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TO IMMEDIATE FCO

TELEGRAM NUMBER 22 OF 13 JANUARY

INFO IMMEDIATE BUENOS AIRES

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BRASILIA TELNO 012 TO FCO: MINISTER'S MEETING WITH FALKLAND ISLAND COUNCILLORS: DRAFT AGREEMENT ON SCIENTIFIC ACTIVITY IN THE DEPENDENCIES

1. I REGRET TO SAY THAT THE DISCUSSION ON THE PROPOSED AGREEMENT WHICH OUR RETURNING DELEGATION HAD WITH THE OTHER COUNCILLORS MET WITH A NEGATIVE RESPONSE IN SPITE OF THE EFFORTS MADE TO CONVEY THE MINISTER'S ARGUMENTS AS CLEARLY AND AS FULLY AS POSSIBLE.

2. WHILE THE REACTION FROM SOME WAS TOO INSTANT TO BE WELL-CONSIDERED, REFLECTING, AS THE DEBATE WENT ON, THE PERSONALITY DIVISIONS WHICH OVER RECENT MONTHS HAVE SADLY CREPT INTO THE COUNCILS, IT ALSO UNDOUBTEDLY REFLECTED THE COMMON VIEW WHICH IT IS LIKELY WOULD BE TAKEN OF THE PROPOSAL BY THE PUBLIC. THE MOST SIGNIFICANT CRITICISM CAME HOWEVER FROM THE SHREWD FINANCIAL SECRETARY, HAROLD ROWLANDS, AND THE NOMINATED LEGAL MEMBER, HAROLD BENNETT, BOTH OF WHOM ARE MEMBERS OF THE EXECUTIVE COUNCIL FOR THE DEPENDENCIES UNDER THE 1968 LETTERS PATENT, AND WHO, AS OFFICIALS, RARELY INTRUDE INTO POLITICAL MATTERS.

3. THE MAIN OBJECTIONS TO THE TERMS OF THE DRAFT AGREEMENT CENTERED ON:

- (A) THE INCLUSION OF SOUTH GEORGIA;
- (B) THE LACK OF PROVISION FOR PRIOR AGREEMENT TO BE SOUGHT BY THE ARGENTINES BEFORE SETTING UP ANY FURTHER BASES;
- (C) THE REFERENCE TO MILITARY EQUIPMENT AND
- (D) THE LACK OF A CLEAR STATEMENT IN THE AGREEMENT ABOUT THOSE NON-SCIENTIFIC ACTIVITIES WHICH WOULD BE TAKEN TO BE IN BREACH OF IT (IN OTHER WORDS, IT WAS FELT THAT THE QUOTE UNDERSTANDING UNQUOTE REFERRED TO IN PARAGRAPH A 1 (C) OF THE SUMMARY REPORT OF THE RIO MEETING GAVE INSUFFICIENT PROTECTION.)

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INTERESTS OF ALL PARTIES OF A FAILURE TO PASS BEYOND THIS INITIAL STAGE IN THE NEGOTIATION PROCESS. I WOULD THEN CIRCULATE THIS BEFORE THE NEXT EXECUTIVE COUNCIL MEETING ON 24 JANUARY. THE NEXT LEGISLATIVE COUNCIL MEETING, WHICH ALL COUNCILLORS WILL ATTEND, IS SLATED FOR 12 FEBRUARY. I WOULD NOT PUT IT BEYOND POSSIBILITY THAT A MOTION WILL BE PUT DOWN FOR DEBATE IN PUBLIC TO PRE-EMPT THE INCLUSION OF SOUTH GEORGIA IN ANY AGREEMENT DESIGNED TO SOLVE THE SOUTHERN THULE PROBLEM.

9. SOUTH GEORGIA, WITH ITS HISTORIC AND EMOTIVE ASSOCIATIONS FOR THE ISLANDERS (AND THE CAUSE OF SOME PAST GRIEVANCE OVER THE DISPOSAL OF THE WHALING REVENUES) IS THE KEY ISSUE. AS I EARLIER WARNED (MISS LAWRENCE'S LETTER OF 20 MARCH AND MINE OF 8 JUNE TO SINDALL) IT WOULD HAVE BEEN DIFFICULT ENOUGH TO COVER OVER THE SOUTHERN THULE SITUATION IN THE WAY PROPOSED: TO INCLUDE SOUTH GEORGIA WOULD MAKE IT VASTLY LESS POSSIBLE.

13. FINALLY, AND FOR WHAT IT IS WORTH NOW, BOTH ROWLANDS AND BENNETT (WHO PRIVATELY RESIGNED HIMSELF TO THE VIEW THAT IN THE END THE ISLANDERS MIGHT HAVE NO CHOICE IN THE MATTER) SEIZED ON THE POINT THAT IF THE QUOTE UNDERSTANDING UNQUOTE, REFERRED TO IN PARA 3(D) ABOVE, HAD ANY VALIDITY AS A DEFENCE AGAINST NON-SCIENTIFIC ACTIVITIES IN BREACH OF THE AGREEMENT THROUGHOUT THE DEPENDENCIES, A SIMILAR UNDERSTANDING WOULD HAVE EQUAL VALIDITY AS A DEFENCE AGAINST QUOTE SCIENTIFIC UNQUOTE BASES ELSEWHERE THAN IN SOUTHERN THULE ALONE. IF IT WAS THOUGHT INEFFECTIVE AGAINST THE LATTER, WHY SHOULD IT BE EFFECTIVE AGAINST THE OTHER? WHY THEN START BY OPENLY ENDANGERING OUR POSITION IN SOUTH GEORGIA, PARTICULARLY WHEN THE ARGENTINE ATTITUDE TO SOVEREIGNTY OVER LAND AREAS IN CONNEXION WITH THE PROPOSED MARITIME ZONES SCHEME WAS TAKEN INTO ACCOUNT: WHAT FURTHER ERODING COMPROMISE WAS TO BE EXPECTED THERE?

PARKER

FILES

SAM D	NEWS, D.
MAK D	PS
SPD.	PS MR ROWLANDS.
ESAS D	PS PUS
M & C D	SIRA, DUFF
NAM D	MR CORTAZZI
OUS D	MR HALL.
DRY D	MISS BROWN
QID	