



SUMMARY RECORD OF THE 12th MEETING

Chairman: Mr. ROA-KOURI (Cuba)

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The meeting was called to order at 3.35 p.m.

AGENDA ITEM 135: QUESTION OF THE FALKLAND ISLANDS (MALVINAS)

Hearing of petitioners (A/C.4/37/9 and Add.1-4)

1. Mr. PEREZ (Chile) pointed out that the Special Committee of 24, in its decision on the question of the Falkland Islands (Malvinas) (A/37/23(Part V), chap. XXV), had decided to transmit the relevant documentation to the General Assembly. Furthermore, the Assembly had decided to include the question in its agenda for the current session as an additional item and had agreed that it should be considered directly in plenary meeting. His delegation therefore considered that there should not be a debate on the item in the Fourth Committee and that the plenary Assembly should be appraised of the full background, including statements made by petitioners before the Special Committee with the prior approval of his delegation.
2. Mr. OZORES TYPALDOS (Panama) said that he wished to make a statement on behalf of the delegations of Argentina, Bolivia, Brazil, Colombia, Costa Rica, Chile, Cuba, Dominican Republic, El Salvador, Ecuador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.
3. With reference to the Assembly's decision to permit petitioners currently resident in the Malvinas Islands to be heard by the Fourth Committee, the 20 Latin American States wished to place on record that the original population of the Islands were Argentines who had been expelled when the Islands had been occupied, illegally and by force, in 1833; since that year, Argentines had not been permitted to become permanent residents of the Territory.
4. In those circumstances those who currently inhabited the Malvinas Islands did not have the legitimate relationship with the Territory necessary to have the right to self-determination. The Latin American countries had always been zealous defenders of that right but, in the special case of the Malvinas, they considered that the current residents of the Territory, including the petitioners, did not meet the standards laid down by the United Nations to be entitled to that right.
5. Such was indeed basically the position of the General Assembly, which, in its three resolutions on the question of the Falkland Islands (Malvinas), had stipulated that the only way in which the Territory could be decolonized was by solving the sovereignty dispute between Argentina and the United Kingdom and that the Governments of those two States were the only parties to that dispute.
6. Latin America, whose position on the question could not and should not be ignored in so far as the matter dealt with a colonial Territory located within its geographical region, was confident that the Fourth Committee and the General Assembly would not echo initiatives designed to change the terms of reference for the decolonization of the Malvinas Islands stipulated in resolutions 2065 (XX), 3160 (XXVIII) and 31/49. Any such change contrary to the will of the region would only contribute to the indefinite prolongation of a serious problem. Moreover, it would be neither realistic nor viable, as it would lack the indispensable support of Latin America.

7. Sir JOHN THOMSON (United Kingdom) said that he had been puzzled to hear one representative state that there should not be a debate on the substance of the matter in the Fourth Committee, and immediately thereafter another representative from the same region had done exactly that and had raised questions of substance which were in fact currently before the plenary Assembly. That was strange procedure.
8. On 24 September, the General Assembly had decided to consider the item directly in plenary meeting on the understanding that bodies and individuals having an interest in the question would be heard in the Fourth Committee in conjunction with the consideration of the item in plenary meeting. The Fourth Committee had implemented the decision of the plenary Assembly by deciding to hear the two Falkland Islands councillors and four individuals. The United Kingdom delegation had not reserved its position on that decision of the Fourth Committee.
9. On 24 September, when the General Assembly had decided to allocate the additional item on the Falkland Islands to the plenary Assembly, it had been the United Kingdom which had asked the General Assembly to confirm specifically the right of interested bodies and individuals to be heard in the Fourth Committee. At the same time, it had been Argentina and other Latin American delegations which had sought to prevent such provision being made. The United Kingdom stood for free speech and would not seek to muzzle anyone. It was curious that the delegations which had just spoken to express reservations had shown such reluctance to comply with the clear decision of the General Assembly when it did not suit them. The significance of their position would not be lost on other delegations, particularly given the nature of the debate on item 135 in plenary meeting.
10. His delegation was delighted that the members of the Falkland Islands Legislative Council had decided to address the Fourth Committee on the question, as they could best talk of the situation in the Islands and explain why, like any other people, they had a right to express their wishes and to determine their own future. He wished to stress that the Falkland Islands councillors were before the Fourth Committee as democratically elected representatives of the people of the Falkland Islands. Any other petitioners during the current meeting, whatever links they might claim with the Falkland Islands, were in the Fourth Committee as individuals and not in any representative capacity.
11. Mr. LISTRE (Argentina) said that the Latin American countries to which the representative of Panama had referred in no way questioned the right of the petitioners inscribed to be heard at the current meeting of the Fourth Committee. What Panama, on behalf of the Latin American countries, had pointed out was that the so-called representatives of the public opinion of the British settlers in the Falkland Islands did not have the proper representative character to represent opinion which might be taken into account at the meeting. No one challenged their right to be heard and he welcomed the recognition by the United Kingdom of the right of the inhabitants of its colonies to be heard, although anyone familiar with the history of the British Empire would know that that right had been denied to such people in the past.

