

TEXT OF ARGENTINE BOUT DE PAPIER

(delivered on 27.1.82)

BEGINS

1. ARGENTINE POSITION

THE ARGENTINE POSITION ON THE QUESTION OF THE MALVINAS SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS IS WELL KNOWN BY THE BRITISH GOVERNMENT, BUT IT WOULD BE USEFUL TO SPELL IT OUT ONCE AGAIN TO MAKE ANY ARGENTINE PROPOSAL EASIER TO UNDERSTAND.

THE PRESS COMMUNIQUE PUT OUT BY THE ARGENTINE GOVERNMENT ON 27 JULY 1981 IS A FUNDAMENTAL BASIS. ESSENTIAL POINTS IN THE NEGOTIATIONS WERE SET OUT IN IT.

A) QUESTION OF SOVEREIGNTY

IN THE FIRST PLACE, BRITISH RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ABOVE-MENTIONED ARCHIPELAGOS IS THE BASIC ELEMENT OF THE ARGENTINE POSITION. IT REMAINS A SINE-QUA-NON REQUIREMENT FOR THE SOLUTION OF THE DISPUTE.

SO LONG AS THIS QUESTION IS UNRESOLVED THE DISPUTE WILL CONTINUE. CONSEQUENTLY NEITHER MUST IT NOR CAN IT BE IGNORED, BECAUSE THE ARGENTINE REPUBLIC, HOWEVER MUCH TIME MAY PASS, WILL NEVER ABANDON ITS CLAIM NOR RELAX ITS DETERMINATION UNTIL THIS HAS BEEN SATISFIED.

FROM THE BEGINNING IT HAS HAD RECOURSE TO NEGOTIATION AS A MEANS OF SEEKING A PEACEFUL SOLUTION TO ACHIEVE ITS JUST CLAIM. THIS NEGOTIATION HAS INVARIABLY BEEN PROMOTED BY SUCCESSIVE ARGENTINE GOVERNMENTS ON THE BASIS OF WHAT WAS ESTABLISHED BY THE UNITED NATIONS GENERAL ASSEMBLY IN ITS RESOLUTIONS 2065(X), 3160 (XXVIII) AND 31/49 (XXXI).

B) ESSENTIAL CHARACTERISTICS OF THE NEGOTIATIONS ON SOVEREIGNTY

IN THIS CONTEXT, THE ARGENTINE GOVERNMENT APPEALS FOR THE NEGOTIATIONS TO BE SERIOUS AND IN DEPTH, BASED ON THE GREATEST GOOD FAITH AND THE POLITICAL DETERMINATION NECESSARY RESOLUTELY TO PUSH FORWARD FROM NOW ON A PROCESS CULMINATING, WITHIN A REASONABLE PERIOD OF TIME AND WITHOUT PROCRASTINATION, IN THE RECOGNITION OF ARGENTINE SOVEREIGNTY OVER THE ISLANDS IN DISPUTE.

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SO FAR, AND DESPITE THE NEGOTIATING MEETINGS HELD IN THE PAST, THERE HAS BEEN NO CONCRETE PROGRESS.

IT IS ALMOST IDLE TO POINT OUT THAT THERE HAS BEEN FOR SOME TIME A GROWING AWARENESS BY THE ARGENTINE PEOPLE OF THE LACK OF PROGRESS IN THE MALVINAS QUESTION, AND THAT THE MATTER HAS NOW REACHED A POINT WHICH DEMANDS SOLUTIONS, WITHOUT FURTHER DELAYS OR DILATORY ARGUMENTS.

C) INTERESTS OF THE ISLANDERS

THE ABOVE-MENTIONED RESOLUTIONS OF THE UNITED NATIONS GIVE DUE ATTENTION TO THE QUOTE INTERESTS UNQUOTE (UNDERLINED) OF THE INHABITANTS OF THE ISLANDS, IN THE CONTEXT OF THE NEGOTIATION TO WHICH THEY INVITE BOTH GOVERNMENTS. AT NO POINT DO THE DECISIONS OF THE WORLD ORGANISATION REFER TO THE QUOTE WISHES UNQUOTE (UNDERLINED) OF THE ISLANDERS, BECAUSE THE DISPUTE IS CONFINED TO THE ARGENTINE AND BRITISH GOVERNMENTS.

