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DESKBY 170730Z

FROM U K MISSION NEW YORK 162225Z APRIL 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 400 OF 16 APRIL

YOUR TELNO 265: FALKLANDS AT THE UN.

FOLLOWING PERSONAL FOR MALLABY.

1. BEFORE RECEIVING YOUR TELEGRAM UNDER REFERENCE, I HAD BEEN PREPARING A TELEGRAM TO BE DESPATCHED TODAY SETTING OUT MY OWN IDEAS, ALSO ON THE PURELY CONTINGENCY BASIS OF THE FAILURE OF HAIG'S PRESENT EFFORTS.

2. THE PROBLEM WITH WHICH I HAVE BEEN WRESTLING SINCE I RETURNED FROM LONDON IS HOW TO RETAIN THE INITIATIVE IN THE SECURITY COUNCIL WITHOUT EITHER GETTING BOGGED DOWN IN ENDLESS NEGOTIATIONS ABOUT UN MECHANISMS OF THE KIND DESCRIBED IN YOUR TELEGRAM UNDER REFERENCE, OR HAVING TO VETO SUCH PROPOSITIONS BECAUSE THEY WERE COMBINED WITH CALLS ON US TO CEASE OUR MILITARY PREPARATIONS. IF WE WERE TO ACCEPT UN INVOLVEMENT THROUGH EITHER THE SECRETARY GENERAL OR A COMMISSION OR A FORTIORI A FORMAL PROPOSAL FOR UN TRUSTEESHIP, A LONG PERIOD OF DRIFT (WEEKS IN REGARD TO THE TRUSTEESHIP OPTION) WOULD SET IN DURING WHICH OUR MILITARY HANDS WOULD BE TIED. MOREOVER IT WOULD BE EXTREMELY DIFFICULT TO RESIST PRESSURE ON US TO DESIST FROM OUR MILITARY PREPARATIONS. IF THIS WERE INCLUDED IN A SECURITY COUNCIL RESOLUTION AND WE HAD TO VETO, WE WOULD MOVE INTO ISOLATION AND PROBABLY INTO AN EMERGENCY SPECIAL SESSION OF THE GENERAL ASSEMBLY. THIS WOULD MEAN THAT SUBSEQUENT MILITARY ACTION BY US WOULD BE IN EPIANCE OF THE INTERNATIONAL COMMUNITY AS A WHOLE. REGARDLESS OF THE MEIRITS, THESE ARE THE POLITICAL FACTS IN THE UN. THE OTHER SIDE OF THE PROBLEM OF COURSE IS THAT, IF WE FAIL TO TAKE THE INITIATIVE, WE WILL BE DRAGGED INTO THE COUNCIL AS SOON AS HAIG'S FAILURE IS KNOWN (OR IF THERE IS A SINKING) AND THE ABOVE SCENARIO WILL UNFOLD. FOR THE ABOVE REASONS, I HAVE, IN MY OWN THINKING DURING THE LAST FEW DAYS, ALWAYS ENDED UP BY REJECTING THE KIND OF IDEAS IN YOUR TUR (ALTHOUGH TRUSTEESHIP HAS ATTRACTIONS AS A LONGER TERM OPTION AT A LATER STAGE).

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3. HOWEVER, I HAVE AN ALTERNATIVE IDEA WHICH I PUT FORWARD IN IGNORANCE OF WHAT HAS PASSED WITH HAIG SINCE I LEFT LONDON ON MONDAY. IT MAY BE COMPLETELY UNACCEPTABLE TO MINISTERS. BUT IT WOULD HAVE THE FOLLOWING ADVANTAGES:

- (A) IT WOULD KEEP THE INITIATIVE IN OUR HANDS:
- (B) IT WOULD AVOID TIME-CONSUMING DRIFT AND THE INDEFINITE TYING OF OUR HANDS MILITARILY:
- (C) IT WOULD APPEAR REASONABLE TO MANY MEMBERS OF THE COUNCIL AND NON-COUNCIL MEMBERS, EG COMMONWEALTH CARIBBEANS, AFRICANS, WESTERN EUROPEANS AND OTHERS, AND WOULD PUT US IN A MUCH BETTER POSITION TO USE FORCE IF THE ARGENTINES REJECTED IT OR IF IT FAILED THROUGH LACK OF VOTES OR A SOVIET VETO.
- (D) IT COULD JUST CONCEIVABLY PRODUCE A SOLUTION.