12. At the invitation of the Chairman, Mr. Cheek and Mr. Blake (Falkland Islands Legislative Council) took places at the petitioners' table.

13. Mr. CHEEK (Falkland Islands Legislative Council) said that he represented the constituency of Stanley (West) in the Falkland Islands. He and Mr. Blake were both democratically elected members of the Legislative Council. When news had been received that the question of the Falkland Islands was to be debated at the United Nations they had decided to put their case direct to delegations so that the latter would know exactly what the people in the Islands thought.

14. The people of the Falkland Islands had had a traumatic, and for many, a tragic year. The community was small, peaceful and pastoral. The economy was based on sheep and the export of wool and, in the rather inhospitable climate of the Falkland Islands, people had to work hard to make ends meet. The people had a way of life of which they were proud and which they cherished; it was usually tranquil and self-contained so that the islanders did not have to worry too much about the outside world. The community was friendly and law-abiding as might be guessed from the fact that, in early April 1982, there had been only two police officers for the whole of the Falkland Islands. The children, when not at school, could play from dawn to dusk with no reason for their parents to worry about their safety. The people enjoyed a healthy outdoor life and it had therefore been a considerable shock when, in April 1982, a heavily armed military force had attacked the Islands and had set to work to change the way of life.

15. The roots of the community went back to the first half of the nineteenth century. His own great great grandfather had arrived in the Falkland Islands in the 1850s while the arrival of his wife's family dated back to 1841. What had been created over the past hundred or so years was a society with a culture and a tradition all of its own. Most of the islanders came from British stock and much of the way of life had evolved from the British. There had been influence from other countries, particularly from southern Argentina and Chile, and representatives of other nations and cultures had been welcomed. The society was tolerant and democratic, and its political institutions had developed considerably over the years and provided the islanders with effective control over their own affairs. Institutions were constantly evolving at the pace and in the direction wished by the islanders in a way which appeared to be in full accordance with Article 73 of the United Nations Charter.

16. All that the Islanders asked was to be able to continue to live their lives as they chose. They had always believed that they had the right to determine their own future just like any other people in the world. The islanders admired the way in which the United Nations had championed the rights of peoples of all continents to chose their own paths of development and were sure that the United Nations would not deny that right to the Falkland islanders.

