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TO IMMEDIATE WASHINGTON
TEL NO 676 OF 8 APRIL 1982
INFO IMMEDIATE CANBERRA, WELLINGTON, SANTIAGO, TOKYO, BONN, OSLO,
BRUSSELS, PARIS AND UKMIS NEW YORK,
INFO ROUTINE MOSCOW, WARSAW

MY TELNO 665: FALKLAND ISLANDS : ANTARCTIC DIMENSION

1. WE SHOULD BE GRATEFUL IF YOU WOULD TAKE AN EARLY OPPORTUNITY
TO SPEAK TO THE AMERICANS ALONG THE FOLLOWING LINES:

- A. THERE HAS BEEN AN INDICATION FROM AN ARGENTINE NAVAL SOURCE THAT SOME THOUGHT MAY BE BEING GIVEN TO THE POSSIBILITY OF ACTION BY ARGENTINE MILITARY PERSONNEL AT THEIR ANTARCTIC STATIONS AGAINST BRITISH STATIONS IN THE ANTARCTIC TREATY AREA.
- B. WE HAVE NOT BEEN ABLE TO ASSESS THE RELIABILITY OF THIS REPORT BUT FEEL THAT WE HAVE NO OPTION BUT TO TAKE IT SERIOUSLY.
- C. IN OUR VIEW ANY ACTION AGAINST OUR STATIONS BY ARGENTINA WHICH COULD BE REGARDED AS NON-PEACEFUL, OR AS A MEASURE OF A MILITARY NATURE, WOULD INVOLVE A BREACH OF ARTICLE I OF THE ANTARCTIC TREATY. SUCH ACTION WOULD ALSO INVOLVE A BREACH OF ARTICLE II OF THE TREATY INSOFAR AS IT WAS A DENIAL OF THE FREEDOM OF SCIENTIFIC INVESTIGATION. WHILE SUCH ACTION WOULD PRESUMABLY BE AIMED AT SUPPORTING OR RE-ASSERTING THE ARGENTINE CLAIM TO TERRITORIAL SOVEREIGNTY IN OPPOSITION TO OUR OWN (ALL BRITISH STATIONS

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LIE WITHIN THE AREA OF THE ARGENTINE CLAIM), ANY SUCH EFFECT WOULD BE LEGALLY INEFFECTIVE SINCE ARTICLE IV, PARAGRAPH 2, PROVIDES THAT NO ACTS OR ACTIVITIES TAKING PLACE WHILE THE TREATY IS IN FORCE SHALL CONSTITUTE A BASIS FOR ASSERTING, SUPPORTING OR DENYING A CLAIM TO TERRITORIAL SOVEREIGNTY IN ANTARCTICA, OR CREATING ANY RIGHTS OF SOVEREIGNTY IN ANTARCTICA.

- D. WE BELIEVE THAT ANY NON-PEACEFUL ACTION AGAINST BRITISH STATIONS WOULD STRIKE AT THE HEART OF THE ANTARCTIC TREATY IN A MANNER THAT NONE OF THE PARTIES TO THE ANTARCTIC TREATY, WITH THE POSSIBLE EXCEPTION OF THE SOVIET UNION, WOULD WELCOME.
- E. WE BELIEVE THAT IT WOULD BE PREFERABLE TO DRAW THE ATTENTION OF THE ARGENTINES TO THE POINTS MADE IN PARAS C AND D ABOVE NOW RATHER THAN TO WAIT UNTIL ANY HARDER EVIDENCE COMES TO HAND. HMG WOULD THEREFORE BE GRATEFUL IF THE UNITED STATES GOVERNMENT, ACTING AS THE DEPOSITARY FOR THE ANTARCTIC TREATY, COULD DRAW THESE POINTS TO THE ATTENTION OF THE ARGENTINE GOVERNMENT AND SEEK FROM THEM ASSURANCES THAT NO ACTION WOULD BE TAKEN AGAINST BRITISH STATIONS IN THE ANTARCTIC TREATY AREA.

2. IF THE AMERICANS FEEL ABLE TO TAKE ACTION ALONG THE LINES PROPOSED, THE SOONER IT CAN BE DONE THE BETTER.

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