £80 million a year would be available to reduce fares.

[Mr. Stanley Cohen]

hon. Gentleman agree—I speak as one of the four assessors who accompanied Lord McCarthy and his tribunal—that the statements that have been made prior to the outcome of Lord McCarthy's tribunal being announced could greatly influence the attitude of trade unions in the railway industry about the decision that might be made. Will the right hon. Gentleman agree to the request of my right hon. Friend for a debate to resolve the possibilities of a major industrial problem?

Mr. Biffen: I understand that the right hon. Gentleman the Leader of the Opposition asked for a statement. I fear that, as is often the case, his request has escalated into a call for a debate. I cannot helpfully add to what I thought was a fairly friendly reply to the Leader of the Opposition.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 17 MAY

Members successful in the ballot were:

Mr. Barry Henderson.

Mr. Tim Brinton.

Mr. Archie Hamilton.

Falkland Islands

Motion made, and Question proposed, That this House do now adjourn.—[Mr. Goodlad.]

3.43 pm

The Prime Minister (Mrs. Margaret Thatcher): From the onset of the Falklands crisis, my right hon. Friends and I have undertaken to keep the House as closely informed as possible about the situation.

Although my last report to hon. Members was only two days ago, such is the seriousness of this matter that my right hon. Friends and I were glad to agree to the suggestion of the right hon. Gentleman the Leader of the Opposition that time should be found for a debate today—the fourth since the Argentine invasion of the Falkland Islands four weeks ago tomorrow.

During that period, the Government have taken every possible step that had a reasonable prospect of helping us to achieve our objectives—the withdrawal of the Argentine forces and the end of their illegal occupation of the islands, the restoration of British administration, and a long-term solution which is acceptable not only to the House but to the inhabitants of the Falkland Islands.

It is the Government's most earnest hope that we can achieve those objectives by a negotiated settlement. We have done everything that we can to encourage Mr. Haig's attempts to find a solution by diplomatic means. I shall have something more to say about that in a moment.

As the House knows, the Government have also taken military measures to strengthen our diplomatic efforts. Mr. Haig's initiative would never have got under way if the British Government had not sent the naval task force to the South Atlantic within four days of Argentina's aggression against the Falkland Islands.

What incentive would there have been for the Argentine Junta to give Mr. Haig's ideas more than the most cursory glance if Britain had not under-pinned its search for a diplomatic settlement with the despatch of the task force? Gentle persuasion will not make the Argentine Government give up what they have seized by force.

Our military response to the situation has been measured and controlled. On 12 April we declared a maritime exclusion zone. It has been enforced against Argentine warships and naval auxiliaries. It has been completely successful, and the Argentine forces on the Falkland Islands have been isolated by sea.

Eleven days later we warned the Argentine authorities that any approach by their warships or military aircraft which could amount to a threat to interfere with the mission of the British forces in the South Atlantic would encounter the appropriate response.

On 25 April, as I reported to the House on Monday, British forces recaptured South Georgia. The operation was conducted in exercise of our right of self-defence under article 51 of the United Nations charter. The minimum of force was used, consistent with achieving our objective, and no lives—Argentine or British—were lost in the operation, although, as was announced yesterday, we deeply regret that an Argentine prisoner lost his life in an incident on 26 April. That incident is now being urgently investigated by a board of inquiry in accordance with the terms of the relevant Geneva convention.

The latest of our military measures is the imposition of the total exclusion zone round the Falkland Islands of which we gave 48 hours notice yesterday. The new zone

has the same geographical boundaries as the maritime exclusion zone which took effect on 12 April. It will apply from noon London time tomorrow to all ships and aircraft, whether military or civil, operating in support of the illegal occupation of the Falkland Islands. A complete blockade will be placed on all traffic supporting the occupation forces of Argentina. Maritime and aviation authorities have been informed of the imposition of the zone, in accordance with our international obligations.

We shall enforce the total exclusion zone as completely as we have done the maritime exclusion zone. The Argentine occupying forces will then be totally isolated—cut off by sea and air.

I turn now to the point that the right hon. Member for Roxburgh, Selkirk and Peebles (Mr. Steel) raised during Question Time. I am grateful to him for leaving me to deal with the matter in my speech. On the diplomatic side, Mr. Haig has put formal American proposals to the Argentine Government and requested an early response. I stress the status of those proposals. They are official American proposals. Mr. Haig judged it right to ask Argentina to give its decision first, as the country to which Security Council resolution 502 is principally addressed. He saw Mr. Costa Mendez last night, but no conclusion was reached. Mr. Haig has also communicated to us the text of his proposals.

It is difficult both for the House and for the Government that we are not able to say more about them publicly, especially as in our democratic system we need the interplay of opinions and ideas. But they are Mr. Haig's proposals, and we understand from him that it is his present intention to publish them in full. But he of course must judge the appropriate time.

The proposals are complex and difficult and inevitably bear all the hallmarks of compromise in both their substance and language. But they must be measured against the principles and objectives expressed so strongly in our debates in the House. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs remains in close touch with Mr. Haig. I very much regret that I am not in a position to say more today, but I stress that they are Mr. Haig's proposals and he has put them first to the Argentine Government. It was the Argentine invasion which started this crisis, and it is Argentine withdrawal that must put an end to it.

The world community will not condone Argentina's invasion. To do so would be to encourage further aggression. As the Commonwealth Secretary-General said on 27 April—a point that was alluded to during Question Time today—

"In making a firm and unambiguous response to Argentine aggression, Britain is rendering a service to the international community as a whole".

As the situation has developed, and as the British Government have made every effort to find a solution, the House has broadly supported both the Government's objectives and their actions. But in the past few days it has been argued in some parts of the House, first, that we should not have resorted to the use of force and, secondly, that we should seek greater involvement by the United Nations.

With regard to the first argument, when the House debated the Falkland Islands on 14 April the Leader of the Opposition supported the dispatch of the task force. He said:

"I support the dispatch of the task force. I support it because I believe that it can have strong diplomatic results."—[*Official Report*, 14 April 1982; Vol. 21, c. 1152.]
We agreed on that.

But it would be totally inconsistent to support the dispatch of the task force and yet to be opposed to its use. What is more, it would be highly dangerous to bluff in that way. British Servicemen and ships would be exposed to hostile action. Argentina would doubt our determination and sense of purpose. The diplomatic pressure would be undermined. Is it really suggested that to use our task force in self-defence for the recapture of British territory is not a proper use of force?

As long as the Argentines refuse to comply with the Security Council resolution, we must continue to intensify the pressure on them. And we must not abandon our efforts to re-establish our authority over our own territory and to free our own people from the invader.

Let me turn now to the question of greater United Nations involvement. All our action has been based on a resolution of the United Nations. The Argentine invasion was carried out in defiance of an appeal issued by the President of the Security Council at our urgent request on 1 April. That solemn appeal was endorsed by the whole of the Security Council, but it was ignored. Immediately after the invasion we asked for another meeting of the Security Council. That meeting passed resolution 502. Since then our efforts and those of Mr. Haig and a large part of the international community have been directed to implementing that mandatory resolution.

That resolution calls for Argentine withdrawal and a negotiated solution to the dispute. Without Argentine withdrawal, we have no choice but to exercise our unquestionable right to self-defence under article 51 of the Charter. Of course, if Argentina withdrew we should immediately cease hostilities and be ready to hold negotiations with a view to solving the underlying dispute. After all, we were negotiating only a few weeks before the invasion.

It is quite wrong to suggest that because the invader is not prepared to implement the resolution the principles of the United Nations require that we, the aggrieved party, should forfeit the right of self-defence. Such an argument has no validity in international law. It would be to condone and encourage aggression and to abandon our people.

The question that we must answer is, what could further recourse to the United Nations achieve at the present stage? We certainly need mediation, but we already have the most powerful and the most suitable mediator available, Mr. Haig, backed by all the authority and all the influence of the United States, working to implement a mandatory resolution of the Security Council. If anyone can succeed in mediation, it is Mr. Haig.

Of course, we support the United Nations and we believe that respect for the United Nations should form the basis of international conduct. But, alas the United Nations does not have the power to enforce compliance with its resolutions, as a number of aggressors well know.

Those simple facts are perfectly well understood in the international community. Let me quote the Swedish Foreign Minister, because Sweden is a country-second to none in its opposition to the use of force and its respect for the United Nations. The Swedish Foreign Minister said of the South Georgia operation:

"We have no objection to Britain retaking British territory. Time and again one is forced to observe that the United Nations is weak and lacks the authority required to mediate."

[The Prime Minister]

That may not be desirable, but it is a fact of life and we must make our dispositions and judgments accordingly.

The recapture of South Georgia has not diminished international support. No country that was previously with us has turned against us. On Tuesday, my right hon. Friend was able to satisfy himself that the support of the European Community remained robust. The world has shown no inclination to condemn Britain's exercise of the right to self-defence.

In the Organisation of American States itself, Argentina was criticised for her use of force. Despite the claims of traditional Latin American solidarity, the only resolution passed clearly referred to Security Council resolution 502, and called on Argentina not to exacerbate the situation.

The truth is that we have been involved in constant activity at the United Nations. Our representative in New York has been in daily touch with the Secretary-General since the crisis began. He has discussed with him repeatedly and at length all possible ways in which the United Nations could play a constructive role in assisting Mr. Haig's mission and, if Mr. Haig fails, in securing implementation of resolution 502.

Sir Anthony Parsons has also discussed with Mr. Perez de Cuellar contingency planning about the part that the United Nations might be able to play in the longer term in negotiating and implementing a diplomatic settlement.

In the light of those discussions, our representative has advised us that, first, the Secretary-General is very conscious of the complexity of the problem and of the need for careful preparation of any initiative that he might take. Secondly, as the Security Council is already seized of the problem, it would be inappropriate for the Secretary-General to act under article 99 of the charter. Thirdly, the Secretary-General would not wish to take any initiative which he had not established in advance would be acceptable to both the parties. Fourthly, the Secretary-General would also require a clear mandate from the Security Council before taking any action.

Our representative has also reported that the Secretary-General has several times stated in public that he was not prepared to take action while Mr. Haig's mission was continuing.

On Tuesday, the Leader of the Opposition suggested that my right hon. Friend the Foreign Secretary should go to New York to discuss the crisis with the Secretary-General of the United Nations. I have explained to the House already that our own permanent representative has been in communication daily with Mr. Perez de Cuellar. But if, at any time, either the Secretary-General or my right hon. Friend thought that a meeting between the two of them would be likely to assist in achieving an acceptable solution, then I say to the House that my right hon. Friend would of course go to New York straight away.

Although we have no doubt about our sovereignty over the Falkland Islands, South Georgia, South Sandwich or British Antarctic Territory, some of my right hon. and hon. Friends have suggested that we refer the matter to the International Court of Justice. Since Argentina does not accept the compulsory jurisdiction of the court, the issue cannot be referred for a binding decision without her agreement.

We have never sought a ruling on the Falkland Islands themselves from that court, but we have raised the

question of the dependencies on three separate occasions—in 1947, 1949 and 1951. Each time Argentina refused to go to the court.

In 1955, the British Government applied unilaterally to the International Court of Justice against encroachments on British sovereignty in the dependencies by Argentina. Again, the court advised that it could not pursue the matter since it could act only if there was agreement between the parties recognising the court's jurisdiction.

In 1977, Argentina, having accepted the jurisdiction of an international court of arbitration on the Beagle Channel dispute with Chile, then refused to accept its results. It is difficult to believe in Argentina's good faith with that very recent example in mind.

There is no reason, given the history of this question, for Britain, which has sovereignty and is claiming nothing more, to make the first move. It is Argentina that is making a claim. If Argentina wanted to refer it to the International Court, we would consider the possibility very seriously. But in the light of past events it would be hard to have confidence that Argentina would respect a judgment that it did not like.

May I briefly recall the events that immediately preceded the Argentine invasion of the Falkland Islands.

Sir Derek Walker-Smith (Hertfordshire, East): My right hon. Friend has observed that going to the International Court could be done only with the consent of the Argentine. Has she taken into account the provisions of article 53 of the statute of the court, and article 96 with regard to the Security Council asking for an advisory opinion?

The Prime Minister: Yes, Mr. Speaker; but my right hon. and learned Friend has just made the point—that is only an advisory opinion. Hitherto Argentina has not even respected the judgment of a court whose jurisdiction it accepted. We do not doubt our own sovereignty. There seems to be little point, therefore, in our taking the question to court.

Mr. Michael English (Nottingham, West): I am sure that the right hon. Lady agrees that an arbitration is not quite the same thing as a decision of the International Court of Justice. In this case, an advisory opinion has a rather technical meaning. It has been requested in times past by the organs of the League of Nations and the United Nations in matters of great seriousness, and has never been refused by the International Court or the former Permanent Court of International Justice. The problem that we all face is why Britain is so reluctant to ask the Security Council to ask for such an opinion.