17. The islanders viewed the United Kingdom which, in United Nations terms, was the administering Power, as a friend and partner; the term "administering Power" was perhaps a misnomer because on most questions concerning local laws and day-to-day living, the Falkland Islands Council carried the responsibility. The islanders looked to the United Kingdom for economic aid and technical assistance and would have wished that such aid could be provided on a greater scale; they

(Mr. Cheek)

would therefore look very closely at the response of the United Kingdom Government to the recommendations contained in the Shackleton report. What had been discovered during 1982 was that the United Kingdom meant most to the Falkland Islands as a protecting Power. The United Kingdom was certainly not a colonial Power nor an imperialist Power. However, the islanders had found earlier in 1982 that there was a colonial or imperialist Power in the region which was quite prepared to trample on their rights and to inflict suffering on the people. It was the United Kingdom which had come to the rescue, and for that the islanders were grateful.

18. When the Argentines had invaded the Falkland Islands, he himself had been on a course in England to improve his knowledge of management practices in telecommunications. The Falkland Islands needed as many qualified islanders as possible so that dependence on the United Kingdom could be reduced and self-sufficiency achieved in as many areas as possible. During his absence, however, his brother had been interned and he had received no reliable news of friends and relatives during the period of occupation.

19. Mr. BLAKE (Falkland Islands Legislative Council) said that he represented the Camp Division, which covered the rural areas of both East and West Falkland and the surrounding islands. He had a large ranch in the area which he represented and, in the Legislative Council, took a particular interest in Government finance as well as in the laws and regulations concerning the agricultural community.

20. He would not wish the experiences of the Falkland islanders between April and June 1982 on any other people. The effects of the Argentine invasion were still with the islanders and it would be some time before the Territory could recover from the material damage, quite apart from the emotional strain on the inhabitants. The Argentines had frequently said that they had come to protect the interests and rights of the islanders, but the question arose as to how those statements equated with their behaviour while they had occupied the Islands. The democratically elected representatives of the islanders had been totally ignored; the right to free speech was subject to restrictions which, if broken, resulted in long-term prison sentences. One councillor, born in the Falkland Islands, had been deported from Argentina for having exercised his right of free speech in 1976 when he was reported to have said things which the Argentines had disliked.

21. Restrictions on movement and communication had been imposed which had prevented the islanders from going about their daily work; the farming community had been prevented from carrying out the good husbandry practices required to maintain their flocks. That had already resulted in reduced breeding figures which would affect stock numbers for six years, reducing the income of the farming community and harming the economy of the Islands for years to come. The islanders had seen people beaten and tied up for long periods for listening to English-speaking broadcasts. People had been shot at and run down by helicopters in the course of providing food for islanders in isolated areas. Individuals had been interned with no reason given; some had been parted from their families

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without notice; entire farming communities had been imprisoned in small buildings and their houses and property had been smashed, soiled and looted. The scale of damage was still evident and it would take months to complete the rehabilitation.

22. Islanders had witnessed the shooting of some of their prime breeding animals, which had been left to rot; farmlands had been indiscriminately seeded with mines which were currently killing or maiming livestock at an alarming rate; some farms had lost more than half their livestock during the war. The extent of such indiscriminate mining had become even more evident as time had passed. New, unrecorded minefields had been found each week and over 100 square miles around Stanley had had to be cordoned off. A further 200 square miles of good farm land might have to be abandoned; he estimated that at least five farms would go out of business as a result. It was currently necessary for helicopters to be sent twice weekly into that area with a veterinarian and a sharpshooter to locate and kill stock injured by the mines. He had himself seen a number of such injured animals.

23. Around Stanley, the density of the mining had made people virtually prisoners in their own homes. It was obviously dangerous to walk in areas which still could not be certified as safe. It was impossible to provide milk and meat supplies for the local population by the normal routes; indeed, for three weeks, no fresh meat at all could be supplied to Stanley. The islanders were a family community and their livestock was very much a part of their lives; the slaughter which they had been forced to carry out was causing sadness and anguish as well as severe economic losses.

24. After the occupation, numerous booby traps had been found which could have killed or maimed islanders. Despite all the precautionary measures taken so far, one islander had been badly burned from inadvertently setting off an incendiary device in the course of his daily work. Other such devices had gone off of their own accord and had destroyed buildings.

