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IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 15 August 1973 from the Permanent Representative of Argentina
to the United Nations addressed to the Secretary-General

I have the honour to inform Your Excellency and, through you, the Special Committee and the General Assembly, on the express instructions of my Government and in fulfilment of the obligation to report under resolution 2065 (XX) of 6 December 1965 and the consensus adopted by the General Assembly on 20 December 1971, concerning the progress of the negotiations with a view to finding a peaceful solution to the dispute concerning sovereignty over the Malvinas Islands.

In this regard, the Argentine Government regrets to report that the negotiations have been virtually paralysed as a result of the attitude adopted by the Government of the United Kingdom.

The joint communiqué of January 1966, signed by the Ministers for Foreign Affairs of both countries, reflected an agreement to "proceed without delay with the negotiations recommended" in the above-mentioned resolution.

As a result of this communiqué, negotiations were held in July and November of that year in London. On 20 December 1966, the first General Assembly consensus concerning the Malvinas Islands urged "both parties to continue with the negotiations so as to find a peaceful solution as soon as possible" and to report to the Special Committee and the General Assembly on the development of the negotiations.

The negotiations continued during 1967, reducing the area of disagreement, and this was reported to the General Assembly, which, on 19 December, adopted a second consensus similar to the first. It was already clear that the subject of the discussion could only be the recognition of Argentine sovereignty over the Islands and their return to the Argentine territorial heritage, in conjunction with the greater readiness shown by my Government to recognize the guarantees and safeguards which would protect the interests of the islanders.

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The seemingly substantial progress made in the negotiations made it possible at that time to arrive at a joint formula which would have meant, in August 1968, a practical step forward towards a solution, if the United Kingdom Government had not in the end refused to allow it to materialize.

Since that time, the negotiations on sovereignty have gradually come to a standstill, which persists to date, notwithstanding the efforts made by my Government to revive them.

Nevertheless, the Argentine Republic decided, without losing sight of the ultimate objective of the negotiations and in the desire to promote the well-being of the inhabitants of the Islands, to hold special talks on measures to promote communications between the Argentine mainland and the Islands. As indicated in the letters addressed to the Secretary-General by the Permanent Representatives of both countries on 21 November 1969, the talks were none the less held "within the general framework" of the negotiations provided for by resolution 2065 (XX), which the General Assembly, in its consensuses of 1969 and 1971, urged should be continued so as "to reach, as soon as possible, a definitive solution to the dispute".

As a result of those talks, in 1972 and 1973, the Argentine Government adopted a series of measures which represented significant benefits for the population of the Malvinas Islands. Thus, for example, the weekly service for the air transport of passengers, cargo and mail has finally been arranged between the Argentine mainland and the Malvinas Islands; the Argentine Air Force has constructed an airfield at Port Stanley, which can accommodate fixed-wheel aircraft; the award of scholarships to young people from the Malvinas Islands for study on the Argentine mainland has been continued; commercial transactions with the Islands have been encouraged and effected; regular postal, radio-telegraphic and telephone services have been established; the Argentine State Petroleum Authority has built an aviation fuel storage plant at Port Stanley and supplies other fuels periodically by tanker; tourism has been developed; and evacuation and auxiliary health services have been provided for islanders requiring proper medical and hospital care. All these and other measures have been taken in accordance with the Argentine-United Kingdom joint statement of 1 July 1971.

The last round of special talks on communications was held in November 1972 in Port Stanley. Previously, however, on the proposal of Argentina, provision had been made in the joint statement of 13 October 1972 for the holding of a round of talks in London during the first half of 1973 in compliance with resolution 2065 (XX) and subsequent consensuses of the General Assembly. Meanwhile, the lack of any real progress delayed the submission of information to the United Nations on the course of the negotiations.

At that time, it was becoming increasingly evident that the United Kingdom's position on this question had changed substantially from that which it had taken since contacts had first been established with the Argentine Government early in 1966.

In a number of verbal and written statements made at the highest level, the United Kingdom Government took to maintaining that the round of meetings to be

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held in 1973 could not be called "negotiations" since in its opinion, they involved only "talks" or "discussions". The Argentine Republic considers that the position now held by the United Kingdom Government is not in conformity with the provisions of resolution 2065 (XX). It should be pointed out in this connexion that the word "negotiations", as a means of reaching a peaceful solution to the dispute concerning sovereignty over the Malvinas Islands, appears in that resolution and in the subsequent consensuses adopted up to 1971, and also in the notes which the Permanent Representatives of both countries addressed to the Secretary-General in 1967, 1968, 1969, 1970 and 1971 to report on the status of the negotiations.