The Prime Minister: I have indicated that with regard to the dependencies—not the Falkland Islands themselves—we have on four occasions tried to go to the court. On each occasion we have been flouted because the Argentine withheld its consent. If we were to ask through the Security Council, the matter would have to go through either the General Assembly or the Security Council and they would have to agree to do it. In the end, the opinion would be only advisory. That is in accordance with article 96, which I have before me at the moment. The decision is only advisory. I took the precaution of being reasonably well prepared.

I shall return to the events that immediately preceded the Argentine invasion of the Falkland Islands. Until the

end of February, we were conducting negotiations with the Argentine Government. Our delegation was accompanied by representatives from the islands councils. The negotiations took place in a constructive atmosphere, and produced an agreed communiqué, though the Argentine Government chose not to publish it.

On 20 March, the South Georgia incident began with the illegal landing of Argentine civilians. We sought to solve that problem by diplomatic means, and proposed that an emissary should travel to Buenos Aires to pursue negotiations over the problem as a matter of urgency.

It was Costa Mendez himself who on 1 April told us that the diplomatic channel was now closed. That same day, President Reagan's appeal was rebuffed by the President of Argentina. On Friday 2 April the Argentines invaded and the Falklands were occupied.

The following day the Security Council called for Argentine withdrawal. Since that mandatory instruction, the Government of Argentina have made no move to comply. On the contrary, they have poured in additional troops and equipment. There can be no doubt where the intransigence lies in this matter.

The key to peace is in the hands of the Argentine Government. The responsibility is theirs.

4.6 pm

Mr. Michael Foot (Ebbw Vale): I thank the right hon. Lady for the Government's decision to arrange for this debate. We called for the debate on Monday of this week after the announcements that were made on that day. I am sure that it is right that the House should have constant debates on the subject.

In its editorial today, *The Times* said:

"The House will have to exercise self-control".

I agree that the House must exercise self-control in this situation where many dangers and difficulties for British citizens and others are involved. But it is also necessary for the House to exercise control over the Executive, over the military machine and over the diplomatic process. It is essential that that control should be sustained from week to week and from day to day in the most detailed manner. I do not believe that the right hon. Lady will dissent from that view.

I shall make a brief reference to the past, although of course, there are many aspects of past questions that have to be examined at some later stage. I do not propose to go into the references that the right hon. Lady made before the Argentine attack, but I shall refer to the origin of the dispute and underline afresh what I and others have said on every occasion when we have debated these matters. It is right that those matters should be understood properly throughout the world.

The origin of the crisis was a flagrant and unprovoked attack. Of course it is necessary that other countries should take a leading part in ensuring that such forms of aggression shall be stopped now and prohibited for the future. No one would dissent from that. It was also right, although some may not agree, that we should have taken the matter immediately to the United Nations as we did. That is the proper forum where we have agreed, as a country, that such questions should be decided. That was absolutely right, and I said so on the first morning when we discussed this matter, even before we knew what the verdict of the Security Council was likely to be.

I also agreed, and still agree, that it was right for the Government to make the arrangements for the dispatch of

the task force. I say that for the same reasons as the right hon. Lady has emphasised again today and as I have emphasised in previous debates. If such action had not been taken by the British Government, there would not have been any disposition in the junta in the Argentine to negotiate in any way. I believe also that the support that this country could command, or expect to command, throughout the world would have been considerably less if such action had not been taken. Those were the decisions that were made, that I supported, and still support. I believe that they were right.

Another question relates to the article under which we operate. This is a matter of great importance. The right hon. Lady referred to it again today. Partly, we are acting because of the Security Council decision 502 but, partly, we are acting, as the Prime Minister said, under article 51 of the charter. But for article 51 of the charter, it would have been difficult for us to act in exactly this manner. Article 51 has been invoked on some previous occasions in this way. I carry the United Nations charter about with me, just as the right hon. Lady does. She will be able to see that there are rights under article 51.

There are, however, some other aspects of article 51, as I am sure the right hon. Lady knows. Under the article, we are expected to report to the Security Council and to the United Nations Organisation on the measures that we are taking. I had hoped that the right hon. Lady would give us some account of the reports that we are giving and will continue to give the Security Council on these matters. Article 51 does not give this or any other country operating under it an unlimited right to act as they wish. It gives to those countries the possibility of acting in certain circumstances and also the possibility that they will have to take account of what the Security Council or other countries may say on the subject.

On some previous occasions when article 51 has been invoked, as, I believe, in the case of the Korean war, there were grave disputes on the serious matter of whether the article was being carried further than it should have been. I hope that the right hon. Lady, or her right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs will in his reply give a detailed account of the reports that have been sent already to the Security Council under article 51 and also of the reports that we propose to give in future.

I come now to another aspect of the matter to which the right hon. Lady has herself referred. She has remarked, in some previous debates, that time was running out and that no action had been taken by the Argentine Government to respond to the requirements of resolution 502. That is a perfectly legitimate criticism. I believe, however, that there are many other measures that Britain could take, should take and should report to the House, that could help to fortify our case, and many other possibilities that should have been discussed. Some of these have been referred to by the Government but very little action has, I believe, been taken. Where decisions have been taken, they have been in some respects mistaken. I do not say that these are the major questions. I shall come to them in a moment. They are, nevertheless, important questions that may affect the whole outcome of the dispute.

The right hon. Lady mentioned a moment ago the issue of a reference to the International Court of Justice. I am not saying that this would be a solution to the problem. I do say that, in certain circumstances, it could assist the case that this country presents to the world. The right hon.

[Mr. Michael Foot]

and learned Member for Hertfordshire, East (Sir D. Walker-Smith) has put the case, as has my hon. Friend the Member for Nottingham, West (Mr. English). I believe that the Government should consider this matter afresh. I do not believe that the answer that the right hon. Lady has given today is the final answer. I hope that she will look at what has been proposed as one possibility for assisting the position.

Proposals for some form of United Nations trusteeship for the Falkland Islands have been discussed in many quarters. I recognise that there are difficulties. There might be difficulties both from our point of view and also from the point of view of the Argentine Government—[*Interruption.*] I do not know why some hon. Members laugh. Some people are discussing these matters perfectly seriously even if those hon. Members are not capable of doing so. A lengthy discussion of this as a possible item in negotiations appeared in the *Financial Times* yesterday. I am not saying that it is the key to all the problems. I do believe that it could offer a possibility. In any case, the Government should examine it with the greatest care and give to hon. Members and the country their views on it. It might form an essential or possible element in getting a solution.

Mr. Alan Clark (Plymouth, Sutton): If the dispute were to be referred to the International Court of Justice, the proceedings, as the right hon. Gentleman knows, would be lengthy in the extreme, and it is unlikely that the matter would be heard for at least six months. What does he believe the population of the Falklands should undergo during that period? Should the status quo as it now exists be retained for a further six months while the dispute awaited a hearing?

Mr. Foot: That is another aspect of the matter. I shall come to these questions. I am putting to the Government what the right hon. and learned Member for Hertfordshire, East, my hon. Friend the Member for Nottingham, West and many others in public discussion have proposed as one possible element in the way that the Government proceed. There is also the question that I have just been discussing about the possibility of United States trusteeship.

Other possibilities exist under the charter. The possibilities of action are not restricted to those that are involved in article 51. There is article 41 under which economic sanctions are possible. When hon. Members say that this is not something that can be examined, I would say that it is part of the approach that we could adopt. Since we are seeking, as, I am glad to say, we have successfully sought support from many other countries, this is also a possibility that should be examined.

Mr. Tony Marlow (Northampton, North): Does the right hon. Gentleman really believe that the Soviet Union would allow economic sanctions against the Argentine to be raised in the United Nations?

Mr. Foot: If the hon. Gentleman will wait for a moment, he will see the context in which I am presenting some of these possibilities. All have been discussed by some hon. Members. But the Government have given no view or practically no view. Some of them are matters that enter into the negotiations. Some Conservative

Members—I am not saying this is the Government attitude—do not seem to be interested in any further negotiations.

Sir Bernard Braine (Essex, South-East): Is the right hon. Gentleman excluding from his thoughts the fact that we are dealing with a Fascist State where thousands of people have disappeared without trace in recent years? Does he think it right and proper that people of British stock who live in a small democracy should be left at the mercy of that State for one moment longer than is necessary?

Mr. Foot: I agree entirely with the hon. Gentleman about the Fascist character of the regime in the Argentine. I have been as bitterly and as strongly—in some respects, more strongly—opposed to such regimes as Conservative Members. I do not know whether the right hon. Member for Hertfordshire, South (Mr. Parkinson), who attends some of the special war Cabinets of the right hon. Lady, will speak on these matters. A few weeks ago or a few months ago he was toasting the regime in the Argentine. Certainly I have never been guilty of any such thing—[*Interruption.*] If some hon. Members will listen, they will discover the purpose of the argument.

The question of the possible interim administration also enters into any negotiations. The right hon. Lady and the Government have over this period had discussions of that nature. They have not fully considered, as we have done and as the nature of the case requires, the part that the United Nations could play in providing or assisting in providing a form of interim administration which could be acceptable to this country and acceptable eventually, I would hope, to the Argentine Government.

Mr. David Crouch (Canterbury) *rose*—

Mr. Foot: I have given way many times. If all those matters are to be considered in negotiation the Government should be prepared to look at them. When my right hon. Friend the Member for Leeds, East (Mr. Healey) went to Washington a few days ago one of the principal matters that he discussed with the Secretary-General of the United Nations was the very question of what part a United Nations organisation or people nominated by the Secretary-General could play in the form of interim administration.

Mr. Crouch: Does the right hon. Gentleman recollect that in her broadcast on "Panorama" on Monday night the Prime Minister did not exclude a United Nations force in the interim period to guarantee security, and that she actually mentioned it as a probability if a United States force was not considered satisfactory? So it was not excluded by the Prime Minister.

Mr. Foot: I agree that it was not excluded. These aspects of the matters will all come back for discussion, presuming that we get a peaceful approach to a settlement; the hon. Gentleman's interruption confirms that the Government will be prepared to discuss some form of interim administration. That emphasises my point.

The Government should be seeking to make progress on all those matters. I am not saying that they can all be accepted, but they can all make some kind of contribution to the peaceful settlement that we require.

The right hon. Lady may ask what use is such a discussion because it is the Haig proposals that command the centre of the negotiating process? It is true that they

have occupied it. I have not complained and do not complain now about the Government, the Secretary-General or anybody else concentrating first upon the success of the Haig proposals. I am interested to hear what the right hon. Lady has to say about them today.

I understand the problems of publishing the proposals, although I would have thought that at some stage they should be presented for discussion in the House. I say to the right hon. Lady and to the Foreign Secretary that I can see that just at this moment it might be difficult. If it was the view of Mr. Haig or a mediator that it impaired the possibility of getting acceptance of some terms, or if one side found itself in difficulty because there was public discussion before it had decided what to do, of course we would not demand that the whole matter should be brought out before that end was reached.

Certainly before there was any grave escalation of the crisis those matters are fit matters to be discussed in the House and throughout the country. I am not saying that the right hon. Lady takes a view that is different from mine on that subject, but I hope very much that no military action will be taken which might jeopardise the success of those proposals. It may be that I or the right hon. Lady might not like some of the proposals. I presume that is one of the reasons why Mr. Haig went back to Buenos Aires and was able and willing to take up the matter afresh and why he was prepared to call them American proposals, which I gather is different from the previous position.

It may be that those proposals offer some hope of getting a peaceable settlement. In saying that, I am not giving any bland or blanket support to any proposals that we have not seen, nor can this House or anybody else. If people want to stop the bloodshed they have to treat that matter with the greatest care, as we do.

I come to the argument, which is not removed between the right hon. Lady and myself, on the United Nations. The right hon. Lady may ask, particularly in the light of what she has revealed to us today about the stage of the Haig proposals, what is the use of anybody thinking, if the Haig proposals do not succeed, that any other kind of proposals, mediation or negotiation would have any prospect? In a sense I think that is what the right hon. Lady said; I do not want to misquote her, but I believe that what she said came near to that. She said that if anyone had a chance of succeeding it was Mr. Haig with his proposals.

That sounds a commonsense conclusion. I am not contesting it except that throughout the dispute we have emphasised, as my right hon. Friend has emphasised on many occasions in debates in the House, that there would have to be an eventual possibility of the matter being referred to the United Nations and to the Secretary-General if there were a breakdown in the Haig proposals, and if they were unsatisfactory. One of the reasons why that might offer greater hope is that in such circumstances the United States Government would have to declare themselves much more clearly on our side. That point has been put on many occasions.