25. The Argentines had always said that they respected the interests of the islanders. Everything they had done during their occupation of the Islands showed that they either had no concern for the interests of the islanders or else that they had rather a strange interpretation of island interests. Still less did they ever ask about the wishes of the islanders. All they had received had been orders from the military commanders. One of the first had been to the effect that the official language had become Spanish and that all would be required to learn that language. News and radio reporting had been heavily censored and later shut off; the schools had had to be shut down because the Argentines had permitted them to be used only for their own propaganda purposes. There had never been any understanding of the culture, traditions or democratic rights of the islanders.

26. All those events had merely hardened the insistence of the islanders that their right to self-determination should be recognized. They did not wish to have any further uncertainty arising from the prospect of another international confrontation about their future.

27. Mr. CHEEK (Falkland Islands Legislative Council), in a concluding statement, said that, before April 1982, the Falkland islanders had had no grudge against Argentina. There had been periodic contacts with the Argentines over the years when the latter had wanted to be helpful to the islanders, who had hoped that those contacts would expand so that the two could exist as normal and friendly neighbours. The Falkland Islands councillors had been happy to be represented at the talks which had taken place in New York in February 1982 when he had been asked to attend on their behalf. They had been naturally anxious to see if any further contacts would be promoted which might enhance friendship and co-operation between the peoples of Argentina and the Falkland Islands. In February they had listened carefully to what the Argentines had had to say. They had explained their own concerns to the Argentines, stressing their own strong belief that the islanders themselves should be the ones to decide their own future. Those talks were understood to have been held in good faith and in total frankness. At the end of the meeting, a communiqué had been agreed to the effect that the atmosphere had been cordial and positive and the participants would report back accordingly to their Governments. The extent of the good faith and frankness of the Argentines had been fully illustrated a month later when they had invaded the Falkland Islands, brutally and without warning.

28. He understood that, at the United Nations, the Argentines were now saying that they wanted to negotiate with the United Kingdom about the Falkland Islands. As usual they were not interested in the wishes of the Falkland islanders and did not accept that the latter should have any say in what happened to them. Yet, in April 1982, it was the Argentines who had decided that negotiations were not the path for them. It was they who had reneged on the joint communiqué and turned to the use of force in defiance of the United Nations and in total disregard of the wishes of the Falkland islanders. The effects of their invasion would be with the islanders for a long time. He asked how it was possible to take seriously their request for negotiations after their attitude in the past and the way they had treated the islanders during the summer of 1982. The islanders could not conceive of sitting around a table again with those people to discuss the future. Their claim to respect what they described as the interests of the Falkland islanders were outrageous and hypocritical. The islanders appealed to delegations to respect their wish to decide themselves how they wanted to live and to leave them alone to get on with the task of rehabilitation and reconstruction, which were now foremost in their minds.

29. In conclusion, he appealed to the delegations of Latin America, which might feel that, as a matter of solidarity, they should support the Argentine claim - one which would make his country an Argentine colony. The Falkland Islands, however, were no more part of Argentina than were Chile, Uruguay, Paraguay or Bolivia. He recalled the words of an Argentine national hero, General San Martín, who, after defeating the Spanish colonial armies, had said that he could have made himself master of all the countries of South America but did not choose to do so and would instead let each people choose the form of government it desired. He hoped that the words of General San Martín would be remembered by the people of South America and, in particular, by the people of Argentina.