It is obviously the intention of the United Kingdom Government not only to downgrade the negotiations, but also to change their true character, thus contradicting the wording and meaning of concepts which it had previously accepted.

Furthermore, the United Kingdom authorities contend that the question of communications is closely linked with the basic issue and that, consequently, talks on communications are in fact concerned with sovereignty, a view which is of course neither shared nor accepted by the Argentine Government.

This attitude on the part of the United Kingdom Government was demonstrated during the meetings held in London on 26 and 27 April of this year in accordance with the agreement set down in the joint statement of 13 October 1972. On that occasion, the United Kingdom delegation was willing to discuss only the question of the talks. The Argentine delegation made efforts to reactivate the negotiations, which had been postponed since 1968, so as to reaffirm the proposals it had made in 1968 and in March 1969 concerning adequate safeguards and guarantees for the interests of the inhabitants of the Islands until such time as the dispute over sovereignty was resolved by the return of the Islands to the Argentine territorial heritage.

My country has always felt that the negotiations had invariably been conducted in accordance with the letter and the spirit of resolution 2065 (XX), which recognizes the existence of a dispute over sovereignty. As is clear in the joint notes to the United Nations, the parallel talks on communications, while they come within the framework of the fundamental issue, cannot exclude consideration of that issue, particularly since they are not part of the terms of reference established in the resolution.

This was made clear in the statement made by the Permanent Representative of Argentina to the Security Council in Panama on 16 March of this year, in which he said: "The special talks held since 1970 to agree on practical measures for communications and movement between the Argentine mainland and the Islands have, by common agreement, been conducted within the general framework of these negotiations, thus complying with the undertaking to continue efforts to find a final solution to the dispute over sovereignty, bearing in mind the interests of the inhabitants."

As pointed out earlier, the negotiations on the question of sovereignty have for all practical purposes been suspended and now, when it is imperative to resume them, since no further delays or postponements can be tolerated, the United Kingdom is departing from the terms of resolution 2065 (XX) and is not demonstrating the

spirit of co-operation which must motivate both parties if they really want to reach an effective solution through negotiation. By adopting this position, the United Kingdom is delaying the process of decolonization.

My Government, which has shown moderation and restraint in this matter on innumerable occasions, despite the legitimate impatience and anxiety felt by the Argentine people concerning the recovery of part of their national territory, firmly insists that there should be no further unwarranted delays in the negotiations, which should be conducted in accordance with the provisions of resolution 2065 (XX). The negative attitude of the United Kingdom Government compels the Government of the Argentine Republic to demand that the negotiations should not be hampered by further delays, and it has therefore become imperative that the Government of the United Kingdom should make an active contribution towards a final settlement of the dispute over sovereignty. To that end the Government of the Argentine Republic calls upon the United Kingdom Government to take measures to continue the negotiations, without further procrastination, within the framework of the above-mentioned resolution and subsequent consensuses, so as to bring about the speedy elimination of this colonial situation. This is a goal which is not only of paramount importance to the Argentine Republic but also to the entire international community, which is keenly aware of the need to put an immediate end to all vestiges of colonialism existing in the world.

My country is convinced that this settlement has already been postponed far too long and it is entitled to ask the United Kingdom to comply with resolution 2065 (XX) under whose authority the talks were initiated and conducted. My Government also reaffirms its determination fully and adequately to guarantee the rights and interests of the people of the Malvinas Islands when these islands are returned to the Argentine Republic.

The Argentine Government feels compelled to make it clear that failure to settle this dispute within a short and reasonable time will necessitate a thorough reappraisal of the policy it has pursued until now, based on good faith and respect for the principles of the Charter and resolutions of the United Nations. The termination of the colonial occupation of the Malvinas Islands, a portion of territory wrested from it by force almost a century and a half ago, is not only a fundamental and abiding objective of Argentine foreign policy but also a responsibility of the United Nations.

I am accordingly obliged to draw the attention of the appropriate United Nations bodies to this matter so that they may adopt suitable decisions.

I should be very grateful if Your Excellency would kindly arrange for this communication to be circulated as a General Assembly document and also transmitted to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

(Signed) Carlos ORTIZ DE ROZAS
Ambassador
Permanent Representative