4. MY IDEA IS AS FOLLOWS. AS SOON AS HAIG IS SEEN TO HAVE FAILED, WE WOULD CALL THE SECURITY COUNCIL AND WOULD PRESENT A NEW DRAFT RESOLUTION (TENTATIVE TEXT IN MIFT) CONTAINING THE FOLLOWING PROPOSITIONS:

- (A) THE ARGENTINES WOULD WITHDRAW COMPLETELY (TROOPS, ADMINISTRATION, FLAG AND ALL) FROM THE ISLANDS BY A CERTAIN DATE, SAY ONE WEEK AFTER THE ADOPTION OF THE RESOLUTION. AS SOON AS THE ARGENTINES BEGAN IMPLEMENTATION, WE WOULD HALT THE FLEET AND SUSPEND THE MEZ.
- (B) FOR A PERIOD OF, SAY, FIVE YEARS, THE ISLANDS WOULD BE GOVERNED BY THEIR FREELY ELECTED REPRESENTATIVES (IE 'BRITISH ADMINISTRATION' BUT WITHOUT GOVERNOR, FLAG ETC) UNDER THE SUPERVISION OF A UN ADMINISTRATOR APPOINTED BY THE SECRETARY-GENERAL WITH THE APPROVAL OF THE SECURITY COUNCIL. HE WOULD FLY THE UN FLAG - NO OTHER OFFICIAL FLAGS TO BE FLOWN.
- (C) DURING THIS PERIOD, EACH SIDE WOULD MAINTAIN ITS POSITION ON SOVEREIGNTY AND WOULD ENGAGE IN DISCUSSIONS DESIGNED TO REACH A FINAL SOLUTION OF THE PROBLEM SATISFACTORY TO ALL SIDES, INCLUDING THE ISLANDERS.

5. IF I WERE TO GO AHEAD WITH SUCH A PROPOSITION I WOULD MAKE CLEAR THAT I WOULD NOT BE PREPARED TO ACCEPT AMENDMENTS TO MY DRAFT, AND THAT IT REPRESENTED A LAST DITCH ATTEMPT BY HMG, THE WRONGED PARTY, TO FIND A WAY OF AVOIDING THE USE OF FORCE TO DEFEND OUR RIGHTS.

6. IF MINISTERS SEE MERIT IN THE ABOVE, I WILL INITIATE DETAILED PREPARATIONS WITHIN THE MISSION. I COULD NOT GUARANTEE SUCCESS AND THERE ARE MANY PITFALLS. GUYANA MIGHT BE WORRIED LEST VENEZUELA PROPOSE A SIMILAR SCENARIO IN REGARD TO THEIR CLAIM. I SUPPOSE THAT SPAIN MIGHT GET IDEAS OF THE SAME KIND OVER GIBRALTAR. THE SOVIET UNION WOULD DO THEIR BEST TO WRECK ANY FURTHER INITIATIVE BY US,

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PARTICULARLY IF THE ARGENTINES DID NOT LIKE IT. IT MIGHT BE DIFFICULT TO BULLDOZE THE DO-GOODERS A SECOND TIME AND WE MIGHT FIND OURSELVES IN THE AWKWARD POSITION OF HAVING TO REJECT WELL-MEANING, BUT UNACCEPTABLE AMENDMENTS. BUT, EVEN IF WE FAILED PARA 3(C) ABOVE WOULD BE VALID, MORE SO IF THE RESOLUTION WERE ADOPTED AND THE ARGENTINES DID NOT IMPLEMENT IT.

7. IF MINISTERS DO NOT ACCEPT THE ABOVE IDEA, I WILL COMMENT IN MORE DETAIL ON YOUR TELEGRAM UNDER REFERENCE, BUT I GREATLY FEAR THAT ANY SUCH PROPOSITIONS WILL LEAD US EITHER TO DRIFT OR TO VEToes OR BOTH.

8. IF I AM TO RETAIN THE INITIATIVE EITHER ON THE ABOVE LINES OR ON ANY OTHER, I MUST HAVE IMMEDIATE NOTICE OF HAIG'S FAILURE AND THE GREEN LIGHT TO GO AHEAD IN THE COUNCIL. IT WILL BE A RACE BETWEEN ME, THE LATIN AMERICANS, AND THE DO-GOODERS, WITH THE SECRETARY GENERAL PUSHING HARD, AS TO WHO GETS TO THE COUNCIL FIRST, ONCE THE NEWS OF HAIG'S FAILURE BREAKS.

PARSONS

LIMITED

HD/PLANNING STAFF	(1)
HD/UND	(1)
HD/S AM D	(1)
HD/DEFENCE D	(1)
LEGAL ADVISERS	(1)
PS	(2)
PS/MR ONSLOW	
PS/PUS	
MR GIFFARD	
MR WRIGHT	
MR URE	
MR GILLMORE	