30. Mr. LISTRE (Argentina) asked the petitioners whether they were aware that, on 14 June 1982, Colonel Manuel Dorrejo of the Argentine armed forces had delivered to a Major Thompson of the British armed forces a map of the minefields which had been laid by Argentina.
31. Mr. CHEEK (Falkland Islands Legislative Council) said that such a map had indeed been given to an officer of the British armed forces. The map, however, had been far from complete. When an Argentine engineer had tried to delineate one of the minefields, an uncharted mine had exploded and the engineer had lost his foot. Moreover, most of the mines had been sown from the air in hazardous weather conditions. It would not have been possible to record such mines on any map.
32. Mr. LISTRE (Argentina) asked the petitioners whether they were aware that the maps provided had been lost by the British armed forces.
33. Mr. CHEEK (Falkland Islands Legislative Council) said that the maps handed to the British armed forces had been of help in locating some, but only a minority, of the mines left behind.
34. Mr. LISTRE (Argentina) asked whether the member of the Argentine forces who had been injured while removing mines after 14 June had acted voluntarily or not.
35. Mr. CHEEK (Falkland Islands Legislative Council) said that the injured member of the Argentine forces had not been removing mines but had been attempting to indicate their whereabouts. Some members of the Argentine forces had voluntarily tried to delineate the minefields.
36. Mr. LISTRE (Argentina) asked whether any civilians had been injured by mines.
37. Mr. CHEEK (Falkland Islands Legislative Council) replied that civilians had been careful, particularly near Stanley and had avoided an area, amounting to approximately 200 square miles, which they had not entered because they had known it to be dangerous, because of the injuries to animals within the area. In order to ensure that Falkland islanders and their children should not be injured by mines, all beaches within 15 to 20 miles of Stanley continued to be avoided.
38. Mr. LISTRE (Argentina) asked whether it was true that, on the Argentine side, military personnel had been hurt but, on the United Kingdom side, only animals had been injured.
39. Mr. CHEEK (Falkland Islands Legislative Council) replied that one civilian had been hurt by a booby trap. Six or more members of the British forces had been injured, of whom one had died.
40. Mr. LISTRE (Argentina) asked whether the petitioners were aware of the statement made by a representative of the British interests section of the Swiss Consulate in Buenos Aires as reported in the English language newspaper The Buenos Aires Herald to the effect that there had been no complaints from the inhabitants of the Malvinas Islands regarding their treatment by the Argentine army during the army occupation.

41. Mr. CHEEK said that The Buenos Aires Herald was not available in the Falkland Islands. Moreover, the Falkland islanders felt that it was hopeless to complain about the actions of the Argentines between 2 April and 14 June 1982.
42. Mr. LISTRE (Argentina) asked the petitioners whether they knew that the Argentine Government had paid compensation for damages caused by the Argentine forces.
43. Mr. CHEEK replied that compensation had been paid for a small percentage of the damage caused by the Argentine military.
44. Mr. LISTRE (Argentina) asked Mr. Cheek whether he worked for the Cable and Wireless company.
45. Mr. CHEEK said that he was a branch engineer in charge of the Cable and Wireless company facilities in the Falkland Islands.
46. Mr. LISTRE (Argentina) asked Mr. Cheek whether he was aware the the Argentine Government had made payments to employees of the Cable and Wireless company from April to June 1982 and whether he knew why it had done so.
47. Mr. CHEEK said that during the first month of Argentine occupation the Argentine Government had insisted on paying the salaries of all Cable and Wireless employees; they had been forced to accept the money and it had been divided equally among all employees as a bonus.
48. Mr. LISTRE (Argentina) asked Mr. Cheek as to the nationality of the Cable and Wireless company.
49. Mr. CHEEK said that Cable and Wireless was registered in the United Kingdom; he did not know who the shareholders were, although the majority of people living in the Falkland Islands were minority shareholders.
50. Mr. CASAS (Colombia) asked Mr. Cheek who had decided that he and Mr. Blake should appear before the Committee and who had financed their journey.
51. Mr. CHEEK said that he and Mr. Blake had been selected by the six elected members of the Legislative Council. They had made contact with as many people of the Islands as possible to be sure of representing their views. As to the financing of the journey, the United Kingdom Government had paid travel expenses and living allowances, while other expenses had been borne by the Government of the Falkland Islands.
52. Mr. CASAS (Colombia) asked how the inhabitants of the Islands were affected by the British law of nationality.
53. Mr. CHEEK said that the new law was currently under discussion in the United Kingdom Parliament and he could not say what effect it would have on the Falkland islanders. The effect of the existing law was that inhabitants of the Islands with

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any grandparent from the United Kingdom could live and work in the United Kingdom; that accounted for 75 to 80 per cent of the population, and the rest of the population had no automatic right of abode in the United Kingdom.

