

SECRET

instructions, Prime Minister. 2

Agree drafts to USA?



*Agree
+ draft
letter mt*

Foreign and Commonwealth Office

London S.W.1

*D.S. Collyer
Dixy de R.
16502*

16 May 1982

A J Coles Esq
No 10

Dear John,

INTERIM AGREEMENT: FALKLAND ISLANDS

1. I do not know if the Prime Minister would wish to see the draft instructions for Sir Anthony Parsons which reflect the decisions taken at Chequers today, together with the proposed letter to the Secretary-General confirming the exclusion of the Dependencies from the draft Agreement. I enclose these two drafts which will be despatched in the course of tomorrow morning, unless the Prime Minister has any objection. I assume that she will not think it necessary for OD(SA) to consider these collectively.

2. I have already given copies of these drafts to Sir A Parsons for his information, so that he can be preparing his approach to the Secretary-General as he returns to New York. Any amendments, however, can be given to him on his arrival.

*James Cook
Antony*

Antony Acland

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OUT TELEGRAM

Classification and Caveats
SECRET

Precedence/Desk by
IMMEDIATE/FLASH

CZC 1 ZCZC

RS 2 GRS

CLASS 3 SECRET

CAVEATS 4

DESKBY 5

MFCO 6 FM FCO 161800Z MAY 82

RE/ADD 7 ~~TO IMMEDIATE UKMIS NEW YORK~~

ELNO 8 TELEGRAM NUMBER

9 ~~AND TO FLASH LUXEMBOURG (FOR SECRETARY OF STATE)~~

10 ~~INFO IMMEDIATE WASHINGTON~~

11 **MIFT:**
11 **INTERIM AGREEMENT: FALKLAND ISLANDS** *FOR SIR A. PARSONS ON THE LINES*
12 *ARE DRAFT*

12 1. The following ~~confirms your instructions~~ *which were* agreed
13 at Chequers on 16 May. *THEY WOULD ISSUE TOMORROW MORNING, 17 MAY.*

14 2. *BEGIN:* You should give to the Secretary General as soon as
15 possible the draft interim agreement contained in MIFT. You
16 should tell him that it represents the absolute minimum
17 acceptable to HMG. There can be no (no) amendments to it.
18 You should formally ask the SYG to pass it to the Argentinians
19 as the final British position.

20 3. You should also give the SYG the letter in my second IFT
21 confirming that the Dependencies are excluded from the
22 Agreement.

23 4. You should tell the SYG that although the right course
24 would have been for the Argentinians to implement SC Resolution 502,
25 we have been negotiating in good faith for more than five weeks

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File number	Dept	Distribution <u>LIMITED</u>	
Drafted by (Block capitals) SIR A ACLAND		PS PS/MR ONSLOW PS/PSJ MR. BULLARD MR. SIFFARD MR. WHISHT MR. SILLHOLE MR. MURPHY MR. WESTON H/SAM	
Telephone number			
Authorised for despatch		<i>[Signature]</i>	
Comcen reference	Time of despatch		

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 2 through various intermediaries. We are very grateful for the
 3 Secretary General's latest efforts but we cannot allow matters
 4 to drag on much longer. Midday New York time on Wednesday 19
 5 May is therefore an absolute deadline for the Argentines' reply.
 6 If not received by then, we shall have to assume rejection.
 7 5. You will know from the discussion what points to make if
 8 questioned on the various articles. On Article 6(4) however you
 9 should say that we look to the SYG to devise an effective method
 10 for ensuring the non-reintroduction of armed forces into the
 11 Islands. This is absolutely essential from our point of view if
 12 we are to accept Article 4. It presupposes a credible presence
 13 in the Islands of say 150-200 men (about one company) to which
 14 the United States of America must contribute a substantial
 15 proportion as well as some of the necessary equipment for
 16 verification (as you know I shall be putting this to Haig in the
 17 context of a security guarantee).
 18 6. As regards a line for the press you should say that you
 19 have been engaged in intensive consultations in London and have
 20 been instructed to continue the negotiations. You should
 21 not (not) be drawn about the content of your instructions, nor
 22 of course should you hint at any British plan or deadline. *End.*
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 24 PYM
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ZCZC 1 ZCZC
 GRS 2 GRS
 CLASS 3 SECRET
 CAVEATS 4
 DESKBY 5
 FM FCO 6 FM FCO 161800Z MAY 82
 PRE/ADD 7 TO FLASH LUXEMBOURG (FOR SECRETARY OF STATE)
 TEL NO 8 TELEGRAM NUMBER

9 ~~My 8 175~~
 10 FALKLAND ISLANDS: INTERIM AGREEMENT
 11 1. ~~Following for Secretary of State from PUB.~~ My two immediately
 12 preceding telegrams. Following is text of draft interim
 13 agreement.
 14 Begins:
 15 Draft Interim Agreement
 16 The Government of the Republic of Argentina and the Government
 17 of the United Kingdom of Great Britain and Northern Ireland,
 18 Responding to Security Council Resolution 502 (1982) adopted
 19 on 3 April 1982 under Article 40 of the Charter of the United
 20 Nations,
 21 Having entered into negotiations through the good offices of the
 22 Secretary-General of the United Nations for an Interim Agreement
 23 concerning the Falkland Islands (Islas Malvinas), hereinafter
 24 referred to as 'the Islands',
 25 Having in mind the obligations with regard to non-self

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File number	Dept Em. Unit	Distribution
Drafted by (Block capitals) Sir A Acland		SECRET <u>LIMITED</u> PS PS/MRONSLOW PS/PJS MR. BULLARD MR. SULLIVAN MR. GIFFARD MR. WESTON MR. WRIGHT MR. H/SAND MR. MALLABY
Telephone number		
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2 governing territories set out in Article 73 of the Charter of
3 the United Nations, the text of which is at Annex.

