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TO IMMEDIATE FCO  
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INFONIMMEDIATE UKDEL VERSAILLES UKMIS NEW YORK PARIS

MY TELNO 2033 : FALKLANDS : US VOTE IN THE SECURITY COUNCIL.

IN RESPONSE TO QUESTIONS FROM JOURNALISTS, STATE DEPARTMENT HAVE DENIED THAT YESTERDAY'S VOTING MIDDLE IN THE SECURITY COUNCIL REFLECTED CONFLICT BETWEEN HAIG AND MRS KIRKPATRICK OR THAT IT REPRESENTS A DIMINUTION OF US SUPPORT FOR BRITAIN.

2. STATE DEPARTMENT HAVE ISSUED THE FOLLOWING STATEMENT EXPLAINING WHAT HAPPENED:  
QUOTE AMBASSADOR KIRKPATRICK'S INSTRUCTIONS FROM THE DEPARTMENT WERE TO VOTE AGAINST THE RESOLUTION. AFTER CONSULTATIONS WITH SECRETARY HAIG IN VERSAILLES, IT WAS DECIDED THAT THE US SHOULD ABSTAIN INSTEAD.

OUR PROBLEM WITH THE DRAFT RESOLUTION WAS THAT IT WAS SERIOUSLY FLAWED. WHILE THE OBLIGATION WITH REGARD TO AN IMMEDIATE CEASE-FIRE WAS CLEAR, THE RESOLUTION WAS NOT SUFFICIENTLY PRECISE WITH REGARD TO OBLIGATIONS THE PARTIES WOULD ASSUME IN CONNECTION WITH THE WITHDRAWAL OF FORCES AS CALLED FOR BY RESOLUTION 502. SPECIFICALLY, A VIOLATION OF THE CEASEFIRE WOULD BE UNMISTAKABLE WHILE COMPLIANCE WITH THE PROVISION FOR WITHDRAWAL WOULD BE VIRTUALLY IMPOSSIBLE TO DETERMINE IN THE ABSENCE OF A DATE CERTAIN FOR COMPLETION OF THE WITHDRAWAL.

AS IN MANY SUCH CASES, THE DECISION ON THE US VOTE WAS A CLOSE CALL. IN THIS CASE, AS WE HAVE EXPLAINED, ON FURTHER REVIEW IT WAS DECIDED THAT THE DEFECTS IN THE RESOLUTION, WHILE SUBSTANTIAL, DID NOT JUSTIFY A NO VOTE. THUS THE DECISION TO ABSTAIN.

UNFORTUNATELY, THE TIMING OF THE VOTE WAS SUCH THAT THE NEW INSTRUCTIONS DID NOT REACH AMBASSADOR KIRKPATRICK UNTIL AFTER SHE HAD VOTED. UNDER SECURITY COUNCIL PROCEDURES A VOTE CANNOT BE CHANGED. SHE EXPLAINED THIS AFTER HER VOTE. UNQUOTE

THOMAS

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