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FM BUENOS AIRES 27/1625Z JAN 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 22 OF 27 JANUARY 1982

INFO IMMEDIATE PORT STANLEY (PERSONAL FOR GOVERNOR)

URKAM NY

FALKLAND ISLAND NEGOTIATIONS

Aw 040/325/1

RECEIVED TELETYPE NO. 13	
27 JAN 1982	
DESK OFFICER	REGISTRY
INDEXAS	PA
	Action Taken

1. AS ANTICIPATED IN MY LETTER TO FEARN OF 22 JANUARY TODAY SUMMONED BY AMBASSADOR ROS TO RECEIVE A QUOTE ABOUT DE PAPIER UNQUOTE IN SPANISH, OF WHICH A TRANSLATION BY THIS EMBASSY IS GIVEN IN MY IFT. (B)

2. AS YOU WILL SEE THIS SETS OUT IN TERMS SIMILAR TO THE ARGENTINE COMMUNIQUE OF 27 JULY 1981 (MY TELNO 22 OF 27 JULY 1981), BUT WITH SOME CHANGES OF PHRASE, THE ARGENTINE POSITION ON THE DISPUTE AND THE NEED TO MAKE A SERIOUS ATTEMPT TO RESOLVE IT WITHOUT FURTHER DELAY. IT THEN PROPOSES THE ESTABLISHMENT OF A TECHNICO-POLITICAL PERMANENT NEGOTIATING COMMISSION TO MEET EACH MONTH ALTERNATELY IN THE TWO CAPITALS WITH A VIEW TO REACHING A SOLUTION WITHIN A YEAR. IT REQUESTS A RESPONSE TO THIS PROPOSAL AT OR BEFORE THE NEXT ROUND OF TALKS IN FEBRUARY.

3. I TOLD ROS THAT, RATHER THAN ATTEMPT ANY COMMENT AT THIS STAGE, I WOULD ENSURE THAT A TRANSLATION OF THE PAPER REACHED YOU WITHOUT DELAY. I HOWEVER ENQUIRED AT WHAT LEVEL IT WAS ENVISAGED THAT THE NEGOTIATING COMMISSION SHOULD BE MANNED, TO WHICH HE ANSWERED THAT, ACCORDING TO PROGRESS OR DIFFICULTY, HE WOULD HOPE THAT IT COULD BE FREE TO RISE TO THE POLITICAL OR DESCEND TO THE TECHNICAL LEVEL. I ALSO SAID THAT THERE WOULD HAVE TO BE BORNE IN MIND THE PROBABLE NEED TO FIND PERSONS FROM THE ISLANDS WHO COULD FREE THEMSELVES TO ATTEND. FINALLY I COMMENTED THAT THE PAPER SEEMED TO LUMP THE MALVINAS, SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS TOGETHER: I THOUGHT WE MIGHT REGARD THEM AS THREE QUESTIONS RATHER THAN ONE. TO THIS ROS AND AMBASSADOR BLANCO RESPONDED WITH SOME SURPRISE, ARGUING THAT IN 1977 AND 1978 AGREED STATEMENTS HAD SPECIFICALLY LUMPED SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS WITH THE FALKLANDS.

4. PLEASE SEE MY IFT. (5)

Rec'd
14.00 25/1/82

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FALKLAND ISLANDS

GRS 1500

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FM BUENOS AIRES 28/1107Z JAN 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 23 OF 28 JANUARY 1982

INFO IMMEDIATE PORT STANLEY (PERSONAL FOR GOVERNOR)

UKM. NY

MY IPT. FOLLOWING IS OUR TRANSLATION OF BOUT DE PAPIER

BEGINS

1. ARGENTINE POSITION

THE ARGENTINE POSITION ON THE QUESTION OF THE MALVINAS SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS IS WELL KNOWN BY THE BRITISH GOVERNMENT, BUT IT WOULD BE USEFUL TO SPELL IT OUT ONCE AGAIN TO MAKE ANY ARGENTINE PROPOSAL EASIER TO UNDERSTAND.