54. Mr. CHADERTON (Venezuela) asked Mr. Cheek what he felt about the possibility of the United Kingdom Government establishing a permanent military base in the Islands and whether he thought it would contribute to the future welfare of the islanders.

55. Mr. CHEEK said that he felt that it was essential for the United Kingdom armed forces to remain in the Falkland Islands to protect the islanders and ensure their freedom; nevertheless, he hoped that they would not stay indefinitely.

56. Mr. CHADERTON (Venezuela) asked whether the position of the Latin American countries on the sovereignty dispute was important to the islanders and their future welfare.

57. Mr. CHEEK said that it seemed that most of the Latin American countries had already decided on the answer to the sovereignty dispute. Before 2 April 1982 he had hoped that the Argentine Government would be able to discuss the issue dispassionately, but it had been obvious that every time it engaged in talks it laid down preset conditions; it was impossible to negotiate under those terms.

58. Mr. CHADERTON (Venezuela) asked Mr. Blake how far the Malvinas Islands were from the United Kingdom.

59. Mr. BLAKE replied that they were 8,000 miles away.

60. Mr. CHAMORRO MORA (Nicaragua) asked Mr. Blake where he had been born, where he had studied, how long he had lived in the Malvinas Islands and why he had decided to go and live there.

61. Mr. BLAKE replied that he had been born in Lincolnshire in the United Kingdom; he had received his primary schooling in the United Kingdom and his secondary and university education in New Zealand; he had lived in the Falkland Islands for 11 years and he had gone there because he was looking for a suitable place to live and bring up his children; he was grateful for the confidence placed in him by the people of the Falkland Islands in electing him to the Legislative Council and then choosing him to represent them before the Committee.

62. Mr. CHAMORRO MORA (Nicaragua) asked Mr. Blake where he was employed.

63. Mr. BLAKE said that he worked for the Falkland Islands Company.

64. Mr. CHAMORRO MORA (Nicaragua) asked Mr. Blake what nationality that company had.

65. Mr. BLAKE replied that it was registered in the United Kingdom.

66. Mr. ALBORNOZ (Ecuador) asked how many educational establishments existed in the Islands, what level of education they provided and whether any islanders had studied in Argentina.
67. Mr. CHEEK said that there were a large number of small farms in the Islands and a number of small schools; there were two main schools in Stanley which took students up to 16 or 17 years. After the signing of the 1971 Communications Agreement Argentina had generously offered scholarships for study in Argentina and 10 or so students had gone there; it had then been found that Argentina was using them as means of propaganda; it had been left to the parents to decide whether to keep their children in Argentina and, at the time of the Argentine invasion, there had been three children still studying in Argentina.
68. Mr. CHADERTON (Venezuela) asked Mr. Cheek what percentage of the inhabitants of the Malvinas Islands worked for the Falklands Islands Company.
69. Mr. CHEEK said that he would estimate about 30 per cent.
70. Mr. CHADERTON (Venezuela) asked Mr. Blake how far the Malvinas Islands were from the continental part of the Argentine Republic.
71. Mr. BLAKE replied that they were about 300 miles away.
72. Mr. GUERREIRO (Brazil) asked whether there were any political parties in the Islands, how the Legislative and Executive Councils were composed and whether all islanders participated in elections.
73. Mr. CHEEK said that the Falkland Islands had not advanced far enough to have political parties. The Legislative Council consisted of the Governor, appointed by the United Kingdom Government, the Chief Secretary, from the United Kingdom civil service, the Colonial Treasurer, from the Falkland Islands civil service, and six other members elected by adult suffrage. The Executive Council consisted of the Governor, the same two ex officio members, two members appointed by the Governor and two members of the Legislative Council elected by members of that Council. The Falkland Islands Constitution was currently under review and it was almost certain that the two gubernatorial appointments would be eliminated.
74. Mrs. BERMUDEZ (Cuba) asked Mr. Blake what percentage of the land of the Malvinas Islands belonged to the Falkland Islands Company.
75. Mr. BLAKE said that currently the Falkland Islands Company controlled about 43 per cent of the farming area.
76. Mrs. BERMUDEZ (Cuba) asked what percentage of the inhabitants worked for the United Kingdom Government.
77. Mr. CHEEK replied that the figure was perhaps 1 or 2 per cent.