If the Haig proposals break down, we must still be prepared to go back to the United Nations for further negotiation. I repeat that I hope we shall be careful to make them succeed if we can. There has been no difference in anything I have said about going back to the United Nations. I put it clearly in the debate on 14 April. I repeat it clearly again. It is precisely because the right hon. Lady

did not seem to appreciate it that we got into the argument earlier in the week, which is not removed by the speech which she has made today.

We have reached a very serious stage in regard to the inter-connection between the military and diplomatic aspects. I do not wish to be discourteous to the right hon. Lady, but she is saying that she has dismissed the idea of returning very soon to the United Nations. She has not ruled it out entirely, I am glad to say.

I should like to quote from the *Financial Times* about the stage that we have reached in this critical matter. I am quoting an authority to which I thought the House would listen. Certainly the country will if some Conservative Members will not. In its leading article today the *Financial Times* says:

"We doubt whether the military exercise, if undertaken to the full, will turn out to be quite as surgical or as easy as some commanders suggest. More than that, the political objective, which ought to lie behind any use of force is obscure. It is not at all clear what Britain would wish to do next even if an invasion of the islands were 100 per cent. successful."

Then it goes on a bit later:

"Above all, however, we continue to believe that the use of force on the scale now available would be supportable only if the last possibilities of a negotiated solution have been demonstrably exhausted. That is not the case at present. Even if"

—and this is exactly on the point we have been discussing—

"the American mediation fails, the United Nations will remain."

It has been my view, as I have said all through, that if the Haig negotiations fail we must go to the United Nations afresh. That was why I was so concerned when the right hon. Lady seemed to push aside, as she did, the initiative that was taken by the Secretary-General on this matter. The right hon. Lady suggested it was not an initiative, or something of the sort; it was a statement issued by the Secretary-General at a time when the whole country, and the whole world maybe, were wondering what was going to happen after the recovery by Britain of South Georgia. It said:

"In view of the further armed exchange between Argentine and British forces which has taken place over South Georgia island, it is imperative that the escalation of the situation be halted. In this critical situation the Secretary-General therefore appeals to both parties to comply immediately with the provisions of the Security Council Resolution 502 . . ."

That was the one part of it that the right hon. Lady quoted yesterday. He goes on:

"and to refrain from any action that would broaden yet further the conflict which threatens to have serious consequences for world peace."

In other words, as has been stated by Sir Anthony Parsons, when Sir Anthony went along and made representations to, or had discussions with, the Secretary-General on this matter, he referred to Resolution 502, but did not discuss either the beginning or the end of the statement. Or did he? If he did there has been no report on the subject to the House by the right hon. Lady and no report by our ambassador at the United Nations. In other words, when the Secretary-General of the United Nations said:

"it is imperative that the escalation of the situation be halted"—the British representative at the United Nations had not even discussed that matter with him. Or if he had, do we agree with it or not?

What I proposed earlier in the week—and I propose it again now—is that the Foreign Secretary should go to New York to discuss the matter with the United Nations. I believe that he should do so because we must use every possibility to escape from armed conflict. If the right hon.

[Mr. Foot]

Lady and her Government were to proceed, brushing aside the statement and saying that they are not interested in appeals to stop the escalation or in appeals from the Secretary-General not to broaden the conflict, she would, as I said earlier in the week inflict grievous injury on our national cause.

It so happens that there is considerable support for this view from the admiral in charge of operations. The right hon. Lady has said that the admiral has made various vivid statements. Whether he should make such statements or not I do not know, but I will tell the House what he said.

Mr. Nicholas Winterton (Macclesfield): He knows more than the right hon. Gentleman does.

Mr. Foot: Yes, indeed he does. Let us see what the admiral who, according to the hon. Member for Macclesfield (Mr. Winterton), knows more about it than I do, said.

"I am not in any doubt that unless people say 'lets stop' it will be a long and bloody campaign. And in my mind it is absolutely fundamental to try to avoid it."

That is what I think, too. Then he goes on:

"I do think that even at this late stage there is time for a diplomatic solution. I would be very distressed if I did not think that."

That is what I think, too. The he continues, and the right hon. Lady and those who have interrupted me with questions about the time factor have made much play of this. I understand about time factor, and so does the admiral. He said

"There has to be a political wish to go on negotiating and that will entail our waiting in a ready posture, as ready as we can be, for quite a long period maybe."

That is what he said, and that is what I think, too. On all those matters, I say that the admiral on this occasion was talking in more sense than the amateur warmongers present.

I suggest, therefore, that the right hon. Lady ought to take proper note both of the warnings from her admiral, of the invitations from the Secretary-General of the United Nations, and of the opinion of growing numbers throughout the country. The paramount interest of our country and of most other countries is that we should have a peaceful settlement of this dispute. I say that we have to try and try and try again to secure that peaceful settlement.

4.39 pm

Mr. Norman St. John-Stevans (Chelmsford): Despite some moments of rowdiness in the House, Members meet this afternoon in a sombre mood as the prospects of war loom before this country. There is no one in the House who is either a jingoist or a triumphalist, and I believe that we should congratulate my right hon. Friend the Prime Minister on having, in her opening remarks, so accurately caught the mood of the House. She was clear, analytical, constructive and moderate in her response to the remarks about the United Nations made by the right hon. Gentleman the Leader of the Opposition. Of course, she did not agree with him entirely—there are not many members on this side of the House who would, but she did leave the door open—and I am sorry that he did not reply in kind to her.

In the rowdiness that ensued, for which the Leader of the Opposition must take prime responsibility, the House

lost sight of the fact that my right hon. Friend the Prime Minister had rightly stressed throughout her speech that we were still looking for a political solution, that we would still prefer a diplomatic solution to the use of force.

We are right to take that attitude, for two reasons. The first is the gravity of the issue. Human lives are at risk—British and Argentine lives. No one has a right to be bellicose when other people's lives are at risk.

Secondly, we should support the political initiative, because it is vital that we should be seen to be doing so if we are to retain the support of world public opinion. That will be crucial in the coming weeks. The Leader of the Opposition has constantly stressed that important factor. There must be no suspicion in the minds of the leaders of other countries that we are not sincerely and committedly working for peace. Let us remember that even if the fighting escalates, in the end we shall have to come to diplomatic discussions; we shall have to come to consultations; we shall have to try once again to substitute the weapons of peace for those of war.

I agree with my hon. Friend the Member for Buckingham (Mr. Benyon) that it would not be appropriate or useful for the House to attempt to discuss in detail the tactics of our naval task force. That must be a matter for those on the spot. We in this House must show that we have confidence in it. The South Georgia episode surely shows that that confidence is fully justified. It is vital that nothing that we say makes the task of our forces more difficult. We should heed the words of Admiral Woodward when he declared that our forces could well face a long and bloody campaign.

What is desirable is that, as far as possible, the House should speak with a clear and united voice. Of course the decisions are for the Government and the responsibility is for the Government, but they are immensely strengthened in decisions that they are taking on behalf of the nation if they can show that the House is more united than divided. What I have to say is intended as a contribution to that consensus and to set out certain principles that I believe are widely supported in the House and outside.

First, the entire House is agreed on the strength of our moral and legal case. And why not? Our sovereign territory has been invaded. Our citizens have been deprived of their rights, and there has been a brutal and flagrant violation of international law. If we look back over the whole history of international disputes, it is difficult to find a situation in which the moral issue has been as clear and unclouded as it is in the present case.

Secondly, of course, we continue to seek a political solution. Military force must be the arm of politics and diplomacy, and not the other way round. That has been fully accepted by Admiral Woodward. As the Leader of the Opposition made clear again today, the right hon. Gentleman and his colleagues in the Shadow Cabinet supported the dispatch of the task force, and continue to do so. But I must draw to the right hon. Gentleman's attention the point made by my right hon. Friend the Prime Minister, that if one dispatches a task force, whilst it is perfectly reasonable to suggest that it should be used in the last resort rather than the first or in the middle of events, it is inconsistent with that attitude to rule out its use altogether. Indeed, if one did that one would render its dispatch nugatory.

Thirdly, we must constantly have in mind that our task force is on the high seas and at risk. Of course the political aims are paramount, but we must face the fact that we

could well reach a point where the safety and well-being of the forces has to modify that. That is the point being made with increasing urgency by my right hon. Friend the Prime Minister. She is right to make it, because the nation would never forgive any Government who put our forces in jeopardy and then did not back them up and minimise the risks to them.

Mr. Jim Spicer (Dorset, West): Will my right hon. Friend give way?

Mr. St. John-Stevas: Many other hon. Members want to speak, and I have finished that point.

We should resolutely dismiss the anti-Americanism which has surfaced from time to time in our discussions and which we saw again at Prime Minister's Question Time today. There is no doubt about the massive support that this country is receiving from the American people. Like other hon. Members, I have recently been to the United States and I have seen that support for myself. In my view—other hon. Members may differ—it was wholly reasonable that at the first stage of the negotiations Mr. Haig should take an impartial stance. We should be grateful to him for his indefatigable efforts to preserve peace.

But situations alter. It is now my opinion that the chances of preserving peace would be enhanced if the United States threw its weight openly and unreservedly behind Britain. There is nothing inconsistent between those two statements. It is merely recognition of the fact that the situation has developed and altered.

I have two further points that I wish to make only briefly, but I believe that they will become increasingly important. I make them as one who knows Latin America directly. We must never forget that our quarrel is not with the Argentine people. It is with the Argentine junta. It is crucial to distinguish between the two—to distinguish between an odious and corrupt regime which has denied human rights, which has sent people to their deaths, which is reigning by terror, and a people with whom this country has had long and historic ties. The junta is unworthy of the people whom it claims to represent. The attitudes to the Argentine people which have been taken, not in the House, but in some sections of our press, are also unworthy. They are piling up trouble for the future.

British foreign policy in general, and Conservative foreign policy in particular, since the time of Castlereagh have been based not on the pursuit of abstract principles alone but on the protection of interests as well. What is the art of diplomacy but an attempt to decide possible conflicts between those two concepts?

Our first priority, of course, must be the well-being of the Falkland Islanders. They constitute a real community and they have rights of self-determination which are guaranteed by article 73 of the United Nations charter. I have my copy here as well. But there are other British interests in South America, and we must protect them. Countries such as Brazil, Mexico and Colombia have no sympathy with the Argentine, but if our views are expressed in a xenophobic fashion we shall drive them in that direction.

Let us always remember the context of the dispute. Latin America is the great continent of the future. It has immense resources and great potential, and its peoples are struggling endlessly for social justice and human rights.

Let us not forget, either, that the Soviet Union is hovering, eager to get a foothold if it can for its programme of subversion and tyranny.

In resisting that threat Britain has a unique asset and that is our tradition of friendship with Latin American countries. I was delighted that the Prime Minister drew our attention to that in her opening remarks. After all, it was Canning, one of our greatest Prime Ministers, whose boast it was that he had called the new world into existence to redress the balance of the old.

I am not one of those who think that the House should not speak on these matters; that is what the House is for. I am not one of those who think that different views should not be expressed; it is right that they should. It would be absurd in a situation of this gravity, importance and complexity to suggest that there are not different views in the House, but I believe that underlying those differences of views there is basic unity and accord. I hope that the message that will go out from the debate is that once again the House of Commons is expressing the resolution and the will of a united nation.

2.51 pm

Mr. James Callaghan (Cardiff, South-East): I feel intense relief at the manner in which the debate has begun. I believe that that relief will be felt by many in the House and even more outside it. That is my response to the concluding remarks of the right hon. Member for Chelmsford (Mr. St. John-Stevas).

The right hon. Lady the Prime Minister spoke with restraint and put her case in a way that I found unexceptionable. Indeed, I support much of what she said. My right hon. Friend the Leader of the Opposition has made an important case for never using force if we can continue talking to get the right result. It would be wrong for any Conservative Member to try to assume or to say that that is not worthy of an Opposition. That is exactly what an Opposition should say and should be doing, and I congratulate my right hon. Friend on at least sending nearly all of us scurrying back to study the charter of the United Nations in a way that we have not done for years.

There are three considerations that should govern our actions in this dispute. First, we are the aggrieved party in this aggression. We do not want war. We earnestly desire—I believe that the Prime Minister and the Cabinet are working towards this—a negotiated settlement of the dispute.

Secondly, of the handful of direct invasions of one nation's territory by another since the Second World War, this one by Argentina is certainly the most flagrant and clear-cut defiance of the United Nations charter and its authority. For that reason it will weaken the United Nations even more if resolution 502 is not implemented by the withdrawal of Argentine troops in one form or another.