THE POSSIBILITY EXISTS OF FINDING A MEETING POINT BETWEEN OUR RESPECTIVE POSITIONS IN THIS ASPECT OF THE MATTER, IN THAT THE ARGENTINE GOVERNMENT, ALWAYS IN THE SPIRIT OF PUSHING THE NEGOTIATING PROCESS RESOLUTELY FORWARD, HAS REPEATEDLY DEMONSTRATED ITS CLEAR INTENTION OF RESPECTING THOSE INTERESTS, INCLUDING THE PRESERVATION OF THE WAY OF LIFE AND CULTURAL TRADITIONS OF THE ISLANDERS. TO THIS END, IT IS READY TO DRAW UP A SPECIAL STATUTE OF SAFEGUARDS.

NO-ONE CAN CAST DOUBT ON THE FACT THAT SUCCESSIVE ARGENTINE GOVERNMENTS HAVE MADE GREAT EFFORTS TO SATISFY ISLANDER INTERESTS IN A PRACTICAL WAY, AS DEMONSTRATED BY, AMONG OTHER THINGS, THE COMMUNICATIONS SYSTEM WHICH HAS BEEN IN OPERATION SINCE 1971.

IN SPITE OF ARGENTINE GOOD WILL, THIS POLICY HAS NOT PRODUCED THE RESULTS EXPECTED OF IT.

THERE IS A VIRTUAL ABSENCE OF INFORMATION IN THE ISLANDS ABOUT THE REAL THINKING OF THE ARGENTINE GOVERNMENT. FURTHERMORE, DELIBERATELY TENDENTIOUS VERSIONS ARE PUT ABOUT TO DETRACT FROM THE ARGENTINE POSITION AND DELAY THE PROGRESS OF A NEGOTIATED SOLUTION. THE NEXT MEETING SHOULD ADDITIONALLY SERVE TO CLARIFY AND PUT AN END TO SUCH A STATE OF AFFAIRS.

THE OBJECT OF THE STATUTE OF SAFEGUARDS MENTIONED ABOVE WILL BE TO CONSIDER AND RESPECT THE DIFFERENT ASPECTS WHICH COMPRISE THE QUOTE INTERESTS UNQUOTE (UNDERLINED()) OF THE INHABITANTS, FOR EXAMPLE, MATTERS RELATING TO MILITARY SERVICE, TAX EXEMPTIONS, PROTECTION OF PROPERTY RIGHTS, MAINTENANCE OF THE LANGUAGE AND CERTAIN INSTITUTIONS, ETC. AS AN ADDITIONAL GUARANTEE THE

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AGREEMENT WHICH THE PARTIES MIGHT REACH ON THIS MIGHT BE SUBMITTED TO THE UNITED NATIONS. IT MUST BE REPEATED HERE THAT ARGENTINA HAS NO INTENTION OF DISTURBING THE ISLANDERS' WAY OF LIFE, SO LONG AS THERE IS AN ADEQUATE BALANCE BETWEEN THEIR INTERESTS AND THE RECOVERY OF ARGENTINE SOVEREIGNTY.

TO MAKE PROGRESS IN THIS MATTER, IT WOULD BE NECESSARY FOR THE BRITISH GOVERNMENT TO MAKE KNOWN WHAT ARE THE SAFEGUARDS IT CONSIDERS NECESSARY AND CONDUCTIVE TO THE PRESERVATION OF THE WAY OF LIFE AND TRADITIONS OF THE ISLANDERS.

(D) NATURAL RESOURCES

THE ISOLATION IN WHICH THE ISLANDS HAVE FOUND THEMSELVES FOR MANY YEARS, THE SCANT ECONOMIC DEVELOPMENT, THE DIMINISHING POPULATION FIGURES AND OTHER NEGATIVE FACTORS FAVOUR A TENDENCY TOWARDS IMMOBILITY. THESE PROBLEMS WILL REMAIN WHILE THE DISPUTE IS UNRESOLVED, SINCE THIS CONSTITUTES A SERIOUS OBSTACLE TO THE EXPLOITATION OF NATURAL RESOURCES.