4 Have agreed on the following:

5 ARTICLE 1

6 (1) No provision of this Interim Agreement shall in any way
7 prejudice the rights, claims and positions of either Party in
8 the ultimate peaceful settlement of their dispute over the
9 Islands.

10 (2) No acts or activities taking place whilst this Interim Agree-
11 ment is in force shall constitute a basis for asserting,
12 supporting or denying a claim to territorial sovereignty over
13 the Islands or create any rights of sovereignty over them.

14 ARTICLE 2

15 (1) With effect from a specified time, 24 hours after signature
16 of this Agreement (hereinafter referred to as time 'T'), each
17 Party undertakes to cease and thereafter to refrain from all
18 firing and other hostile actions.

19 (2) Argentina undertakes:

20 (A) To commence withdrawal of its Armed Forces from the Islands
21 with effect from time 'T';

22 (B) To withdraw half of its Armed Forces to at least 150
23 nautical miles away from any point in the Islands by time
24 'T' plus ~~14~~⁷ days; and,

25 (C) To complete its withdrawal to at least 150 nautical miles
26 away by time 'T' plus 14 days.

27 (3) The United Kingdom undertakes:

28 (A) To commence withdrawal of its Armed Forces from the Islands
29 with effect from time 'T';

30 (B) To withdraw half of its Armed Forces to at least 150
31 nautical miles away from any point in the Islands by time
32 'T' plus 7 days; and,

33 (C) To complete its withdrawal to at least 150 nautical miles
34 away by time 'T' plus 14 days.

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ARTICLE 3

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2 ARTICLE 3

3 With effect from time 'T', each Party undertakes to lift the
4 exclusion zones, warnings and similar measures which it has
5 imposed in the region.

6 ARTICLE 4

7 On the completion of the steps for withdrawal specified in
8 Article 2, each Party undertakes to refrain from reintroducing
9 any Armed Forces into the Islands or within 150 nautical miles
10 thereof.

11 ARTICLE 5

12 Each Party undertakes to lift with effect from time 'T' the
13 economic measures it has taken against the other and to seek
14 the lifting of similar measures taken by third parties.

15 ARTICLE 6

16 (1) Immediately after the signature of the present Agreement,
17 Argentina and the United Kingdom shall jointly sponsor a draft
18 Resolution in the United Nations under the terms of which the
19 Security Council would take note of the present Agreement,
20 acknowledge the role conferred upon the Secretary-General of the
21 United Nations therein, and authorize him to carry out the
22 tasks entrusted to him therein.

23 (2) Immediately after the adoption of the Resolution referred
24 to in paragraph (1) of this Article, a United Nations
25 Administrator, being a person acceptable to Argentina and the
26 United Kingdom, shall be appointed by the Secretary-General
27 and will be the officer administering the government of the
28 Islands.

29 (3) The United Nations Administrator shall have the authority
30 under the direction of the Secretary-General to ensure the
31 continuing administration of the government of the Islands.
32 He shall discharge his functions in consultation with the
33 representative institutions in the Islands which have been
34 developed in accordance with the terms of Article 73 of the UN

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Charter

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2 Charter, with the exception that one representative from the
 3 Argentine population normally resident on the Islands shall be
 4 appointed by the Administrator to each of the two institutions.
 5 The Administrator shall exercise his powers in accordance with
 6 the terms of this Agreement and in conformity with the laws
 7 and practices traditionally obtaining in the Islands.

8 (4) The United Nations Administrator shall verify the withdrawal
 9 of all armed forces from the Islands, and shall devise an
 10 effective method of ensuring their non-reintroduction.

11 (5) The United Nations Administrator shall have such staff as may
 12 be agreed by Argentina and the United Kingdom to be necessary
 13 for the performance of his functions under this Agreement.

14 (6) Each Party may have no more than three observers in the
 15 Islands.

16 ARTICLE 7

17 Except as may be otherwise agreed between them, the Parties
 18 shall, during the currency of this Agreement, reactivate the
 19 Exchange of Notes of 5 August 1971, together with the Joint
 20 Statement on communications between the Islands and the Argentine
 21 mainland referred to therein. The Parties shall accordingly
 22 take appropriate steps to establish a special consultative
 23 committee to carry out the functions entrusted to the special
 24 consultative committee referred to in the Joint Statement.

25 ARTICLE 8

26 The Parties undertake to enter into negotiations in good faith
 27 under the auspices of the Secretary-General of the United
 28 Nations for the peaceful settlement of their dispute, and to
 29 seek, with a sense of urgency, the completion of these negotia-
 30 tions by 31 December 1982. These negotiations shall be initi-
 31 ated without prejudice to the rights, claims or positions of the
 32 Parties and without prejudgement of the outcome.

33 ARTICLE 9

34 This Interim Agreement shall enter into force on signature and

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2 shall remain in force until a definitive agreement about the
3 future of the Islands has been reached and implemented by the
4 Parties. The Secretary-General will immediately communicate
5 its text to the Security Council and register it in accordance
6 with Article 102 of the Charter of the United Nations.

7
8 Done in
9 in the English and Spanish languages, in a single copy.

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11 For Argentina For the United Kingdom

ENDS

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13 PYM

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