The third consideration that should govern our approach is that when the withdrawal of Argentine troops has taken place, or even if we are justified with the bona fides of the withdrawal, and while the process is continuing, Britain should be ready immediately, as the Prime Minister said, to resume negotiations leading to a settlement of the underlying dispute. I think that I quote the words that she used today.

It should be a settlement that will provide permanent security for the islanders as well as having full regard to their wishes and interests. That will cause much difficulty and it is not something for us to spell out this afternoon.

[Mr. James Callaghan]

However, we shall have to refine and define much more closely what we mean by the islanders' views and interests than we have done so far.

All our political and military decisions must be regulated by those three considerations. I do not underrate the difficulty of the decisions that face the Prime Minister, the country and the Government, both politically and militarily. They are as difficult as any Government have had to face in the past 25 years. I do not want to say anything or do anything that will weaken the right hon. Lady's hand.

Secretary Haig, as the Prime Minister told us, has put proposals to the junta and the British Government. I wish that I knew what they were, but I understand why we do not know, and for the moment I think that we must leave it there. The trouble is that we cannot—I do not know whether Secretary Haig can—make any rational calculation of what will be the response of an unelected, self-appointed military junta which is in no sense a Government, as we know it, that is accountable to us in the House of Commons. It may be too unstable, too unsure of its own authority and its members too mistrustful of one another to be able to reach the conclusions that will be in the best interests of its country and its own people. Even worse, it may be ready to sacrifice the lives of its own troops to save its own face.

When we are considering these matters coldly and rationally, as we are now, we must have in mind that we are not dealing with a Government who are considering these matters in the same way as ourselves. I do not know what the proposals are, but I imagine that they must involve sovereignty. That will be the stumbling block for the junta. It would be a bitter pill for it—I do not know whether it could survive—if it had to yield in any way to any other position than that it has exclusive sovereignty to the islands. If that is the stumbling block for it, it is the stumbling block for me, too. I speak only for myself.

If Secretary Haig had not said that we should not be in possession of the proposals, I should have hoped that we discuss them. However, I repeat the urgent request of my right Friend the Leader of the Opposition, that if there is a desire to debate what is the most serious situation that has faced Britain for many years, when the proposals became known, we the House of Commons, should be able to offer our views. The Prime Minister might find an accretion of great strength in her bargaining and negotiating position if the House were in possession of the facts and able to support them.

Secretary Haig is in the lead and I do not dissent from that. The United Nations has been willing to let him act, and that is realistic, because the United States is more likely to produce a negotiated result than the United Nations. That may be regrettable, but it is true. Nevertheless, the United Nations—I wish to support my right hon. Friend's hope—is still central to our case, even if we cannot envisage that if the United States is unable to produce a solution the United Nations will be able to secure adherence to its own resolution.

It is no disparagement of the United Nations to say that it does not have the means to compel Argentina to obey its injunction to withdraw. It can offer its good offices in further negotiations, but in the meantime the Secretary-General of the United Nations must understand that the aggressor retains the spoils. We must emphasise the

difficulties that are facing us in proceeding. The question has been asked: "What does 'proceeding' mean?" I shall come to that shortly.

My right hon. Friend the Member for Leeds, East (Mr. Healey) said that we might have to be ready to put forward our own proposals, because someone else might do so in the meantime. However, until something tangible emerges from the United Nations, I do not rule out the prospect of the Foreign Secretary having discussions with Mr. Perez De Cuellar, the Secretary-General. If he does so—if he will allow me to put this to him—he should explain our position as follows: "Secretary-General, it is Argentina which is defying the United Nations by not withdrawing. Even worse, Secretary-General, the Argentines are compounding flagrantly their defiance by reinforcing their troops on the island day by day. We cannot accept this. Therefore, we shall proceed."

That brings us to what "proceeding" means. I hope that I shall say nothing to weaken any tactical objectives, but I think that we have a right, and perhaps a responsibility, to offer our views to the Government on the right way to proceed in these military circumstances. In my view, the proceedings should take the form of a blockade by air and sea and interdicting any attempt to cross the boundaries that we have laid down. We should take all measures to make that blockade effective. Can we do so? The Government have taken the decision and I fervently believe that the Government and the Armed Forces can sustain such a blockade.

I agree that those of us who will not be called upon to run the rigours of such a blockade should be reticent in expressing our views. However, there is some confusion in the minds of some of my hon. Friends, as well as in the newspapers, which has led to confusion generally on the difference between a blockading force and an assault force. I understand that we have a capability for both. We have ships that are capable, with, I trust, sufficient air power, to ensure a total exclusion. We also have troops available at some place in the South Atlantic who are capable of making an assault.

I hope that hon. Members will forgive me if I labour this extremely important point. We must be ready to settle into a long blockade, if necessary for months, to undermine the morale of the garrison on the islands, using all possible means of harassment. We should prevent the islands from being reinforced and make the Argentine forces realise that they are beset, beleaguered, that they have no hope of rescue and no hope of return. I believe that that is the approach of a blockade.

A blockade would involve some hardship to the islanders. Nevertheless, one cannot possibly resolve a dispute of this nature without hardship somewhere. However, this is a beginning and it is completely different from launching a frontal assault, which some of the newspapers have put into people's mind as being the next step. I can understand that being in the front of all our minds, but I believe that a frontal assault—I hope that I do not trespass beyond the bounds of what hon. Members think is right—would result in a heavy loss of life.

I do not know that the Government have taken such a decision. The newspapers lead us to believe that they have. I hope that the Government are still considering the matter and that they have reached no conclusion. There is still time for them to hold back. There is a difference between launching a bloody assault on the islands and imposing a blockade, as we have done time after time in

history, and can do again. I have no doubt that, whatever the hardships involved, the sons of those who ran the convoys to Murmansk and Iceland in the last war can do as well as their fathers. If negotiations break down, I believe that they will.

My experience of the Chiefs of Staff and the defence planners is that they are cautious men. They do not readily risk the lives of those under their command. Of course, I do not know what advice they have given. The Cabinet will consult the Chiefs of Staff fully, but I hope that they will also consult, as widely as they can, the defence planners—I am sure that they must be doing this now—so that they get opinions from every level on the prospects of what an assault would mean.

I beg the Prime Minister—I want to be helpful—not to override the Chiefs of Staff if they counsel caution. I have no indication to the contrary, and I am sure she would not.

Mr. John Browne (Winchester): I agree with almost everything that the right hon. Gentleman has said. He referred to our history of blockades, but I find it difficult to recall an occasion where we have exercised a blockade that resulted in the near starvation of the population, as opposed to the economic type of blockade against trade. Does the right hon. Gentleman believe that the United Nations and world opinion would stay with us if we started a blockade that resulted in the starvation of the Falkland Islanders and of Argentine soldiers, who are unable to take the decision to surrender?

Mr. Callaghan: The matter must be considered as time goes on. We must use the United Nations during the blockade to bring continuing and ever-increasing pressure to bear on the Argentine to avoid such hardships. I do not know whether food would be the main problem. My main anxiety would be about health facilities.

I wish to see unity maintained in the House and in the country as far as possible. It is not, as I heard a BBC announcer say this morning, a bonus to the Government. It is an essential source of strength that the Government must not dissipate.

I hope that the right hon. Lady will listen when I say that, bearing in mind the background against which most of us approach this problem, I can see no case for having the chairman of the Conservative Party in the war cabinet. This is not a party conflict. It is an attempt to restore the rule of law in the world and to give the Falkland Islanders the future that they demand. I say that without any animosity to the chairman of the Conservative Party.

I reassert that the aim of the House and the country must be to ensure the safety of our forces, the minimum risk to them, and a willingness, when the Argentine troops have been withdrawn, to negotiate on the underlying dispute and the future status of the islands, subject to the wishes and interests of the islanders themselves. As the right hon. Member for Chelmsford (Mr. St. John-Stevas) said, an attempt must be made to restore correct relations, if no better, with Argentina. It is not possible to envisage permanent hostility between the islanders and the Argentine Government and the mainland.

I conclude with one thought: how little is needed to deter, but how much to remedy.

5.8 pm

Dr. David Owen (Plymouth, Devonport): The right hon. Member for Cardiff, South-East (Mr. Callaghan)

made a speech that has done much to restore the feeling of unity in the House. As a former Prime Minister and Foreign Secretary he knows how vital it is, when dealing with these complex international negotiations and when lives are at stake, to feel that a united House of Commons and a united country is behind one.

There is a great onus of responsibility on the Prime Minister. Her speech today greatly helped to move the country forward at a pace that takes the vast majority of people with her.

The right hon. Member for Cardiff, South-East was firm in his belief that the decision to introduce a total exclusion zone to operate from tomorrow is correct, and I strongly support him. That is the next and logical escalation of the pressure on the Argentine junta. I believe that the maritime blockade has been well introduced, but it now needs to be reinforced by preventing the Argentines from continuing to reinforce the Falkland Islands. The rest of the world needs to know that over the past few weeks that is exactly what Argentina has been doing. It would be intolerable for the British Government to hold back when they have the capacity to prevent the continued reinforcement of the Falkland Islands which is being carried out in direct contravention of resolution 502.

On that we are fully agreed, and I take some comfort from the fact that the right hon. Member for Ebbw Vale (Mr. Foot), although he did not specifically endorse it, at least did not criticise or condemn the decision to have a total exclusion zone. It may be that we are now moving back into a sense of unity and I believe that that is a great help.

Let us be under no illusion. The critical moment in these negotiations is coming very close. As the Prime Minister said, the United States has put forward formal American proposals. She went on to describe them as "official" American proposals. I believe that Secretary Haig was right to say that it was now for the Argentines to respond. I hope that President Reagan has made it abundantly clear to the Argentines that if they reject the proposals there will be immediate application of United States sanctions, rapidly and fully, matching the sanctions imposed on the Argentines by the European Community. Nobody should disparage such a move. It would have a very powerful effect on the Argentines. I hope that the American people, who have been extremely loyal to this country in the past few weeks, will make it clear to the President that there must be no equivocation about this. If the proposals are rejected, there must be immediate implementation of economic sanctions.

The question that we may have to face is this. If the Argentines support the proposals, what will be the attitude of the British Government? The Prime Minister has made it clear that some of the proposals, as she put it, bear the hallmark of compromise, but she knows perfectly well that, whatever happens, the dispute will eventually have to be ended with a measure of compromise on all sides.

At this moment, when we are making grave decisions about the use of military force, we must cast our minds forward to the situation that might arise if we repossess the Falkland Islands. What would we then be doing in the next few months and years? I suggest that we would be trying to negotiate a settlement and to reach an honourable compromise and accommodation with the Argentines. Therefore, it is absolutely vital that we do not duck the

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reality of perhaps having to face difficult compromises before making a decision to repossess the Falkland Islands, before the loss of life.

I recognise that the Prime Minister feels unable to reveal the proposals now. While they are with the Argentine junta, it is obviously impossible, but I hope that it will be possible for the House to debate them. I say two things to the Prime Minister. I believe that it would be wrong to undertake a major escalation of our military commitment and to seek to repossess the Falkland Islands on the basis of the Government alone rejecting proposals put forward by the United States and accepted by the Argentines. I suppose that one has to say that there are circumstances in a very changing position in the Southern Atlantic that might force the Government to take military decisions before the recall of Parliament. If they are faced with that decision, I believe that there is an urgent responsibility to consult the parties and the leaders of the parties. That is a perfectly reasonable request to make before any military decision is taken in circumstances in which the Government were rejecting proposals put forward by the American Government and accepted by the Argentines.

Mr. George Foulkes (South Ayrshire): Who is the leader of the Social Democratic Party?

Dr. Owen: It is right for us to give some indication of our views on the areas now involved in negotiations.

We are all united on the fact that the first phase must be withdrawal of the Argentines from the islands. It would then be reasonable to push the task force, say, to South Georgia, then back to Ascension Island, and only out of the Southern Atlantic area when the last Argentine soldier had left the islands. I believe that that is an agreed first phase, and there is very little difficulty on that.

On the interim administration there seems now to be some measure of understanding. I know that the small print is everything in these negotiations, but I do not believe that the House wishes to stand in the way of what has been described as the three flag arrangement, with the United States, the Argentine and the United Kingdom. I believe that many people who have held very firmly on this issue would consider that a not unacceptable compromise, provided that other aspects of administration in the islands safeguarded the views of the islanders.