THE LACK OF EXPLOITATION ON THE ONE HAND AND THE DEPREDATION OF RESOURCES ON THE OTHER, IN THE CONTEXT OF A WORLD SHORT OF FOOD AND AVID FOR ENERGY, IS AN OBVIOUS NONSENSE AND ANACHRONISM WHICH MUST CEASE. THE ARGENTINE REPUBLIC, WHICH VIEWS THE MALVINAS QUESTION AS A GLOBAL SUBJECT WHICH MUST ALSO BE SOLVED GLOBALLY, IS READY TO SEEK PRACTICAL FORMULAE TO GIVE CONCRETE FORM TO THE EXPLOITATION OF THESE RESOURCES TO THE BENEFIT OF ALL CONCERNED.

IT MUST REMAIN VERY CLEAR HOWEVER THAT ANY IDEA OF MAKING PROGRESS IN THE SEARCH FOR PRAGMATIC FORMULAE FOR EXPLORATION AND EXPLOITATION WHICH MIGHT MEAN A DELAY OR PARALYSIS OF THE SOLUTION TO THE SOVEREIGNTY QUESTION IS TOTALLY UNACCEPTABLE TO ARGENTINA.

(E) SECURITY IN THE AREA OF THE SOUTH ATLANTIC

FOR THE ARGENTINE REPUBLIC, THE SECURITY AND DEFENCE OF THE AREA OF THE SOUTH WEST ATLANTIC IS A VITAL NATIONAL INTEREST. THE ARGENTINE GOVERNMENT HAS THE RESPONSIBILITY OF MAINTAINING MAXIMUM VIGILANCE FOR THE PROTECTION OF THIS AREA OF THE ATLANTIC, IN WHICH THE ISLANDS OF THE SOUTH ATLANTIC HAVE GREAT IMPORTANCE. THE MAINTENANCE OF THE DISPUTE IS INCOMPATIBLE WITH THE APPROPRIATE DEFENCE OF THE AREA OF THE ATLANTIC OCEAN OFF THE COAST OF THE ARGENTINE MAINLAND.

II PROPOSAL

IT IS THEREFORE IN THE UNDERSTANDING THAT THE QUESTION OF SOVEREIGNTY OVER THE MALVINAS, SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS MUST BE RESOLVED PEACEFULLY, DEFINITELY AND RAPIDLY (UNDERLINED) IN THE

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INTERESTS OF THE PARTIES TO THE DISPUTE AND OF ALL THOSE INTERESTED IN RESOLVING IT, THAT THE ARGENTINE GOVERNMENT IN ORDER TO DEVELOP THE NEGOTIATING PROCESS, PROPOSES THE ESTABLISHMENT OF A PERMANENT NEGOTIATING COMMISSION, TO MEET IN THE FIRST WEEKS OF EACH MONTH ALTERNATELY IN EACH CAPITAL. THIS SHOULD BE RESPONSIBLE FOR MAINTAINING THE CONTINUITY AND IMPETUS OF THE NEGOTIATIONS, WITHOUT IT HAVING TO DEPEND UPON ONLY SPORADIC MEETINGS, DEVOID OF CLEAR OBJECTIVES AND CONCRETE RESULTS.

ITS TECHNICAL-POLITICAL LEVEL SHOULD ALLOW A DEEP BUT AGILE TREATMENT OF THE SUBJECT MATTER, IN CONDITIONS FAVOURABLE TO PROPOSING SOLUTIONS TO THE GOVERNMENTS. THE COMMISSION WOULD HAVE A DURATION OF ONE YEAR. IT WOULD BE OPEN TO DENUNCIATION BY EITHER SIDE AT ANY TIME WITH PRIOR WARNING TO THE OTHER SIDE.

THE ARGENTINE GOVERNMENT CONSIDERS THAT THE ESTABLISHMENT OF THIS COMMISSION, PREFERABLY WITHIN THE SECOND TWO-MONTH PERIOD OF 1982, TOGETHER WITH SINCERITY AND GOOD FAITH TAKING ACCOUNT OF THE POSITIONS OF BOTH SIDES, WOULD OFFER THE BEST POSSIBILITY OF REACHING SUCCESS IN ITS WORK.

THE ARGENTINE GOVERNMENT WILL ANALYSE THE FUTURE OF THESE NEGOTIATIONS IN THE LIGHT OF THE REPLY WHICH THE BRITISH GOVERNMENT GIVES TO THIS PROPOSAL, HOPING THAT THIS MAY BE GIVEN BEFORE OR DURING THE NEXT ROUND OF NEGOTIATIONS TO BE HELD IN NEW YORK IN FEBRUARY 1982. ENOS.