THE PRESS COMMUNIQUE PUT OUT BY THE ARGENTINE GOVERNMENT ON 27 JULY 1981 IS A FUNDAMENTAL BASIS. ESSENTIAL POINTS IN THE NEGOTIATIONS WERE SET OUT IN IT.

A) QUESTION OF SOVEREIGNTY

IN THE FIRST PLACE, BRITISH RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ABOVE-MENTIONED ARCHIPELAGOS IS THE BASIC ELEMENT OF THE ARGENTINE POSITION. IT REMAINS A SINE-QUA-NON REQUIREMENT FOR THE SOLUTION OF THE DISPUTE.

SO LONG AS THIS QUESTION IS UNRESOLVED THE DISPUTE WILL CONTINUE. CONSEQUENTLY NEITHER MUST IT NOR CAN IT BE IGNORED, BECAUSE THE ARGENTINE REPUBLIC, HOWEVER MUCH TIME MAY PASS, WILL NEVER ABANDON ITS CLAIM NOR RELAX ITS DETERMINATION UNTIL THIS HAS BEEN SATISFIED.

FROM THE BEGINNING IT HAS HAD RECOURSE TO NEGOTIATION AS A MEANS OF SEEKING A PEACEFUL SOLUTION TO ACHIEVE ITS JUST CLAIM. THIS NEGOTIATION HAS INVARIABLY BEEN PROMOTED BY SUCCESSIVE ARGENTINE GOVERNMENTS ON THE BASIS OF WHAT WAS ESTABLISHED BY THE UNITED NATIONS GENERAL ASSEMBLY IN ITS RESOLUTIONS 2065(XX), 3160 (XXVIII) AND 31/49 (XXXI).

B) ESSENTIAL CHARACTERISTICS OF THE NEGOTIATIONS ON SOVEREIGNTY

IN THIS CONTEXT, THE ARGENTINE GOVERNMENT APPEALS FOR THE NEGOTIATIONS TO BE SERIOUS AND IN DEPTH, BASED ON THE GREATEST GOOD FAITH AND THE POLITICAL DETERMINATION NECESSARY RESOLUTELY TO PUSH FORWARD FROM NOW ON A PROCESS CULMINATING, WITHIN A REASONABLE PERIOD OF TIME AND WITHOUT PROCRASTINATION, IN THE RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ISLANDS IN DISPUTE.

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SO FAR, AND DESPITE THE NEGOTIATING MEETINGS HELD IN THE PAST, THERE HAS BEEN NO CONCRETE PROGRESS.

IT IS ALMOST IDLE TO POINT OUT THAT THERE HAS BEEN FOR SOME TIME GROWING AWARENESS BY THE ARGENTINE PEOPLE OF THE LACK OF PROGRESS IN THE MALVINAS QUESTION, AND THAT THE MATTER HAS NOW REACHED A POINT WHICH DEMANDS SOLUTIONS, WITHOUT FURTHER DELAYS OR DILATORY ARGUMENTS.

C) INTERESTS OF THE ISLANDERS

THE ABOVE-MENTIONED RESOLUTIONS OF THE UNITED NATIONS GIVE DUE ATTENTION TO THE QUOTE INTERESTS UNQUOTE (UNDERLINED) OF THE INHABITANTS OF THE ISLANDS, IN THE CONTEXT OF THE NEGOTIATION TO WHICH THEY INVITE BOTH GOVERNMENTS. AT NO POINT DO THE DECISIONS OF THE WORLD ORGANISATION REFER TO THE QUOTE WISHES UNQUOTE (UNDERLINED) OF THE ISLANDERS, BECAUSE THE DISPUTE IS CONFINED TO THE ARGENTINE AND BRITISH GOVERNMENTS.

THE POSSIBILITY EXISTS OF FINDING A MEETING POINT BETWEEN OUR RESPECTIVE POSITIONS IN THIS ASPECT OF THE MATTER, IN THAT THE ARGENTINE GOVERNMENT, ALWAYS IN THE SPIRIT OF PUSHING THE NEGOTIATING PROCESS RESOLUTELY FORWARD, HAS REPEATEDLY DEMONSTRATED ITS CLEAR INTENTION OF RESPECTING THOSE INTERESTS, INCLUDING THE PRESERVATION OF THE WAY OF LIFE AND CULTURAL TRADITIONS OF THE ISLANDERS. TO THIS END, IT IS READY TO DRAW UP A SPECIAL STATUTE OF SAFEGUARDS.