The most difficult question is the third phase. All the evidence at present is that the Argentines are stipulating that they will not agree to anything that would involve accepting that their claim to sovereignty is negotiable. That is the crunch issue. If they will not accept that, I do not see how we can reach an agreement. Nevertheless, the Government are beholden to remind the Argentines that it was this Government and the hon. Member for Cirencester and Tewkesbury (Mr. Ridley) when he was at the Foreign Office who put proposals to the Falkland Islanders which concerned the whole issue of sovereignty and the proposition of leaseback. That proposition was rejected by the Falkland Islanders, and many hon. Members did not like it, as has always been the case. The fact remains, however, that the Government were ready to discuss it. I am not asking them to commit themselves on it, but it would be unrealistic for any Conservative Member, or indeed for any Labour Member, given the decisions taken by the Labour Government—[HON. MEMBERS: "And by

the right hon. Gentleman"]—yes, and by me, to exclude negotiating and discussing the issue of sovereignty. It is right that that should be said. There are, of course, Members who believe that that issue is non-negotiable, but I believe that there is a cross-party majority that is ready to negotiate. It is not ready to commit itself in advance or to exclude the views of the Falkland Islanders, but it wishes to be in a position to negotiate and to reserve our rights overall to make a judgment.

How could the issue of sovereignty be put in a way that would save the face of the Argentines? In this sense, I believe that article 38.2 of the statute of the International Court of Justice should be considered. It says that nothing should

"prejudice the power of the Court to decide a case *ex aequo et bono* if the parties agree thereto."

It has been said by the leading authority on the International Court of Justice that adjudication *ex aequo et bono* amounts to an avowed creation of new legal relations between the parties. If the court exercises its jurisdiction under this provision it would be legislating.

The attraction of this procedure is that the Argentines would not suffer any loss of face by agreeing to submit the issue to the court, as by agreeing to the adjudication they would not be admitting any possibility that their claim to sovereignty was not justified. I believe that we must look to mechanisms that will save face in this context. We should also not exclude the possibility of a strategic trust territory. Under articles 82 and 83, a strategic trust territory has great importance for us in this country because it would not be right for the strategic and military aspects and matters relating to law and order on the islands to be put to a trusteeship council in which we could be outvoted. The advantage of a strategic trust territory is that the Security Council would effectively govern those aspects, which would allow us to exercise the veto. The Argentines would also have some assurance that either the United States, if their relations with that country were good, or the Soviet Union might exercise the veto. As the administering authority, however, we could maintain the status quo and Britain would be the administering authority. Again, this would avoid either side having to reach a conclusion on sovereignty.

Mr. Michael Shersby (Uxbridge) *rose*—

Dr. Owen: These proposals would be the third phase. There is no question or doubt but that the first and crucial phase is the readiness of the Argentines to withdraw their forces.

Therefore, if the House accepts, as I believe that there is a readiness to accept in the debate, the total exclusion zone, we must recognise that from noon on Friday our Armed Forces may, with no warning, have to take military action. We have to accept that, and we must accept that some of the decisions will have to be taken extremely rapidly. I recognise that the Government will need to take decisions at very short notice. I merely ask that if they have to take those major decisions they should do their best to talk to the parties in the House so that we may retain as much unanimity as possible.

Perhaps I am being too optimistic, although I am often optimistic, but it is conceivable that the Argentine junta will crack. It is possible that it will, under immense United States pressure, accept. If so, it will be also because the

junta believes that the House and the country are ready to use force, ready, if we had to do so at the last resort, even to repossess the islands.

I agree with the right hon. Member for Cardiff, South-East that there has been slightly too automatic an assumption that the next phase in the escalation in military force, apart from the exclusion zone, has to be an assault on Port Stanley. There are a large number of unoccupied islands throughout the Falkland Islands. There are many different options open to the naval commander, although there is no need to say anything about the tactical stages.

The Royal Navy, and because the Royal Marines are also in my constituency, is my favourite service. It is famous for being the silent service. The Royal Navy might take a leaf out of its own book and become again the silent service. There are many more steps in the gradation of force—such force is specifically and clearly in defence of our interests and clearly within article 51, but no one in the House should underestimate that the decision we are effectively taking today, and that we have endorsed, is to tighten the screw on the Argentine junta.

We must recognise that our diplomacy must be buttressed by force and, in the last analysis, the Government must remain free to take action. If they do so, then they alone can make that decision. They have at least the right to ask that whatever doubts we may have we shall give them the benefit of the doubt and that nothing that we say in this country—[*Interruption.*] If it is necessary for our Service men to take action, I hope that nothing that we say in this country will be taken as revealing a great political divide.

This is very different from Suez. Let us not make it like Suez. Let us not have what happened in 1956, when Service men went into Suez against a background of bitter party political debate. The onus is not only on the opposition parties. The onus and the responsibility are as much on the Government and the Prime Minister. This debate has strengthened the chances of our retaining unity across the party divisions.

5.22 pm

Mr. Robert Rhodes James (Cambridge): It is an honour to follow the right hon. Members for Plymouth, Devonport (Dr. Owen) and for Cardiff, South-East (Mr. Callaghan), who have, throughout the crisis maintained their belief in the unity of this nation at this critical moment.

The House meets at a particularly grave moment. We have at stake our Service men in the South Atlantic. We have at stake the Falkland Islanders, who are innocent victims of blatant, cruel and unprovoked aggression. We have at stake the credibility of the United Nations, which has been treated with cynical contempt by one of the parties to the dispute—the Argentine junta. We have also at stake the whole delicate fabric of international law, and, perhaps even more important than that, the crucial, unwritten conventions of civilised behaviour between nations in an increasingly dangerous world.

This is no time for inquiries into what happened in the past. However, I wish to place on record my belief that the Government have consistently and honourably sought, as their predecessors did, a peaceful and fair solution to this long-standing and intractable problem. As the right hon. Members for Cardiff, South-East and Devonport

have emphasised, we are not the aggressors. We did not break the peace. We have continued to seek a peaceful solution, even since the invasion.

I had the honour to serve for two years under Lord Carrington at the Foreign Office, including during the Lancaster House negotiations. I deeply regret that, man of honour as he is, he felt it necessary to resign over this issue. I remind the House of what Disraeli said on a similar occasion about a similar statesman:

"Great services to the State should not be forgotten because of one misjudgment."

When inquiries are made, and the story is told, it will be revealed and emphasised that Lord Carrington negotiated throughout on behalf of this nation, in good faith, for a peaceful solution.

What is foreign policy about? It is about the preservation of our precious liberties in peace, which is not peace at any price. In honour and in all integrity, within the auspices of the United Nations, and with the full support of both sides of the House and of the nation, we pursued a solution. That process was ended by the blatant aggression of Argentina.

The Leader of the Opposition referred, rather vaguely, but at some length, to the role that could be played by the United Nations. As the House knows, I was a volunteer senior official to the United Nations, in the office of the Secretary-General, for four years. I emphasise one point about the role of the Secretary-General in a problem such as this. Under article 99 he has the right, which is rarely used—rightly—to call a special meeting of the Security Council. In the circumstances that we have faced in the past three weeks he could not have done so, for the simple reason that a party to the dispute was in breach not only of the United Nations charter, but of a mandatory resolution of the Security Council. It was impossible for the Secretary-General to take the action for which the Leader of the Opposition seemed to be pressing the other day.

The right hon. Member for Devonport talked of trusteeship. I should think that that will be one of the many options after the prime requirement is met. I take his point, but we must emphasise that we cannot reach the stage of options and negotiations as long as Argentina is in breach of resolution 502. Argentina is still an aggressor in the eyes of the international community.

As the right hon. Member for Devonport emphasised, this is no Suez. I was a young official of the House at the time of the Suez operations. Without going into that episode, one of the things that caused so much agony and anguish in the Conservative Party, as well as in other parties, was the uneasy feeling—which the late Alex Spearman, who died only three weeks ago, felt so intensely—that this nation, which stood for certain principles in international law, had not lived up to its high standards and position in the world.

That was not a view that I held at the time, and I do not hold it now. None the less, there were at that time substantial doubts about the justice of our cause. There can be no doubt whatever, whether in international law, under the United Nations charter or anything else, about our position today. There are lessons to be learnt from what has happened over the past five years over the whole story. The time will come when the lessons will be fully learnt.

A remarkable feature of the situation today is that we have overwhelming national and international support. We have a feeling, supported by our friends in the

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Commonwealth and the EEC, and our allies, that on occasions such as this, which blessedly occur so seldom, when a major principle of international justice, law and humanity is involved, that the free nations and their friends must speak with one voice, just as this nation must. In the words of Chatham, we must

"Be of one people. Forget everything for the public."

We can all be wise with hindsight. Both this and the previous Government negotiated peacefully and in good faith. We are not the aggressors. We are not the offenders against international law. One of my predecessors, once hon. Member for Cambridge, Lord Palmerston, said:

"Our interests are eternal. They are the maintenance of peace, and the need to ensure that the name of England counts for something in the councils of the world."

Those truths are important, because they are complementary. A strong, unambiguous and determined Britain is the best guarantor of the maintenance of peace and security in the world.

5.30 pm

Mr. J. Enoch Powell (Down, South): Earlier this week the right hon. Gentleman the Leader of the Opposition said:

"We are supposed to act under the authority of the United Nations. Indeed, it is the only authority under which we are supposed to act."

And again, that

"we act in this matter only under the United Nations charter," —[*Official Report*, 27 April 1982; Vol. 22, c. 720-23.] In fact that was also the purport of much of his speech this afternoon.

With the greatest possible respect, I doubt whether that definition by the right hon. Gentleman is correct. The right of self-defence—to repel aggression and to expel an invader from one's territory and one's people whom he has occupied and taken captive—is, as the Government have said, an inherent right. It is one which existed before the United Nations was dreamt of. True, it has been accommodated and given a definition in the United Nations charter. However, it is not under that authority that we exercise it: we exercise it as a right which is inherent in us. It is as such that both the British Government and, in large measure, the British people have resolved that we ought to place ourselves in a position to exercise that right, namely, by force, if necessary, to repel the aggression and to repossess our territory.

That resolve, which I believe is widespread not only in the House but outside it, carries with it some important implications.

One is that having willed and approved that action we must, as a nation, be prepared to take the consequences. It is much easier to overestimate the ease than to overestimate the difficulty of any military operation. No course of armed action, however justly embarked upon, however necessarily embarked upon, can be foreseen in all its consequences and repercussions. When we took the decision which we did two or three weeks ago, and which we are following through now, it ought to be understood that we were accepting and expressing the will, if necessary, to maintain a long and difficult course of action in which there may be reverses and severe losses. We must not allow that to be misunderstood or played down outside the House.

There are two other grave implications of our having taken this action, of our having resolved that, if necessary, we will place the lives of our forces, as well as of other human beings, at risk. It has often been said in the last few weeks that even if we repossess the Falkland Islands, that outcome is unstable because we cannot stay there, cannot maintain possession. If that were true, it would be highly irresponsible, if not absurd, for us to say that we are ready to face what we have willed and decided, with all its implications, in order to make good a right which we cannot thereafter maintain.

However, the proposition is unsound. The notion that if, by whatever means, we regain the administration of the Falkland Islands and reassert our sovereignty in practical terms it will be a mere passing phase, is demonstrably false.

It is false because if this Argentine adventure ends sooner or later in the fiasco that it deserves, it will be a long time before anyone will think of repeating it. It is wrong also because if we, the third naval power in the world, a country in the North Atlantic uniquely dependent for its existence upon the ability to command the seas and the air which are relevant to its defence, are unable, in defence of an island group hundreds of miles from the nearest continent, to maintain the necessary availability of strength, and the necessary command of the sea, so that our possession of the Falkland Islands is of a precarious character, we had better resign any notion that we might have had of being able to defend ourselves in our island home in the North Atlantic. The ocean is one, and the ability to command the ocean is one. The interests and the power of a maritime nation are wherever the sea is. Therefore, when we repossess the Falkland Islands—

Mr. Andrew Faulds (Warley, East): Hong Kong, Gibraltar.

Mr. Powell: The words "Hong Kong, Gibraltar" are being voiced by somebody who evidently does not use an atlas. Hong Kong is under the lee of a continent.

Mr. Faulds: No ocean around it?

Mr. Powell: It is commanded by a continent. Gibraltar—

Mr. Faulds: No ocean?

Mr. Powell: Gibraltar is also under the lee of a continental land mass and effectively commanded by it. There is no serious comparison—perhaps I might stress the word "serious"—between the situation of a group of islands hundreds of miles from the nearest continent and those two other positions, which it is doubtful whether, if a major enemy seriously threatened them, we would be able physically in the last resort to defend.

We owe it to those whom we have involved by our decision—our governmental decision, our parliamentary decision, our national decision—to be clear with ourselves that the possession of the Falkland Islands is integral to our national defence and interests and that it is, if necessary, indefinitely sustainable.