TEXT OF BRITISH REPLY

(delivered on 8.2.82)

BEGINS. HER MAJESTY'S GOVERNMENT ARE GRATEFUL TO THE ARGENTINE GOVERNMENT FOR THE CLEAR EXPOSITION OF THEIR ATTITUDE TOWARDS THE INTER-GOVERNMENTAL TALKS ON THE FALKLAND ISLANDS DISPUTE, CONTAINED IN THE BOUT DE PAPIER HANDED TO THE BRITISH AMBASSADOR IN BUENOS AIRES ON 27 JANUARY.

HER MAJESTY'S GOVERNMENT WISH TO REAFFIRM THAT THEY ARE IN NO DOUBT ABOUT BRITISH SOVEREIGNTY OVER THE FALKLAND ISLANDS, THE FALKLAND ISLANDS DEPENDENCIES, THEIR MARITIME ZONES AND CONTINENTAL SHELVES. THEY CAN NOT THEREFORE ACCEPT THE ARGENTINE ASSUMPTION THAT THE PURPOSE OF THE NEGOTIATIONS IS THE EVENTUAL RECOGNITION BY HMG OF ARGENTINE SOVEREIGNTY IN THE AREA.

NEGOTIATIONS SO FAR HAVE BEEN CONDUCTED ON THE BASIS THAT THE SOVEREIGNTY POSITION OF NEITHER SIDE IS PREJUDICED. IT IS

ON THAT BASIS THAT HMG REMAIN READY TO CONTINUE THE NEGOTIATING PROCESS, AND ON WHICH

THE REPRESENTATIVES OF HMG ATTENDING THE FORTHCOMING TALKS IN NEW YORK WILL BE READY TO DISCUSS IN DETAIL THE PROPOSAL TO ESTABLISH WORKING GROUPS TO LOOK AT PARTICULAR ASPECTS OF THE DISPUTE.

HER MAJESTY'S GOVERNMENT WISH TO REAFFIRM THAT IT IS THEIR WISH TO FIND, BY NEGOTIATION, AN EARLY AND PEACEFUL SOLUTION TO THIS DISPUTE WHICH CAN BE ACCEPTED BY ALL CONCERNED, NAMELY THE BRITISH AND ARGENTINE GOVERNMENTS AND THE PEOPLE OF THE FALKLAND ISLANDS. ENDS.

The purpose of a UK/Argentine Permanent Negotiating Commission would be to accelerate progress towards a peaceful and comprehensive solution of the dispute between Britain and Argentina on sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands.

The Commission would be presided over by British and Argentine Ministers, who would direct the work of the Commission and who would decide upon the agenda of and participation in meetings held within the Commission's framework. It is understood that the British delegation to the meetings of the Commission may include Islanders.

The task of the Commission should be to identify all the elements of the dispute, to consider them in depth, either separately or in parallel, and to recommend how they might be resolved within an overall settlement. To that effect, in the Commission's work, either side may introduce any subject for examination which, in their view, could contribute to a solution of the dispute.

It is foreseen that the period of operation of the Commission should be for one year, at the end of which Ministers will review progress and reach conclusions on whether the Commission should continue its work. During this first year of operation, it will be open to either party to propose at any stage the Commission's termination. Meetings of the Commission should be held alternately in the capitals of the two countries. The first meeting will be attended by both Ministers and it will be open to Ministers of either side to attend any subsequent meetings. Meetings in each capital would be chaired by the Minister of the host Government, although he may delegate his functions to a senior official of his Government.

The work of the Commission should be conducted without prejudice to the sovereignty position of either Government.

JOINT COMMUNIQUE

The British and Argentine Governments held a meeting at Ministerial level in New York on 26 and 27 February 1982 to discuss the Falkland Islands question within the negotiating framework referred to in the relevant resolutions of the United Nations General Assembly.

The British and Argentine delegations were led respectively by Mr. Richard Luce MP, Minister of State at the Foreign and Commonwealth Office in London, and Ambassador Enrique Ros, Under-Secretary of State at the Ministry of Foreign Affairs and Worship in Buenos Aires.

The meeting took place in a cordial and positive spirit. The two sides reaffirmed their resolve to find a solution to the sovereignty dispute and considered in detail an Argentine proposal for procedures to make better progress in this sense. They agreed to inform their Governments accordingly.

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