

G10

BF



Ack'd 10/7

(2)

Prime Minister

You should be aware of this.

9th July, 1984

ms

I have asked for a draft reply.

CDP 10/7

Dear Prime Minister,

Will you forgive me bypassing the normal parliamentary channels and sending direct to you a copy of the memo which the three of us, who visited Buenos Aires last week, have submitted to the Select Committee on Foreign Affairs?

The idea of Simultaneous Unilateral Declarations seems to find quite an echo there.

Yours sincerely,

S. Wortley

Lord Kennet.

(dictated by Lord Kennet, signed by his secretary in his absence)

Prime Minister.

From: Cyril Townsend MP
George Foulkes MP
Lord Kennet

Memorandum to Commons Select Committee on Foreign Affairs.

We visited Buenos Aires from June 25 to July 1, 1984, under the auspices of the South Atlantic Council. We met at their invitation, in a long formal session twelve senators and deputies, including the chairmen of the five relevant congressional committees. International treaties require the ratification of the Senate, where the Radical (government) Party is in a minority.

We also met many senators and deputies privately, and people from the press, universities, commerce, the trade unions, the defence establishment, the Anglo-Argentine community, etc., etc. Among these were some members of the Radical Party very close to the Presidency and the Foreign Ministry.

Argentina adheres to a doctrine of sovereignty incompatible with that prevailing in Europe and elsewhere: there is a general conviction that the occupation of the Falklands for about ten years before 1833 by the Republic of the River Plate establishes that the Islands are now under Argentine sovereignty. Argentine intellectual processes and indeed the Argentine way of life are stagnant; not surprisingly, since the country is far from everywhere and on the way to nowhere. Myths flourish and resentments fester unventilated by normal international contacts. The absence of diplomatic relations and the embargo on trade in general and books, video, etc. in particular, means that these myths and resentments grow especially rank in regard to Britain. Nor does military defeat make for calm judgement.

But not all Argentinians accept the national mythology, and many do so only at some times of day.

We divide the present political possibilities into two parts:

1. Immediate steps.
2. The possibilities for a long-term solution.

1. Immediate steps: We found a strong desire to end the mutual isolation and restore diplomatic, commercial and cultural relations. But the national mythology makes it difficult for Argentina to negotiate anything unless sovereignty is also on the agenda. We were therefore attracted by the suggestion that progress might be achieved by simultaneous unilateral declarations, without negotiation. The first pair of such declarations might be as follows:

Argentina declares the cessation of hostilities on the sea and in the air. (They are already declared ceased on land.) Simultaneously and independently, Britain lifts the Protection Zone round the Falkland Islands.

The question arises whether the raising of the Protection Zone can be separated from the fisheries question. We believe it can and should. The present exponentially increasing overfishing cannot in any case be allowed to continue, and the need for a conservation regime is extremely urgent whether or not Argentinian boats are among those allowed to fish.

2. Long-term: Four broad types of solution were discussed, sometimes at our suggestion, sometimes at Argentine suggestion.

- (a) United Nations Trusteeship under Articles 75-81 of the U.N. Charter. This suggestion was unfamiliar at first, but was greeted with enthusiasm by some Peronist (opposition) congressmen, and by Radical personalities very close to the Ministry of Foreign Affairs. We are not sure that in the time available to us we were able to make it clearly understood we were talking not about one Trust power, but a group of say five acceptable countries, supervising a continued elective council on the Islands, as at present, or as it may be reformed in accordance with the wishes of the Islanders. We recommend the possibility be seriously pursued.
- (b) Joint sovereignty: Quite popular in Argentina. (One experienced statesman even suggested alternating sovereignty.) Argentina already has experience: the island of Martin Garcia in the Plate Estuary has been under joint Argentine and Uruguayan sovereignty since 1974. The idea might be a bad precedent for those countries in South and Central America which are resisting unjustified territorial claims from their neighbours. Guiana and Belize are of special interest to us. Nevertheless, we do not think the idea should be turned down out of hand.
- (c) An autonomous region within Argentina: We heard the suggestion that safeguards for the liberties and interests of the Islanders be agreed in very great detail, and could be given a constitutional status, than which no other is higher, equal to that of the "pacts" between the provinces of Argentina which

"preceded" the present constitution and are enshrined in its preamble. It was repeatedly emphasised to us that rights of the "ethnic minorities" in Argentina, mainly English, German and Welsh, had been guaranteed for generations, and that this had never been in dispute between our two countries. We were not able to make our own appreciation of the justice of this claim in the time available.

- (d) Leaseback: We found discussion of this unsatisfactory because of the difficulty of knowing whether the words most commonly used in Spanish - arrendamiento, leasing, lease, and leaseback, - bore much or indeed any resemblance to the meaning of leaseback in English. In general, our Argentine opposite numbers favoured the idea. Its difficulties from the British point of view are well-known.

Summary

We recommend: simultaneous unilateral declarations as a first step, and further consideration of the options under 2. above as possibilities for a long-term settlement.

Irrespective of these, we recommend the immediate setting up of a fisheries protection regime round the Falklands.

Signed:

Kennet

July 4th, 1984.