

OUT TELEGRAM

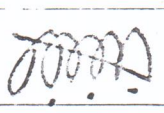
Classification and Caveats

CONFIDENTIAL

Precedence/Deskby

FLASH

ZCZC	1	ZCZC
GRS	2	GRS
CLASS	3	CONFIDENTIAL
CAVEATS	4	
DESKBY	5	
FM FCO	6	FM FCO LL1120Z MAY 82
RE/ADD	7	TO FLASH UKMIS NEW YORK
TEL NO	8	TELEGRAM NUMBER
	9	AND REPEATED TO FLASH WASHINGTON
	10	YOUR TELEGRAMS 703-5: FALKLANDS
	11	1. I agree that your talks with the Secretary-General yesterday
	12	were very discouraging. I also agree that you should be
	13	guided in further talks today by para 5 of your telno 705.
	14	2. The Argentine paper in your telno 704, having been drafted
	15	by Ros in New York, must incorporate negotiating fat. Moreover,
	16	it might be disowned by the Junta and, for this and other
	17	reasons, we should be careful not to get into the position of
	18	accepting it as the basis of further discussion. The comments
	19	below on this text are therefore provided as guidance for the
	20	time when the Secretary-General may produce a text of his own.
	21	3. When you see the Secretary-General today, you may use the
///	22	following material on specific points:
//	23	(a) Dependencies. Continue to insist on their exclusion.
/	24	(b) Sovereignty. The formula in two parts in para 9 of your
	25	telno 694 is clear and easily explainable. You should continue

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File number	Dept Planning	Distribution Falklands Selective Planning Staff ECD(E)
Drafted by (Block capitals) C L G Mallaby		
Telephone number		
Authorised for despatch 		
Comcen reference	Time of despatch	

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2 to work for as much of it as possible.

3 (c) Withdrawal. For the reasons you gave yesterday, the

4 suggestion that we should retire 2000 nautical miles is

5 completely unreal.

6 (d) Verification of withdrawal: after further research, we

7 have found that Sweden does not have appropriate long range

8 reconnaissance aircraft for verifying naval withdrawal.

9 Indeed, it appears that only aligned countries and Chile have

10 such aircraft. The state which would be best placed

11 geographically and in terms of equipment to verify ^{naval} withdrawal

12 effectively would be the US. Please urge the Secretary-General

13 to consider this possibility. (For your own information, we

14 might otherwise explore the possibility of a separate Anglo/

15 US/Argentine agreement on verification of seaborne withdrawal.

16 Our hope is that US involvement in the interim arrangements

17 would increase the chances of a US guarantee of the security of

18 the Islands.)

19 (e) Interim administration. You should suggest that the UN

20 administration should be described as functioning "in

21 consultation with the Executive and Legislative Councils in the

22 islands". The word "exclusive" in point 4 of the Argentine

23 text ^{in your tel. no. 704 is in any case,} is unacceptable, as is the thought behind it.

24 (f) Point 5 in the Argentine text ~~in your tel no 704~~ about

25 freedom of transit and residence is obviously designed by

26 Argentina to flood the Islands and thus change the demographic

27 facts during the interim period. As we have made clear, we

28 are willing to consider ^{a number of} ~~all~~ possibilities for the future of the

29 Islands in the long term negotiations, but changes in the

30 situation in the interim period are wholly unacceptable.

31 4. The following further points are for your general guidance

32 at this stage.

33 (i) The Legal Adviser considers that point 2 in the Argentine

34 text can reasonably be interpreted to mean that the outcome

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1 <<<< *(But this is a point on which clarity is essential and,*
 2 of the negotiations would not be prejudiced. *But to bring out*
 3 ~~the point~~ more clearly, we might later propose expanding *it*
 4 point 2 as follows: "the agreement ~~to~~ which the parties commit
 5 themselves, including the negotiations to be undertaken pursuant
 6 to paragraph 7 thereof, shall be without prejudice ...". This
 7 would need to be accompanied by an Argentine statement to the
 8 Secretary-General that Argentina understood that the outcome of
 9 the negotiations was not being prejudiced. Since point 2 of
 10 the Argentine text, if published after a breakdown in
 11 negotiations, would ~~look very~~ *not look un-* reasonable, we may wish, before
 12 any breakdown, to reach a situation where we had proposed the
 13 above amendment and Argentina had rejected it.
 14 (ii) During a UN administration, we should ourselves wish to
 15 have observers in Stanley. So we may agree in due course to
 16 both parties having observers and to their flying national
 17 flags, which would be a perfectly normal proceeding. But a *strict*
 18 limit of say 3 or 5 on the number of Argentine observer
 19 personnel would be necessary.
 20 (iii) Target date for future negotiations. In point 7 of the
 21 Argentine text, the phrase "to complete these negotiations by
 22 31 December 1982" appears to be governed by the phrase "the
 23 parties commit themselves..." It would make a big difference
 24 if "to complete" could be governed by "with a view to". This
 25 could be achieved simply by substituting "completing" for
 26 "complete".
 27 5. The timing of any break will of course have various
 28 implications for us. But for your purposes the essential aim
 29 ~~will~~ *must* be to ensure that Argentina is on the wrong foot at the
 30 time of any break.
 31
 32 PYM
 33 NNNN
 34

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