NO-ONE CAN CAST DOUBT ON THE FACT THAT SUCCESSIVE ARGENTINE GOVERNMENTS HAVE MADE GREAT EFFORTS TO SATISFY ISLANDER INTERESTS IN A PRACTICAL WAY, AS DEMONSTRATED BY, AMONG OTHER THINGS, THE COMMUNICATIONS SYSTEM WHICH HAS BEEN IN OPERATION SINCE 1971.

IN SPITE OF ARGENTINE GOOD WILL, THIS POLICY HAS NOT PRODUCED THE RESULTS EXPECTED OF IT.

THERE IS A VIRTUAL ABSENCE OF INFORMATION IN THE ISLANDS ABOUT THE REAL THINKING OF THE ARGENTINE GOVERNMENT. FURTHERMORE, DELIBERATELY TENDENTIOUS VERSIONS ARE PUT ABOUT TO DETRACT FROM THE ARGENTINE POSITION AND DELAY THE PROGRESS OF A NEGOTIATED SOLUTION. THE NEXT MEETING SHOULD ADDITIONALLY SERVE TO CLARIFY AND PUT AN END TO SUCH A STATE OF AFFAIRS.

THE OBJECT OF THE STATUTE OF SAFEGUARDS MENTIONED ABOVE WILL BE TO CONSIDER AND RESPECT THE DIFFERENT ASPECTS WHICH COMPRISE THE QUOTE INTERESTS UNQUOTE (UNDERLINED()) OF THE INHABITANTS, FOR EXAMPLE, MATTERS RELATING TO MILITARY SERVICE, TAX EXEMPTIONS, PROTECTION OF PROPERTY RIGHTS, MAINTENANCE OF THE LANGUAGE AND CERTAIN INSTITUTIONS, ETC. AS AN ADDITIONAL GUARANTEE THE

AGREEMENT WHICH THE PARTIES MIGHT REACH ON THIS MIGHT BE SUBMITTED TO THE UNITED NATIONS. IT MUST BE REPEATED HERE THAT ARGENTINA HAS NO INTENTION OF DISTURBING THE ISLANDERS' WAY OF LIFE, SO LONG AS THERE IS AN ADEQUATE BALANCE BETWEEN THEIR INTERESTS AND THE RECOVERY OF ARGENTINE SOVEREIGNTY.

TO MAKE PROGRESS IN THIS MATTER, IT WOULD BE NECESSARY FOR THE BRITISH GOVERNMENT TO MAKE KNOWN WHAT ARE THE SAFEGUARDS IT CONSIDERS NECESSARY AND CONDUCTIVE TO THE PRESERVATION OF THE WAY OF LIFE AND TRADITIONS OF THE ISLANDERS.

(D) NATURAL RESOURCES

THE ISOLATION IN WHICH THE ISLANDS HAVE FOUND THEMSELVES FOR MANY YEARS, THE SCANT ECONOMIC DEVELOPMENT, THE DIMINISHING POPULATION FIGURES AND OTHER NEGATIVE FACTORS FAVOUR A TENDENCY TOWARDS IMMOBILITY. THESE PROBLEMS WILL REMAIN WHILE THE DISPUTE IS UNRESOLVED, SINCE THIS CONSTITUTES A SERIOUS OBSTACLE TO THE EXPLOITATION OF NATURAL RESOURCES.

THE LACK OF EXPLOITATION ON THE ONE HAND AND THE DEPREDATION OF RESOURCES ON THE OTHER, IN THE CONTEXT OF A WORLD SHORT OF FOOD AND AVID FOR ENERGY, IS AN OBVIOUS NONSENSE AND ANACHRONISM WHICH MUST CEASE. THE ARGENTINE REPUBLIC, WHICH VIEWS THE MALVINAS QUESTION AS A GLOBAL SUBJECT WHICH MUST ALSO BE SOLVED GLOBALLY, IS READY TO SEEK PRACTICAL FORMULAE TO GIVE CONCRETE FORM TO THE EXPLOITATION OF THESE RESOURCES TO THE BENEFIT OF ALL CONCERNED.

