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SECRET

FM UKMIS NEW YORK 191659Z MAY 82
TO FLASH F C O
TELEGRAM NUMBER 783 OF 19 MAY 1982
INFO IMMEDIATE WASHINGTON.

YOUR TELNO 431: FALKLANDS.

1. AT 1530Z THE SECRETARIAT GAVE US THEIR TRANSLATION OF LAST NIGHT'S ARGENTINE PAPER (TEXT IN MY IFT). THIS IS EVEN WORSE THAN PEREZ DE CUELLAR AND DE SOTO LED ME TO

BELIEVE LAST

NIGHT. IN PARTICULAR:

(A) THE PREVIOUSLY AGREED LANGUAGE ON NON-PREJUDGEMENT HAS BEEN OMITTED: →

(B) THERE IS NO REFERENCE TO THE COUNCILS AS SUCH, BUT ONLY TO 'PERSONS WHO ARE MEMBERS OF THE POPULATION OF BRITISH ORIGIN', WHO ARE TO BE APPOINTED AS ADVISERS IN EQUAL NUMBERS WITH ARGENTINE RESIDENTS IN THE ISLANDS.

(C) THE PROVISIONS ON FREEDOM OF MOVEMENT ETC ARE MUCH WORSE THAN DE SOTO INDICATED.

IN SHORT, THE ARGENTINES HAVE REVERTED TO THE NEGOTIATING POSITION THEY OCCUPIED AT THE VERY BEGINNING OF PEREZ DE CUELLAR'S INITIATIVE.

PARSONS

SECRET

National Archives UK rm

FM UKMIS NEW YORK 191632Z MAY 82
TO FLASH F C O
TELEGRAM NUMBER 784 OF 19 MAY 1982
INFO IMMEDIATE WASHINGTON.

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18b

M I P T

FOLLOWING IS TEXT OF SECRETARIAT'S UNOFFICIAL TRANSLATION OF
THE ARGENTINE PAPER HANDED TO US BY DE SOTO THIS MORNING.

PREAMBLE

THE GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,
HEREINAFTER REFERRED TO AS "THE PARTIES",

IN RESPONSE TO THE PROVISIONS OF SECURITY COUNCIL RESOLUTION
502 (1982) OF 3 APRIL 1982, AND TAKING INTO ACCOUNT THE
CHARTER OF THE UNITED NATIONS, RESOLUTION 1514 (XV), 2065 (XX)
AND OTHER RESOLUTIONS OF THE GENERAL ASSEMBLY ON THE QUESTION
OF THE MALVINAS (FALKLAND) ISLANDS, HAVE ACCEPTED, IN ACCORDANCE
WITH ARTICLE 40 OF THE CHARTER OF THE UNITED NATIONS, THE
ASSISTANCE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS AND
HAVE ENGAGED IN NEGOTIATIONS AND ARRIVED AT THE FOLLOWING
PROVISIONAL AGREEMENT RELATING TO THE MALVINAS, SOUTH GEORGIA
AND SOUTH SANDWICH ISLANDS, HEREINAFTER REFERRED TO AS "THE
ISLANDS" FOR THE PURPOSES OF THIS AGREEMENT.

I. 1. THE GEOGRAPHICAL SCOPE OF THE AREA WITHIN WHICH
THE WITHDRAWAL OF TROOPS IS TO BE CARRIED OUT SHALL COMPRISE
THE MALVINAS, SOUTH GEORGIA AND SOUTH SANDWICH ISLANDS.

2. THE WITHDRAWAL OF THE FORCES OF BOTH PARTIES SHALL
BE GRADUAL AND SIMULTANEOUS. WITHIN A MAXIMUM PERIOD OF
THIRTY DAYS, ALL ARMED FORCES SHALL BE IN THEIR NORMAL BASES
AND AREAS OF OPERATION.

II. WITH EFFECT FROM THE SIGNATURE OF THIS AGREEMENT, EACH
PARTY SHALL CEASE TO APPLY THE ECONOMIC MEASURES WHICH IT
HAS ADOPTED AGAINST THE OTHER AND THE UNITED KINGDOM SHALL
CALL FOR THE SAME ACTION BY THOSE COUNTRIES OR GROUPS OF
COUNTRIES WHICH, AT ITS REQUEST, ADOPTED SIMILAR MEASURES.

I. 1. SUPERVISION OF THE WITHDRAWAL OF THE FORCES OF BOTH COUNTRIES SHALL BE CARRIED OUT BY SPECIALIZED PERSONNEL OF THE UNITED NATIONS, WHOSE COMPOSITION SHALL BE AGREED WITH THE PARTIES.