The second implication concerns what follows after repossession. The expressions "diplomatic solution", "solution of the problem", "solution by negotiation" have frequently been used in these last weeks. If those phrases mean that preferably diplomatic and other pressures should induce the aggressor to reverse his act, there would be no problem whatever raised by their use. However, that is not

all there is to it. The House has become aware, perhaps belatedly, of the extent to which, in the months and years previous to the aggression at the beginning of April, negotiations had been engaged in on behalf of Britain in which the possibility was envisaged that our sovereignty and possession of the Falkland Islands might be compromised or even surrendered.

However, the House has at no time authorised, or been given the opportunity to authorise, any decision to compromise or part with our sovereignty of the Falkland Islands. It is true that from time to time the injudicious expressions of a junior Minister have allowed us to suspect what might perhaps be being carried on in our name; but there can be no dispute that the House has not authorised anyone, any Government or Minister, to engage in any way in compromising or in trading away our right to the possession of the Falkland Islands.

Mr. Frank Allaun (Salford, East): Did not Lord Carrington report that cordial negotiations were taking place with the Argentine?

Mr. Powell: I repeat—and it is consistent with the Hon. Gentleman's correct observation—that the House has never been invited to authorise, and has never authorised, any negotiating away or compromising of the present status of the Falkland Islands.

If the consequence of exerting our right—in the way in which we are prepared to exert it if necessary—is that the rightful repossession of the Falkland Islands is only a prelude to a course of action that in due course will place the aggressor in more or less the position that he wished to attain by means of his aggression—if we are exercising our inherent right to recover our own, only in order, thereafter, to trade our own away—how can we face the men whom we are asking to take part in that operation? If we support that operation, we owe it to them, as well as to ourselves, to make it clear that that which we regain if necessary by force—although we hope to regain it without force—will not be cast away, negotiated away or given away by this country.

The fact that we are resolved on exercising that ultimate, inherent right of ours implies that we cannot allow the power to exercise it to be whittled away by the passage of time; for if we allow it to be whittled away, that will be tantamount to renouncing the very exercise of the right upon which we are resolved. No hon. Member—except perhaps one or two right hon. Members on the Front Bench—has much notion of what is the true time factor in this critical process of whittling away of the power to exercise our right. However, somewhere—be it near or far—there is such a point, at which our power to exercise that right begins to diminish and to be sacrificed. The Government, who have, on the whole, been supported by the House and the country thus far, have the right also to expect that they will be supported when they refuse to allow our ability to exert our right to be taken away from us by stealth and by the passage of time.

The right hon. Member for Cardiff, South East (Mr. Callaghan), to whose authority—he being Royal Navy and I a mere "brown job"—I gladly defer, has marked out rightly for the House the different gradations of pressure and force that can be brought to bear in this situation. But over and above those gradations and the manner in which, subject to the support of the House, they might be used by

the Government, there lies the overriding duty on the Government not to allow the power that we have to enforce our right to be taken away from us.

I hope that the Government will make it clear that they remain resolved to retain the power to exercise that right. If they make that clear, I believe that the nation will support them.

5.45 pm

Sir Derek Walker-Smith (Hertfordshire, East): The House has been privileged to listen this afternoon to speeches of outstanding quality. It is therefore, with a natural and proper sense of difference that I rise to add mine. Those who are fortunate enough to catch your eye, Mr. Speaker, during debates on this serious and important matter owe a special duty to make their contributions as constructive and responsible as possible. I shall seek to comply with that duty.

I shall start with resolution 502, not because it provides the final solution—it certainly does not—but because compliance with it and the withdrawal of the Argentine troops is an absolute and indispensable condition precedent to finding a solution. It is the non-compliance by the Argentine with the clear terms of the resolution—and that alone—that has occasioned and justified Britain's resort to force or the threat of force.

For that reason, I, like other hon. Members, have supported the dispatch of the task force in the earnest hope that its function and contribution may be restricted to securing the withdrawal of Argentine troops, thus opening the way to solutions that have regard to the rule of law, to prescribed international and United Nations procedures and to the interests of the islanders. That role, with a limited reliance on force, is—in the context of this situation—not in breach of international law, but in conformity with it.

In his classic work on the legal effects of war, Lord McNair states:

"Recourse to a limited degree of force has been accepted in international law as not necessarily giving rise to a state of war." He continues:

"Recourse to armed force by way of reprisals is only considered lawful if the State against which armed force is used has committed a violation of international law; if, prior to recourse to reprisals, an attempt has been made to obtain redress from the State, and has failed; and if the armed forces used was proportional to the wrong which occasioned it."

Those three conditions are satisfied in our favour in this case. Argentina has committed a violation of international law. Attempts to obtain redress have so far failed, and any armed force reluctantly used would be no more than proportional.

However, the role of force, although justified in international law for those reasons, is only limited, temporary and subordinate. The issues, when once withdrawal of the troops is achieved, can and should be resolved by other more appropriate means. Of course, that approach is inherent in the charter. The authority in international law for the dispatch of troops or of a task force is article 51, which covers the inherent right of self-defence in the event of armed attack. However, the exercise of the right of individual action given by that article is intended only to be temporary and, as the article states,

"until the Security Council has taken measures necessary to maintain international peace and security."

[Sir Derek Walker-Smith]

Furthermore, article 51 is not to be taken in isolation. Like all other such instruments, the charter must be read as a whole. Indeed, article 51 states that action under the article "shall not in any way affect the authority and responsibility of the Security Council."

The appropriate action is clearly specified in the charter. Under article 33 there is a duty to seek a solution by peaceful means, which are negotiation, arbitration and judicial settlement.

In my letter to *The Times* last week I identified four methods of resolving an international dispute—negotiation, arbitration, what Continental lawyers call the "amiable compositeur", and war. So far, negotiations with the aid of Secretary Haig as an honest broker have not succeeded and may not do so, much as we hope they will. There is little likelihood of an agreement to confer on him the additional powers of an amiable compositeur. That leaves only the stark alternatives of arbitration or war.

Resolution by war is the least acceptable alternative for obvious humanitarian and practical reasons. If, unfortunately, circumstances should require the engagement of our troops, they will carry with them the good wishes of us all in what Admiral Woodward has said would be a long and bloody campaign. Knowing the dangers and difficulties that they would face, our prayers would be with them. Those prayers would have greater efficacy if we have done all that is honourably possible to avoid putting them in that situation.

The case for arbitration is clear. Article 33 imposes a clear obligation to seek a solution by peaceful means which specifically include arbitration. Such arbitration is entrusted to the International Court which, by article 92, is constituted

"the principal judicial organ of the United Nations" and of which the statute is annexed to the charter and described as an integral part of it.

By article 36 of the statute the jurisdiction of the court comprises all cases that the parties refer to it. Therefore, the dispute as to sovereignty, in its essence a matter of law, is appropriate for reference to the court. Under article 36(3) of the charter the Security Council is under a duty to take into consideration

"that legal disputes should as a general rule be referred by parties to the International Court in accordance with the provisions of the Statute of the Court."

This dispute on the fundamental question of sovereignty is in essence a legal dispute and comes within the article.

In regard to sovereignty we are concerned with two conflicting bases of claim, which are the Argentine claim based on succession and deriving from the old Spanish position, and our claim based on prescription. Both those bases are considered appropriate bases in international law. An adjudication based on those conflicting claims, which are based on different concepts, is a matter for the court.

Prescription based on adverse possession, which is the essence of the British case, figures not only in international law but in every known system of national law, in property and the like. It applies in public international law. The principle has been stated in Professor O'Connell's authoritative work. He says:

"A state which has actually exercised sovereignty over a territory should keep the territory, abstract titles notwithstanding. Provided the state of affairs exists long enough, the evidence in

favour becomes overwhelming. As the arbitrators said in the *Grisbadarna* case "it is a settled principle of law of nations that a state of things which actually exists, and has existed for a long time, should be changed as little as possible."

There is no fixed period of prescription for the acquisition of sovereignty by adverse possession, but our period of about 150 years must constitute a strong foundation for the acquisition of sovereignty by prescriptive title. However, there are the two conflicting claims and there is a clear justiciable issue to decide between them. I warmly endorse the view of *The Times* that it is a matter for an agreed reference to the court at The Hague.

With the case for arbitration by the International Court so clear, it is odd that no reference or suggestion of reference has been made. I share the view of the *Financial Times* of 27 April, which states:

"It remains to us surprising, for instance, that the Government has still not formally offered to refer the dispute to the International Court of Justice described in Article 92 of the United Nations Charter as the principal judicial organ of the United Nations. Argentine might refuse. But it is still an offer that must be made."

Mr. Ivan Lawrence (Burton): Do not both parties have to agree to arbitration?

Sir Derek Walker-Smith: I am coming to that point. With respect to my hon. and learned Friend, hon. Members making interventions often ask the Member who is addressing the House to deal with a point that he would come to in any event.

The parties—Argentine and ourselves—sharing a common interest to make the reference, remain inactive in this regard. Their posture reminds me of the famous lines on the battle of Walcheren:

"Great Chatham with his sabre drawn stood waiting for Sir Richard Strachan;

Sir Richard, longing to be at 'em
Stood waiting for the Earl of Chatham."

Why is there this hesitation? Why do not the British Government take the initiative to refer the matter? There is an impressive body of support for that. Respected organs of opinion support it—for example, *The Times*, the *Financial Times*, the *Sunday Telegraph* and Lord Mishcon, who is a Front Bench spokesman in the other place and a distinguished lawyer, in his authoritative letter to *The Times*. Many people, old and young, have written to me personally, including distinguished former diplomats, Members of Parliament and academics.

Everywhere support is expressed—I was going to say "except surprisingly on the Front Benches," but I must modify that having listened to the speech made by the Leader of the Opposition and say "except on the Government Front Bench". That is surprising because my right hon. Friend the Prime Minister was trained in the law. The Leader of the Opposition, although not trained in the law, is the son and brother of distinguished lawyers whom I held and hold in great respect and affection.

The purported reason for non-reference is the alleged disinclination of the junta. However, how do we know that if the matter is not put to them? The last time a British Government raised the matter of reference to the court was in May 1955 when the Governments of Argentine and Chile refused to appear. However, Mr. Macmillan, who was then Foreign Secretary, expressed the hope that the Argentine would reconsider the matter and accept the jurisdiction of the court. Why not invite the Argentine to do that now? After all, 27 years is a long time.

In answer to my question, my right hon. Friend the Prime Minister said on Monday that "both parties have to agree to go to the International Court of Justice for it to adjudicate."—[*Official Report*, 26 April 1982; Vol. 22, c. 612.]

My right hon. Friend repeated that today. My hon. and learned Friend the Member for Burton (Mr. Lawrence) took up that point. However, that statement overlooked two points. I do not take the point of the optional clause as it is sometimes called, article 36 conferring compulsory jurisdiction, because, as my right hon. Friend rightly said, the Argentine has not signed that, although we and other countries have. Two other provisions are highly material.

Mr. Geoffrey Rippon (Hexham): May I give my right hon. and learned Friend a copy of the charter?

Sir Derek Walker-Smith: In earlier days I had the inestimable privilege of having my right hon. and learned Friend the Member for Hexham (Mr. Rippon) as my learned junior in cases, but the pupil soon overshot the master.

Article 53 of the statute of the International Court states:

"Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favour of its claim. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in . . . law."

We are not shut off from going to the court in those circumstances. We go to the court, Argentina does not appear, we make good our case in law—as I explained, it is a good one—and we get a declaratory judgment.

The other matter is the advisory opinion for which we may not ask direct. We must ask the Security Council to request the court to give it. It can do that under article 96 of the charter. For such an opinion and for such a request, no consent of the parties is required. No objection by one party can therefore defeat the jurisdiction of the court.

Mr. Alan Clark: Will my right hon. and learned Friend give way?

Sir Derek Walker-Smith: I think not. Bearing in mind the passage of time and the cautionary words that I have given, if and in so far as my hon. Friend's point is relevant, it is the one to which I am coming.

Early-day motion 429 asked the Government to make that request to the Security Council. I remind my right hon. Friend the Prime Minister that article 66 of the statute provides for representations to the court by interested states. Therefore, both parties can take advantage of it and make representations. An advisory opinion under article 96 by the court becomes, in effect, a judgment *inter partes*. In one way or another, therefore, the matter can and must be brought before the court.

Mr. Alan Clark: How long will it take?

Sir Derek Walker-Smith: I am not in the witness box. My hon. Friend is not cross-examining me. If he tried his hand, he might have a little to learn.

What I have suggested should be our second priority—second only to the withdrawal of Argentine troops in compliance with Security Council resolution 502. Of course, it is not the sole approach to a peaceful solution, given the withdrawal of troops. There remain the efforts of Secretary Haig and the possibility of his being offered the role of amiable compositeur at the eleventh hour. There also remains the possibility of economic

sanctions under article 41 which in any case are a necessary prelude to military sanctions under article 42. It is also worth considering the possibility of an international trusteeship system under chapter 12 of the charter.