IT MUST REMAIN VERY CLEAR HOWEVER THAT ANY IDEA OF MAKING PROGRESS IN THE SEARCH FOR PRAGMATIC FORMULAE FOR EXPLORATION AND EXPLOITATION WHICH MIGHT MEAN A DELAY OR PARALYSIS OF THE SOLUTION TO THE SOVEREIGNTY QUESTION IS TOTALLY UNACCEPTABLE TO ARGENTINA.

(E) SECURITY IN THE AREA OF THE SOUTH ATLANTIC

FOR THE ARGENTINE REPUBLIC, THE SECURITY AND DEFENCE OF THE AREA OF THE SOUTH WEST ATLANTIC IS A VITAL NATIONAL INTEREST. THE ARGENTINE GOVERNMENT HAS THE RESPONSIBILITY OF MAINTAINING MAXIMUM VIGILANCE FOR THE PROTECTION OF THIS AREA OF THE ATLANTIC, IN WHICH THE ISLANDS OF THE SOUTH ATLANTIC HAVE GREAT IMPORTANCE. THE MAINTENANCE OF THE DISPUTE IS INCOMPATIBLE WITH THE APPROPRIATE DEFENCE OF THE AREA OF THE ATLANTIC OCEAN OFF THE COAST OF THE ARGENTINE MAINLAND.

II PROPOSAL

IT IS THEREFORE IN THE UNDERSTANDING THAT THE QUESTION OF SOVEREIGNTY OVER THE MALVINAS, SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS MUST BE RESOLVED PEACEFULLY, DEFINITELY AND RAPIDLY (UNDERLINED) IN THE

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INTERESTS OF THE PARTIES TO THE DISPUTE AND OF ALL THOSE INTERESTED IN RESOLVING IT, THAT THE ARGENTINE GOVERNMENT IN ORDER TO DEVELOP THE NEGOTIATING PROCESS, PROPOSES THE ESTABLISHMENT OF A PERMANENT NEGOTIATING COMMISSION, TO MEET IN THE FIRST WEEKS OF EACH MONTH ALTERNATELY IN EACH CAPITAL. THIS SHOULD BE RESPONSIBLE FOR MAINTAINING THE CONTINUITY AND IMPETUS OF THE NEGOTIATIONS, WITHOUT IT HAVING TO DEPEND UPON ONLY SPORADIC MEETINGS, DEVOID OF CLEAR OBJECTIVES AND CONCRETE RESULTS.

ITS TECHNICAL-POLITICAL LEVEL SHOULD ALLOW A DEEP BUT AGILE TREATMENT OF THE SUBJECT MATTER, IN CONDITIONS FAVOURABLE TO PROPOSING SOLUTIONS TO THE GOVERNMENTS. THE COMMISSION WOULD HAVE A DURATION OF ONE YEAR. IT WOULD BE OPEN TO DENUNCIATION BY EITHER SIDE AT ANY TIME WITH PRIOR WARNING TO THE OTHER SIDE.

THE ARGENTINE GOVERNMENT CONSIDERS THAT THE ESTABLISHMENT OF THIS COMMISSION, PREFERABLY WITHIN THE SECOND TWO-MONTH PERIOD OF 1982, TOGETHER WITH SINCERITY AND GOOD FAITH TAKING ACCOUNT OF THE POSITIONS OF BOTH SIDES, WOULD OFFER THE BEST POSSIBILITY OF REACHING SUCCESS IN ITS WORK.

THE ARGENTINE GOVERNMENT WILL ANALYSE THE FUTURE OF THESE NEGOTIATIONS IN THE LIGHT OF THE REPLY WHICH THE BRITISH GOVERNMENT GIVES TO THIS PROPOSAL, HOPING THAT THIS MAY BE GIVEN BEFORE OR DURING THE NEXT ROUND OF NEGOTIATIONS TO BE HELD IN NEW YORK IN FEBRUARY 1982. ENDS.

