

**402. Action Memorandum From the Assistant Secretary of State for Inter-American Affairs (Enders), the Assistant Secretary of State-Designate for European Affairs (Burt), and the Assistant Secretary of State for International Organization Affairs (Newell) to Secretary of State Shultz<sup>1</sup>**

Washington, October 14, 1982

SUBJECT

*U.S. Position on the Draft Argentine Resolution on the Falklands*

*Issue for Decision*

How should we respond to the latest Argentine draft resolution on the Falklands in a manner that: (a) is consistent with the USG position, which you outlined to Foreign Minister Aguirre Lanari, and (b) enhances prospects for a moderate UN resolution, which may help promote a peaceful settlement of this conflict.

*Essential Factors*

During your bilateral meeting at the United Nations with Argentine Foreign Minister Aguirre Lanari on September 27,<sup>2</sup> you underlined the USG position that any resolution not prejudice sovereignty or put immediate time pressure on the negotiating process. You informed Aguirre that the USG would study carefully the text of Argentina's draft Falklands resolution and provide our views. You noted that the preambular sections of resolutions were often important. In the case of the Argentine draft, you specifically noted that references to Non-Aligned declarations seemed to have the effect of prejudging the outcome of the sovereignty issue. Since your meeting, we have received

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<sup>1</sup> Source: Department of State, Central Foreign Policy File, P820159-1853. Confidential. Sent through Eagleburger. Drafted by R.B. Howard (ARA/SC) on October 8; cleared by M. Kozak (L).

<sup>2</sup> See Document 397.

a revised draft of the Argentine resolution (Tab A).<sup>3</sup> It still contains objectionable material. We could not support it in its present form. In a subsequent meeting with Argentine Ambassador Garcia del Solar, Assistant Secretary Enders engaged in a more detailed discussion regarding our problems with the current Argentine draft, noting that we would provide an official response after you had reviewed the issue (Tab B).<sup>4</sup>

We have prepared the attached USG response to the Argentine draft (Tab C) to be delivered to the Argentine Ambassador here.<sup>5</sup> The response notes that concerns have been expressed regarding both the preambular and operative sections which would impede broad support for the resolution and jeopardize the possibility of initiating a process of peaceful settlement. It states that the current preambular references to statements and communiques of the Non-Aligned Movement should be eliminated. It makes three additional points:

—That it would be advisable to remove pejorative references in the preamble to colonialism.

—That the recalling of prior UNGA resolutions in the preambular section, while consistent with usual UN practice, does not advance building a consensus given the contentious nature of the cited documents.

—That the reference to “sovereignty” in the first operative paragraph of the draft is unnecessary given the self-evident nature of the dispute and counter-productive in terms of resuming the process of negotiation.

The proposed reply, while outlining our objections to the current Argentine draft, is consistent with the policy we have stated regarding the conditions for U.S. support of a resolution (Tab D).<sup>6</sup> It, therefore, concludes with a statement that the USG is prepared to support a resolution calling for negotiations, so long as it does not prejudice the question of sovereignty or impose an unrealistic deadline for negotiation.

*RECOMMENDATION:*

That you authorize the response attached at TAB C.<sup>7</sup>

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<sup>3</sup> Attached but not printed is a copy of telegram 2731 from USUN, October 5.

<sup>4</sup> Attached but not printed is telegram 283693 to Buenos Aires and USUN, October 8. Also, see footnote 4, Document 397.

<sup>5</sup> Attached but not printed is the undated text of the U.S. response. The Department transmitted the text in telegram 301044 to Buenos Aires, USUN, and London, October 26. See footnote 2, Document 404.

<sup>6</sup> Attached but not printed is an excerpt from telegram 244710 to multiple posts, August 31.

<sup>7</sup> Bremer initialed approval of the recommendation on behalf of Eagleburger, October 26, and added the following notation: “as amended by LSE instructions.”