78. Mr. CASAS (Colombia) asked Mr. Cheek whether he felt that the future of the Islands was viable without a policy of understanding with the Islands' neighbour, Argentina.

79. Mr. CHEEK said that the future was viable but he hoped that Argentina would become more friendly than it had been in the current year.

80. Mr. MUÑOZ LEDO (Mexico) asked whether the petitioners felt that people of foreign origin living in Manhattan and Staten Island had the right to self-determination and independence in the context of United States law.

81. Mr. CHEEK said that he was not able to comment on the laws of the United States.

82. Mr. GOTTRET VALDES (Bolivia) asked why the British called the inhabitants of the Malvinas Islands "kelpers".

83. Mr. CHEEK replied that there was a large amount of seaweed called "kelp" around the Falkland Islands, which was why the inhabitants were called "kelpers".

84. Mr. LISTRE (Argentina) asked Mr. Cheek whether he was aware that the Permanent Representative of Argentina to the United Nations, in a letter to the Secretary-General, had conveyed his Government's formal undertaking to provide guarantees that the standard of living of the islanders would be maintained when the Islands passed under the effective control of Argentina and an assurance that those guarantees could be monitored by the United Nations.

85. Mr. CHEEK said that he wished that the Argentine Government had instructed the military forces in the Falkland Islands to abide by those provisions.

86. Mr. LISTRE (Argentina) asked whether the petitioners had contacted persons of United Kingdom nationality resident in Argentina.

87. Mr. CHEEK replied that there was currently no contact with Argentina. Before 2 April 1982, however, a number of families in the Falkland Islands had had contacts with Argentina. In the nineteenth century a number of farms in Patagonia had been started by Falkland islanders and some people retained contacts with the families on those farms.

88. Mr. LISTRE (Argentina) asked Mr. Cheek whether it was true that British citizens living in Argentina were able to worship freely as Anglicans or as members of any other denomination of their choice, Christian or otherwise; that they could attend English-speaking schools there; and that they enjoyed all civil rights on a par with Argentine citizens, such as the right to own property and conduct a business.

89. Mr. CHEEK (Falkland Islands Legislative Council) said he imagined that British citizens who had chosen to live in Argentina, as they were free to do, enjoyed the same rights as other persons in that country. He was not very certain, however, what those rights were.

90. Mr. LISTRE (Argentina) said that he wanted it noted that the petitioner had failed to answer his question about how British citizens lived in Argentina and what guarantees they had.

91. Mr. CHEEK (Falkland Islands Legislative Council), in reply to further questions by Mr. LISTRE (Argentina), said that Argentina, subsequent to the conclusion of the 1971 Agreement between the United Kingdom and Argentina, had built a temporary landing strip in the Falkland Islands, the first one to be built there, which had made it possible for air service with the outside world to be inaugurated. Up to that time the Falkland Islands had had only seaborne communications - those with their friendly neighbour, Uruguay, which had been discontinued for economic reasons in the early 1970s, and those which had been established earlier with Argentina but had been fairly irregular, with services, if his memory served him, which operated considerably less than once a month. It was the British Government which had subsequently built the permanent airfield in the Falklands.