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FM BUENOS AIRES 27/1650Z JAN 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 24 OF 27 JANUARY 1982

INFO IMMEDIATE PORT STANLEY (PERSONAL FOR GOVERNOR)

UKMIS NY

MY TWO IPTS : ARGENTINE PROPOSAL ON FALKLANDS

Aw 040/325/1	
RECEIVED IN PORT STANLEY NO. 18	
27 JAN 1982	
DESK OFFICER	REGISTRY
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	Action Taken

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1. I CAN WELL IMAGINE HOW LITTLE THIS ARGENTINE PROPOSAL WILL APPEAL TO YOU, EXPECTED THOUGH IT COULD ONLY BE ONCE WE HAD DECIDED TO ENCOURAGE AN INITIATIVE FROM THE ARGENTINE SIDE. THE ALTERNATIVES WERE THAT THEY WOULD PUT FORWARD THE SKELETON OF A QUOTE SOLUTION UNQUOTE OR THAT THEY WOULD PROPOSE A NEW MECHANISM FOR NEGOTIATION, AND THAT THEY SHOULD HAVE DECIDED FOR THE LATTER IS PERHAPS THE LESSER EVIL, SINCE IT MIGHT WELL HAVE BEEN IMPOSSIBLE TO FIND A LONGER ANSWER TO THE FORMER THAN A BLUNT REJECTION. WE SHALL CLEARLY HAVE TO INVESTIGATE HOW MODIFIABLE THE ARGENTINE PROPOSAL FOR A NEW MECHANISM IS, BUT WE WILL DECEIVE OURSELVES IF WE IMAGINE THAT THEY WILL BE CONTENT TO REVERT TO THE SPORADIC CONTACTS OF THE LAST TWO YEARS. SO FAR IT HAS SUITED HMG TO SWEEP UNDER THE CARPET WHATEVER HAD BEEN COVERED BY MR ROWLAND'S NEGOTIATIONS. IT MAY NOW SUIT US BETTER TO DIG ALL THIS OUT AND REEXAMINE IT WITH THE ARGENTINES. IN PARTICULAR WE HAD BETTER BE CLEAR HOW FAR WE HAVE, IN FACT, COMMITTED OURSELVES IN THE PAST TO INCLUDING SOUTH GEORGIA AND THE SANDWICH ISLANDS IN THE GENERAL SCOPE OF THE NEGOTIATIONS.

2. YOUR WILL OBSERVE THAT THE PAPER REVERTS TO THE QUESTION OF THE SAFEGUARDS THE ISLANDERS WOULD NEED, BUT ASKS THAT THESE BE SPECIFIED BY HMG. THIS IS MORE CORRECT THAN CAVANDOLI'S INVITATION TO THE ISLANDERS THEMSELVES TO SET OUT THEIR REQUIREMENTS AND GIVES US AN OPPORTUNITY TO CRYSTALLISE THOUGHTS ON THE SUBJECT - OF COURSE, AD REFERENDUM TO ISLANDER REPRESENTATIVES - IN A WAY WHICH MIGHT ACTUALLY BE HELPFUL TO THE ISLANDERS, WITHOUT GIVING AN IMPRESSION OF PRESSURISING THEM.

3. YOU WILL ALSO NOTE THE RENEWED EMPHASIS ON ISLANDER IGNORANCE OF THE REAL THINKING OF THE ARGENTINE GOVERNMENT. IT WOULD RELIEVE A LOT OF BUILT-UP TENSION IF COUNCILLORS COULD BE PERSUADED TO BE LESS OBSTRUCTIVE ABOUT EVEN THE SMALLEST ADDITION TO THE TINY ARGENTINE REPRESENTATION IN STANLEY.

4. THE FIRST PART OF THE PAPER IS MUCH MORE CAREFULLY DRAFTED THAN LAST YEAR'S COMMUNIQUE, AS ROS WAS AT PAINS TO POINT OUT. WE SHOULD, PERHAPS, SUBJECT IT TO CAREFUL ANALYSIS TO SEE WHAT EFFORT IT SHOWS TO BE GENUINELY CONCILIATORY.

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