III. 2. THE INTERIM ADMINISTRATION OF THE ISLANDS WHILE THE NEGOTIATIONS FOR FINAL SETTLEMENT OF THE DISPUTE ARE IN PROGRESS SHALL CONFORM TO THE FOLLOWING PROVISIONS:

- A) THE ADMINISTRATION SHALL BE EXCLUSIVELY THE RESPONSIBILITY OF THE UNITED NATIONS WITH AN APPROPRIATE PRESENCE OF OBSERVERS OF THE PARTIES.
- B) THE SAID ADMINISTRATION SHALL PERFORM ALL FUNCTIONS (EXECUTIVE, LEGISLATIVE, JUDICIAL AND SECURITY) THROUGH OFFICIALS OF DIFFERENT NATIONALITY FROM THAT OF THE PARTIES.
- C) NOTWITHSTANDING THE PROVISIONS OF 2 (A) AND (B), AND IN ORDER NOT TO CAUSE UNNECESSARY CHANGES IN THE WAY OF LIFE OF THE POPULATION DURING THE PERIOD OF THE INTERIM ADMINISTRATION BY THE UNITED NATIONS, LOCAL JUDICIAL FUNCTIONS MAY BE EXERCISED IN ACCORDANCE WITH THE LEGISLATION IN FORCE ON 1 APRIL 1982 TO THE FULL EXTENT COMPATIBLE WITH THIS AGREEMENT.

SIMILARLY, THE UNITED NATIONS INTERIM ADMINISTRATION MAY APPOINT AS ADVISERS PERSONS WHO ARE MEMBERS OF THE POPULATION OF BRITISH ORIGIN AND ARGENTINES RESIDENT IN THE ISLANDS, IN EQUAL NUMBERS.

- D) THE FLAGS OF THE PARTIES SHALL FLY TOGETHER WITH THAT OF THE UNITED NATIONS.
- E) DURING THE PERIOD OF INTERIM ADMINISTRATION, COMMUNICATIONS SHALL BE KEPT OPEN, WITHOUT DISCRIMINATORY RESTRICTIONS OF ANY KIND FOR THE PARTIES, INCLUDING FREEDOM OF MOVEMENT AND EQUALITY OF ACCESS WITH RESPECT TO RESIDENCE, WORK AND PROPERTY.
- F) FREEDOM OF COMMUNICATION SHALL ALSO INCLUDE THE MAINTENANCE OF FREEDOM OF TRANSIT FOR THE STATE AIRLINE (LADE) AND FOR MERCHANT SHIPS AND SCIENTIFIC VESSELS; IN ADDITION, TELEPHONE, TELEGRAPH AND TELEX COMMUNICATIONS, ARGENTINE TELEVISION TRANSMISSIONS AND THE STATE PETROLEUM (YPF) AND GAS SERVICES SHALL CONTINUE TO OPERATE FREELY.

IV. THE CUSTOMS, TRADITIONS AND WAY OF LIFE OF THE INHABITANTS OF THE ISLANDS, AND THEIR SOCIAL AND CULTURAL LINKS WITH THEIR COUNTRIES OF ORIGIN, SHALL BE RESPECTED AND SAFEGUARDED.

PARTIES UNDERTAKE TO ENTER IMMEDIATELY INTO
NEGOTIATIONS IN GOOD FAITH UNDER THE AUSPICES OF THE
SECRETARY-GENERAL OF THE UNITED NATIONS FOR THE PEACEFUL
AND FINAL SETTLEMENT OF THE DISPUTE AND, WITH A SENSE OF
URGENCY, TO COMPLETE THESE NEGOTIATIONS BY 31 DECEMBER 1982,
WITH A SINGLE OPTION TO EXTEND UNTIL 30 JUNE 1983, IN ORDER
TO COMPLY WITH THE CHARTER OF THE UNITED NATIONS, RESOLUTIONS
1514 (XV), 2065 (XX) AND OTHER RELEVANT RESOLUTIONS OF THE
GENERAL ASSEMBLY ON THE QUESTION OF THE MALVINAS ISLANDS.
THESE NEGOTIATIONS SHALL BE INITIATED WITHOUT PREJUDICE TO
THE RIGHTS AND CLAIMS OR POSITIONS OF THE TWO PARTIES AND
IN RECOGNITION OF THE FACT THAT THEY HAVE DIVERGENT POSITIONS
ON THE QUESTION OF THE MALVINAS, SOUTH GEORGIA AND SOUTH
SANDWICH ISLANDS.

2. THE NEGOTIATIONS SHALL BE HELD IN NEW YORK.

3. THE SECRETARY-GENERAL OF THE UNITED NATIONS MAY BE
ASSISTED IN THE NEGOTIATIONS BY A CONTACT GROUP COMPOSED OF
REPRESENTATIVES OF FOUR STATES MEMBERS OF THE UNITED NATIONS.

TO THAT END, EACH PARTY SHALL NOMINATE TWO STATES
AND SHALL HAVE THE RIGHT TO A SINGLE VETO OF ONE OF THE STATES
NOMINATED BY THE OTHER.

4. THE SECRETARY-GENERAL OF THE UNITED NATIONS SHALL
KEEP THE SECURITY COUNCIL ASSIDUOUSLY INFORMED OF THE PROGRESS
OF THE NEGOTIATIONS.

VI. IF THE PERIOD SPECIFIED IN POINT V (1) ABOVE EXPIRES
WITHOUT THE ATTAINMENT OF A FINAL AGREEMENT, THE SECRETARY-
GENERAL SHALL DRAW UP A REPORT ADDRESSED TO THE GENERAL
ASSEMBLY OF THE UNITED NATIONS, IN ORDER THAT THE LATTER
MAY DETERMINE, AS APPROPRIATE AND WITH THE GREATEST URGENCY,
THE LINES TO WHICH THE SAID FINAL AGREEMENT SHOULD CONFORM
IN ORDER TO ACHIEVE A SPEEDY SETTLEMENT OF THE QUESTION.

PARSONS

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