All these are peaceful approaches that are sanctioned by the charter and accepted under international law. We should pursue them with all zeal, dedication and statesmanship as a greatly preferred alternative to the arbitrament of war and armed conflict. The prospect of war at a distance can have an intoxicating effect on some. However, the euphoria sometimes does not last for long. My right hon. Friend the Prime Minister will, I am sure, remember and recall to the British people the words of her great eighteenth century predecessor, Sir Robert Walpole: "They now ring the bells, but they will soon wring their hands."

Unhappily, Argentina's intransigence about the withdrawal of troops and its continuing breach of international law have made a show of force inevitable. It may also make the use of force inevitable. That would be an unhappy alternative, justified only by necessity, and a last resort. I urge the House to say that, if at all possible, it does not want to have to ask for whom the bell tolls. Let us do all that is within our power to secure a solution under the rule of law which reason can commend and principle support.

6.3 pm

Mr. Jack Ashley (Stoke-on-Trent, South): The atmosphere of the debate is in striking contrast to the reality of the British Fleet plunging through the high seas and the threat of armed conflict and talk of landings on the Falkland Islands. All the talk of law by the right hon. and learned Member for Hertfordshire, East (Sir D. Walker-Smith), all the logic that is being displayed and all the cool calm of apparently rational arguments do not seem to be at one with the fact that we are extremely close to the brink of war. That is the fact that the House should recognise.

It is right and proper that the House should unite when it is faced with aggression. Of course, we are bound to hold differences of opinion about how to approach the matter. Nevertheless, we are united in opposition to the unprovoked aggression of Argentina. That message should go home loud and clear from the House. However, there are clear and legitimate differences of opinion about how to proceed.

There is no disagreement about the House wanting a negotiated settlement. The question is what sort of pressure we should exert to achieve that settlement. Will the pressure be the sanction of world opinion and economic pressure from ourselves and our allies, or the pressure of military force? Our objective and prime concern should be to establish stability in the South Atlantic. But can we achieve that by military force? My right hon. Friend the Member for Cardiff, South-East (Mr. Callaghan), a former Prime Minister, speaking with his great authority, suggested that the issue of repossessing the Falkland Islands seems to be being circulated by the newspapers. However, that has also been mentioned, or implied, by the Prime Minister. She said that time is running out. She is imposing the pressure and implying that we are about to indulge in the physical repossession of the Falkland Islands. The newspapers have added to that, but the Prime Minister is making the statements.

[Mr. Jack Ashley]

The escalation of the use of force is now a euphemism for war. When we speak of escalating force, we speak of war. We may win the war, but we must face the consequences of it. The right hon. Member for Down, South (Mr. Powell) is right to spell out that there will be consequences, although I hold diametrically opposed views of what those consequences will be.

One of the consequences of the war—if we go to war—is that we will probably kill or injure islanders, or provoke Argentine troops to do so. It is the islanders whom we are supposed to be saving. It would certainly kill our young men and those of the Argentine. The reality of war is that it is neither the junta nor the politicians who suffer and die. It is the young men of both sides. That is the cruel reality.

Another consequence would be the weakening of NATO by fighting 8,000 miles away from Britain. By fighting a war, we will impose strains on our alliance that have unforeseeable consequences. I disagree with the view of the right hon. Member for Down, South that we must master the South Atlantic to be masters of the North Atlantic. That analysis is not correct. If we dissipate our energies, we shall damage our military credibility. We shall certainly weaken NATO.

A further consequence is that we shall lose the invaluable support of world opinion, which is vital to us. If we go to war, far from impressing the world, I believe that there would be a massive swing of world opinion against us. That would be very damaging to Britain and to our cause. We shall also unite all of Latin America against us. We shall make life-long enemies of the people of Latin America and leave a legacy of bitterness which will damage relationships for generations.

What could happen, and not for the first time, is that we could win the war but lose the peace. That is the danger of such action.

The aftermath of any war is always sad, but the aftermath of this possible war will show its tragic futility. Successive British Governments have tried to cede the sovereignty of the Falkland Islands. It is an unpopular view in the House, but I believe that geography, and the fact that successive Governments have tried to cede sovereignty, means that we shall inevitably cede the Falkland Islands. If that happens in one, or two years, or in a decade, it means that every islander, or British soldier, sailor or airman who is killed in this possible war will have died in vain.

Sooner or later the House of Commons must recognise that we cannot perpetually defend the lives and the security of the 1,800 Falkland Islanders and simultaneously defend the security of 55 million people in the British Isles. We must recognise our priorities.

I am convinced that economic and diplomatic pressures are infinitely preferable to military pressure. It is best for Britain, the Falkland Islands and—I am not afraid to say it—for the ordinary people of Argentina. We should intensify world diplomatic pressures on Argentina and the already powerful economic sanctions. Above all, we must persuade the United States of America that its long-term interest lies in bringing its immense economic strength to bear. That would be a slower and a more complex method of proceeding, but it would avoid the bloodshed, the

bitterness and the misery of war. If that method is pursued, it will lead to a stable and a more enduring solution to the Falkland Islands crisis.

6.14 pm

Mr. Nicholas Winterton (Macclesfield): I am pleased to follow the right hon. Member for Stoke-on-Trent, South (Mr. Ashley). He represents an area very close to mine and I respect his views, although perhaps on this occasion he will understand if I disagree fundamentally with the conclusions that he has drawn to the attention of the House.

I speak as an officer of the all-party parliamentary Falkland Islands group and, in that capacity, inevitably I have been closely and regularly in touch with the inhabitants of the Falkland Islands and members of the council who visit the United Kingdom from time to time.

This afternoon we have heard one of the most outstanding, constructive and courageous speeches that I have ever heard during the almost 11 years that I have had the honour to serve here. I refer to the speech of my right hon. Friend the Prime Minister. She spoke from the heart as well as from the head, and she spoke for the overwhelming majority of the people of Britain. In all her utterances this afternoon and in previous speeches she has put the backbone back into our nation. My right hon. Friend is not only uniquely standing up for the interests of our country and its people but is shouldering the burden of all civilised countries in standing up for the maintenance of international law. That has been highlighted before, and I hope that it will be highlighted again.

Sadly, my right hon. Friend's speech was in marked contrast to the speech of the Leader of the Opposition. If I may quote William Shakespeare, he appeared to be "sicklied over with apprehension".

Sir Derek Walker-Smith: No—
"Sicklied o'er with the pale cost of thought".

Mr. Winterton: I accept the correction of my right hon. and learned Friend.

The Leader of the Opposition did no service in fluffing all the major issues that are now faced by the Government. He appeared to be as over-sensitive to the feelings of the junta in Argentina as he is so often to the feelings of the junta in the TUC, and as disinterested in the self-determination of the Falkland Islanders, who are British people, as he is to the desire of many members of the trade union movement for secret ballots.

Right is on our side, but not only right in trying to restore British administration to the Falkland Islands. The United Nations, the European Economic Community and the Commonwealth have all expressed wholehearted support for us. I do not often find myself in agreement with the Secretary-General of the Commonwealth, but only yesterday he made a superb speech expressing support for the Government in sending the task force to the South Atlantic and the use of force, if it proves necessary after diplomacy has failed, in order to restore British administration to the Falkland Islands.

Many hon. Members have emphasised the fact that the Falkland Islands have been illegally occupied by a vicious, totalitarian regime and its citizens subjected to an alien and harsh administration. I have visited the families of all of my constituents who are members of the task force now in the South Atlantic close to the Falkland Islands. Without exception—although two families were not at

home when I called—while understandably being worried about the safety of their young men, those families fully supported the Government in their determination to re-establish British administration in the Falkland Islands, if necessary using military action, with all the risks that that involves.

I have also a Falkland Islands family in my constituency. At the moment, two members of that family are here in the United Kingdom and three of them are in the Falkland Islands. Despite the actions of the Argentine occupation forces, I can say that from the views that have been expressed to me and from messages and information that are coming out of the Falkland Islands, the islanders want the British back and, if force is necessary, they are prepared to take the risks that go with the use of that force.

The Falkland Islands Office with which I have been in contact indicates that the Falkland Islanders are resolute and prepared to stand firm. There are exceptions and we have heard from some of those exceptions. Naturally—and we would expect this—many islanders are frightened about what may happen.

I ask my hon. Friends and my right hon. Friends on the Front Bench not to underestimate the potential of the Falkland Islands and to understand, in addition, that the Falkland Islands form part of a much larger and important part of the world. No agreement can be reached on the Falkland Islands without discussing the other dependencies in that area—there are many of them but I shall not bore the House with their names—and also the Antarctic region.

We are living in serious times. The action of the British Government and people was a very unpleasant and unforeseeable consequence for the Argentine junta in Buenos Aires. Understandably, from immediate past history, all they expected by way of retaliation was a debate or two in the House of Commons and in the United Nations, possibly followed by some unrealisable resolution and then a gradually descending veil of oblivion over the whole affair.

But this time it was different. The 1,800 Falkland Islanders were proved to mean more to Britain than the 180,000 ex-Rhodesians of British descent or nationality. I refer of course to Zimbabwe. That was an unexpected consequence of the Argentine aggression, even to many nations which are indifferent to the state of Anglo-Argentine relations. Britain is well and truly alive and kicking.

The international implications are particularly serious because two Western nations have been brought into conflict with each other. The Soviet Union has not hesitated in trying to utilise the situation for its own insidious purposes and in assisting, as many of us know, the Argentine navy by spotting and reporting the movements of the British task force.

Moscow, strangely, has condemned Britain, presumably in the hope that the desperate Argentine governing junta will in time ally itself with the Eastern bloc and with Cuba. What an unholy alliance that is. The cheek and the impertinence of the Russians is so enormous that, in pure stunned astonishment, people are inclined to forget easily the Soviet rape of the Balkan States, the subjugation of Hungary, Czechoslovakia and Poland, the vicious slaughter of Afghan resistance fighters and the colonisation by the USSR of Angola, Mozambique and other nations. The list is long and growing. It is a piecemeal strategy which, sadly, does not appear to fail.

I wish to be brief because many of my right hon. and hon. Friends and other Members wish to contribute to the debate. As one nation after another is caught in the Soviet net in Southern Africa and elsewhere in the world, the West has proved incapable in the past of doing anything about it for lack of sufficient conventional clout. I refer to our conventional surface naval fleet. That was probably one of the main reasons for Zimbabwe being discarded in the manner that it was, and why there was an invasion of the Falkland Islands.

The Falkland Islands crisis at long last has brought home the lesson that conventional arms are essential for the quelling of localised aggression. That realisation could yet save many threatened countries and even break the Soviet hold on some Southern African nations and other nations throughout the world at little risk of nuclear retaliation by the Soviet Union. If that lesson has now been learnt, to some extent thanks to the Falkland Islanders and to the crisis there at the moment, we have reason to feel more optimistic about the future.

I am deeply concerned about the dangers that face the people of the Falkland Islands. I am also concerned about the safety of all those in the task force who are serving our nation so superbly. Perhaps it would not be an inappropriate time now to say what a splendid operation they mounted in South Georgia. Our interests are well safeguarded in the hands of our Armed Services. Our country has once again stood up for what is right.

Every Member should support the Government's action because right is on our side. We have a duty to restore to the islands, which have belonged to us for 149 years, British administration, which has been removed by the occupation. All the islanders wish to remain British. I say to the people of the Falkland Islands from this House that our thoughts are with them. We appreciate the dangers, but the Government are determined to do what is best in their interests.

6.26 pm

Mr. Stan Thorne (Preston, South): As I do not wish to delay other hon. members who wish to speak, I shall not pursue the point made by the hon. Member for Macclesfield (Mr. Winterton), particularly the quite unnecessary slur on the Leader of the Opposition with regard to the Trades Union Congress.

Exchanges between the Prime Minister and the Leader of the Opposition on 27 April and the Prime Minister's speech today show that the Prime Minister and the Government are hell-bent on the use of military force, completely contrary to Security Council resolution 502, which calls on the United Kingdom as well as the Argentine to refrain from the use or threat of force. Why? Is it in order to save the Prime Minister's face, irrespective of the lives that may be lost in the process? If so, it is the act of a desperate woman and, as such, she has no place in running our affairs in the United Kingdom.

It could be pointed out, of course, that that fact has already been established with regard to the social, economic and political policies that are pursued at home by the right hon. Lady and her Government. Not even the Falkland Islands crisis can drown within our press the fact that 4 million people—rising to 5 million in 1982-83—will be unemployed, that our standard of living continues to deteriorate and that there have been more riots in Toxteth

[Mr. Stan Thorne]

during the past week as a consequence of the Government's failures on several social and economic fronts.

The Falkland Islands crisis must be realistically examined, not in terms of military adventures but in terms of what is morally justifiable. That the invasion of the Falklands by the Argentine Fascist junta was criminally wrong, is obvious. Galtieri is under pressure from several groups in the Argentine and desperately needs, as does our Prime Minister, a diversion that could transfer concern from domestic plight to national pride—a questionable emotion at best. That the claims of Britain to the territory known as the Falkland Islands is of very doubtful substance is also clear. Possession based upon acquisition 149 years ago is a poor basis for claiming unquestioned sovereignty. That the people of the Falklands are entitled to some form of support from Britain is acceptable. But are the interests of Coalite Limited and the prospects of oil prospecting more in the minds of the class that rules in Britain than is the welfare of the people of the Falklands.

The Government have shown no great concern for the welfare of British people at home by their policies over the last three years. So how can we take seriously their claim to be concerned about the Falkland Islands people now? In any event, have the occupants of these islands the right to expect British lives to be sacrificed on their behalf? The debates that led to the passing of the British Nationality Act did not reflect that sort of commitment by the Government. By all means, let us seek to provide the Falkland Islands people with alternatives to life under the Argentine Fascist regime. It would not be difficult to assist those on the islands who wish to leave for Britain to settle here or to go to New Zealand, Australia or other parts of the world.

If there are those who wish to remain on the Falklands, they must be made aware of the possibility that they will be deemed, whether immediately or in the foreseeable future, to be living on an island scheduled to be returned to the Argentine at some future date. This appears to me to be inevitable.

The negotiations between the Argentine and Britain carried on apparently by Haig, Costa Mendez and our own Foreign Secretary have been doomed from the beginning. Both sides in the dispute made it clear that certain basic things, for example, sovereignty, were not negotiable. Be that as it may, it is the involvement of America's Haig as peace diplomat that baffles me. I turn to President Reagan's speech to the Organisation of American States in the Hall of the Americas, Washington DC, on 24 February 1982. President Reagan said:

"I will ask Congress to provide increased security assistance to help friendly countries hold off those who would destroy their chances for economic and social progress and political democracy. Since 1947 the Rio Treaty has established reciprocal defence responsibilities linked to our common democratic ideals. Let our friends and our adversaries understand that we will do whatever is prudent and necessary to ensure the peace and security of the Caribbean area. I am aware that the United States has pursued good neighbour policies in the past and these policies did some good, but they are inadequate for today. I have always believed that this hemisphere was a special place with a special destiny. I believe that we are destined to be the beacon of hope for all mankind. With God's help we can make it so. We can create a peaceful free and prospering hemisphere based on our shared ideals and reaching from pole to pole of what we proudly call the new world."

Looking back, the first indication of the policy of the United States for the Caribbean, Central and Latin America under President Reagan was revealed with the publication of a document entitled "A New Inter-American Policy for the Eighties for the Council for Inter-American Security" known locally as the Santa Fe document. Basically, the document says that Latin America is an essential basic component in the United States' super power, enabling it to counter efforts in Europe, Africa and Asia.

This policy has been reinforced by a United States charity called the Heritage Foundation set up in 1973 with the assistance of a number of arch-conservative organisations. It has a special role to play in formulating and carrying out United States Latin American policy. The main clients of this charity are the White House, Congress, the Pentagon, the State Department and the CIA. It is understood that our own Prime Minister, the right hon. Member for Brighton, Pavilion (Mr. Amery), the hon. Member for Stretford (Mr. Churchill), Franz Josef Strauss, Pinochet of Chile, Weinberger, Haig and others are known to have links with this organisation. The question that arises is how the United States with such a foreign policy can do anything other than side with the Fascist junta of the Argentine. Its whole strategy in Latin America depends upon the OAS and the huge market for its multinational investment brokers.

The only solution in diplomatic terms—any sensible person today seeks such a form of solution to conflicts of interest between nations—is through the United Nations. The Prime Minister and the Government stand accused of failing to use to the fullest degree the effectiveness of the United Nations offices in this dispute. It is still not too late providing that no more military or naval moves are authorised by the Government. Only the death of many of those we are supposed to be acting to protect on the islands can emerge from an invasion by Britain. The House is entitled to know the Government's precise intentions.

I am convinced that the British people do not want war over the Falkland Islands. If there were time I would read one of several letters I received only today in which it is made apparent that the British people do not seek a war in the Falkland Islands or any other form of colonial territory to which we have no moral right. Who can accurately forecast where war with the Argentine would end? The protection of peace is the primary responsibility of this House. Article 51 does not justify a retaliation in the absence of a real effort by the Government through the United Nations. It is that effort that is required now.

6.38 pm

Mr. Julian Amery (Brighton Pavilion): I hope that the hon. Member for Preston, South (Mr. Thorne) will forgive me if I do not enter into controversy over his efforts to defend the aggression of General Galtieri.

Mr. Foulkes: Rubbish.

Mr. Amery: I intervene only briefly to try to correct, if I can, two misapprehensions that have gained ground rather dangerously and been reflected in a number of speeches and a number of editorials. The first is the claim that the British Government had already surrendered sovereignty of the Falklands. The second is that, even if we wanted to, we could not afford to protect the islands.

From those two premises, which I hope to show are false, the conclusion has been drawn; why should we run

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[Mr. Pym]

very much in mind at this difficult time. Everyone in Britain greatly admires their fortitude. They are the ones who are under the jackboot of the invader. They have now been subjected to new restrictions, which is perhaps not altogether surprising, including a curfew and a blackout. I imagine that they are living a pretty miserable life.

It is our present understanding that the majority of the islanders prefer to stay where they are, which is a remarkable testimony to their attachment to their island. I cannot pretend that the total exclusion zone which comes into effect tomorrow has no implications for their well-being. Clearly it has. But I have every confidence that they will see why we have acted as we have, because it is for the sake of our common purpose and their main interest—to get the invader out.

It is our hope in the meantime that the International Red Cross will be able to establish a presence on the islands, and that with its help, or by other means, we shall be able to arrange for the evacuation of any islanders who may still wish to depart. Transit through the total exclusion zone is possible with our permission. We shall control it, and if someone wanted to leave for any reason whatsoever with International Red Cross assistance we would do our best to make that possible.

Meanwhile, to enable the people on the island to be as well informed as possible—and it is not very easy—the BBC has further increased its broadcasting to them. That was the point raised by the hon. Member for Inverness (Mr. Johnston). The programmes now take place daily. They carry such well-known voices to the islanders as the governor and the chief executive. They also receive the world service of the BBC, and it is believed that reception is reasonably good. The BBC is their only link with the outside world.

Then there was the capture of South Georgia. After that we were able to reassure ourselves that the personnel of the British Antarctic Survey—13 in number—and the two wildlife photographers had come to no harm. They are shortly to be evacuated by our forces from the island. It is our firm intention that their important scientific work shall be continued in the future. We shall attend to that in due course.

My right hon. Friend the Member for Brighton, Pavilion (Mr. Amery) raised some important long-term strategic issues in relation to the Antarctic which, without doubt, is a region of the utmost importance, but I hope that he will forgive me if I do not comment further on that aspect tonight.

Mr. Healey: Would the right hon. Gentleman answer the question I put to him about possible military co-operation between Britain and the Government of Chile?

Mr. Pym: We are not interested in doing anything other than confining this "conflict" to removing the Argentines from the islands with our own forces.

I know that the House does not forget the members of the task force on board our ships. Our thoughts are very much with them. We are at the beginning of an Atlantic winter, and the task force will face increasingly severe weather on the high seas. But our fleet is designed to cope with harsh conditions similar to those in the North Atlantic which they know so well. Our forces are very experienced in cold and harsh conditions. As they go on their way to fulfil their duties, I know that the whole House has their safety and well-being very much in mind, as my right hon. Friend the Member for Chelmsford (Mr. St. John-Stevás) so well pointed out.

Many hon. Members have asked what the Government will do if Argentina rejects Mr. Haig's proposals. Let me emphasise in reply that I very much hope that Argentina will take a reasonable view of her own interests and will not reject a negotiated settlement of the present crisis. If she did reject it, we would consider very carefully how to try to continue the negotiating process, but we have always made it clear that our objective is a settlement and the implementation of the mandatory United Nations resolution, and not the avoidance of hostilities at any price. If Argentina will not accept a negotiated solution, then reluctantly and with the greatest possible restraint, we must use force. But we shall not relax for a moment in our efforts for a peaceful solution. It is encouraging that today the House has supported us so staunchly in all our views.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

	Wolverhampton travel-to-work area per cent.	West Midlands region per cent.
1978	6.4	5.6
1979	6.5	5.5
1980	9.3	7.8
1981	15.1	13.7
1982 (January to April)	16.3	15.3

* Average of 9 months.

† Average of 11 months.

‡ Average of 10 months.

Mrs. Renée Short asked the Secretary of State for Employment what was the total number of persons unemployed, the percentage rate of unemployment and the total number of vacancies for (a) Wolverhampton and (b) the West Midlands at the latest available date.

Mr. Alison: The following is the provisional information at April 1982 for the Wolverhampton travel-to-work area and the West Midlands region.

	Wolverhampton travel-to-work area	West Midlands region
Number registered as unemployed	23,510	346,392
Percentage rate of unemployment	16.1	15.2
Number of vacancies remaining unfilled		
At employment offices	282	6,673
At careers offices	36	598

The vacancy statistics relate only to vacancies notified to employment offices and careers offices; vacancies notified to employment offices are estimated to be about one-third of all vacancies in the country as a whole. Because of possible duplication the figures for employment offices and careers offices should not be added together.

Mr. Maxwell-Hyslop asked the Secretary of State for Employment if he will set out for each quarter in 1981 and the first quarter of 1982 (a) the lowest and (b) the average (i) male (ii) female and (iii) overall unemployment rates in travel-to-work areas (i) with intermediate area status and (ii) with development area status in England.

Mr. Douglas-Mann asked the Secretary of State for Employment whether he will publish statistics for the numbers unemployed in each Greater London Borough showing these as a percentage of the economically active population.

Mr. Alison: I shall reply to my hon. Friend and to the hon. Gentleman as soon as possible.

Long-term Unemployed (Grants)

Mrs. Renée Short asked the Secretary of State for Employment what proposals have been put forward by voluntary bodies and the Manpower Services Commission concerning the plan to give £12 million in grants to help the long-term unemployed; and when he expects to reach a decision on the use of this money.

Mr. Alison: I refer the hon. Member to the replies given by my right hon. Friend the Prime Minister to the hon. Member for South Ayrshire (Mr. Foulkes) on 4 February 1982—[Vol. 17, c. 181-82]—and 9 February 1982—[Vol. 17, c. 316.]

FOREIGN AND COMMONWEALTH AFFAIRS

United States of America (Small Arms Supplies)

19. Mr. Robert Atkins asked the Secretary of State for Foreign and Commonwealth Affairs whether any progress has been made in persuading the United States Government to allow the supply of small arms from the United States of America for use by the Royal Ulster Constabulary.

Mr. Rifkind: As my right hon. Friend the Prime Minister stated on 7 April in her reply to the hon. Member for Londonderry (Mr. Ross), the Government have left the United States Administration in no doubt of their views on this matter. However, I understand that the Royal Ulster Constabulary has adequate weapons to carry out its present duties and that its needs are kept under constant review.

South Georgia

Mr. Spearing asked the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* the text of Her Majesty's Government's report to the Security Council of the action in South Georgia required under article 51 of the United Nations Charter; and when and in what manner the report was made.

Mr. Onslow: The British permanent representative at the United Nations wrote to the President of the Security Council on 26 April 1982 concerning South Georgia. The letter has been circulated as a Security Council document, reference S/15002. I have arranged for a copy of the text of this letter to be placed in the Library of the House.

Cayman Islands

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs what consultations he undertakes before appointing a Governor, Speaker and three members of the Legislative Council for the Cayman Islands.

Mr. Onslow: After seeking advice from departments within the Foreign and Commonwealth Office, my right hon. Friend consults my right hon. Friend the Prime Minister on the selection of a Governor and then advises the Queen on the appointment. The Governor normally acts as Speaker of the Legislative Council. He recommends to my right hon. Friend the appointment of three official members, the Chief Secretary, the Financial Secretary and the Attorney-General.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs what consideration he has given to introducing direct elections for all members of the Cayman Islands Legislative Council.

Mr. Onslow: None. Twelve members of the Cayman Islands Legislative Council are already elected in accordance with the provisions of the Cayman Islands (Constitution) Order 1972 and in the manner provided by laws in force in the islands. My right hon. Friend would not wish to relinquish his responsibility for approving the selection of the three official members while the Cayman Islands remains at its present constitutional stage.

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs what are the duties and responsibilities of the Governor of the Cayman Islands.