92. The regular air services had indeed transported patients to Argentine hospitals for emergency or special treatment. With no figures available, it was not possible to confirm whether as many as 300 Falkland Islanders had been treated in Argentine hospitals during the period covered by the 1971 Agreement. The choices had been to transport the sick to the United Kingdom, Argentina or Uruguay, and since full commercial rates had had to be paid to Argentina, it had often been cheaper to transport them to the United Kingdom.

93. Mr. LISTRE (Argentina) asked Mr. Cheek whether, on the basis of the 1971 Agreement, Argentina had provided petrol, naphtha, kerosene and petroleum by-products to the Malvinas at prices much lower than those being charged by the Falkland Islands Company at that time, and whether Argentina had provided gas that had replaced peat as the main source of fuel.

94. Mr. CHEEK (Falkland Islands Legislative Council) said that under the 1974 Oil Agreement Argentina had provided petrol and kerosene - though not diesel oil, which had been provided by the British Government - and that the price of petrol provided by Argentina had been lower than the prices in force up to that point. Argentina had supplied gas which replaced, to a small degree, the peat which the Falkland islanders had used as fuel then and still did.

95. Mr. LISTRE (Argentina) asked whether Argentine citizens had the legal right to purchase property in the Malvinas and whether they enjoyed all other civil rights regarding the disposition of property. He also asked whether or not it was true that the director of the Banco de Boston in Buenos Aires, who had inherited property in the Malvinas, had been prevented by the British Government from taking possession of it.

96. Mr. CHEEK (Falkland Islands Legislative Council) said that all persons other than Falkland islanders had to apply to the Government of which he was a member for permission to purchase land and that such permission could be either granted or denied. He did not know enough about the specific case mentioned to comment on it.

97. In reply to a question by Mr. CHADERTON (Venezuela) concerning the number of Argentine citizens who held property in the Malvinas, Mr. CHEEK (Falkland Islands Legislative Council) said he was not certain but that there might possibly be two or three in Stanley.
98. Mr. GOTTRET VALDES (Bolivia) asked Mr. Cheek to give the names of the two or three Argentine citizens residing in Stanley.
99. Mr. CHEEK (Falkland Islands Legislative Council) pointed out that he had not said they resided in Stanley but rather that they owned property there, and in any case he would decline to give the names of individuals.
100. Mrs. BERMUDEZ (Cuba) asked how many persons owned property in the Malvinas and where they lived.
101. Mr. CHEEK (Falkland Islands Legislative Council) said that, apart from the householders in Stanley, where approximately one half to two thirds of the residents owned property, the farming land in the Falkland Islands was owned by approximately 45 persons, three quarters of them overseas owners. For the past two years or so the Falkland Islands Government had been in the process of splitting up the large holdings by absentee landowners, as had been recommended in the Government-commissioned Shackelton Report.
102. Mr. LISTRE (Argentina) asked Mr. Cheek whether he was aware of a statement on page 7 of a 1982 Falkland Islands Economic Study by Lord Shackelton that the structure of the Island economy had undergone no major change since 1976, when 41 farms had still remained in the hands of absentee owners, and that, in response to the recommendation in the 1976 report that large holdings should be split, one had been divided into six sections which had subsequently been transferred to persons already holding them and another was in the process of being divided.
103. Mr. CHEEK (Falkland Islands Legislative Council) said that he was fairly familiar with the latest Shackelton Report. One property had been split into six sections that had been transferred to persons some of whom had worked the land previously but had not held it. The division of the other property had not proceeded on schedule because of the outbreak of hostilities in April.
104. Mr. LISTRE (Argentina) asked whether the shareholders of the Falkland Islands Company who held 40 per cent of the land resided in the Malvinas or in London.
105. Mr. CHEEK (Falkland Islands Legislative Council) said that the Falkland Islands Company, which was registered in London, was wholly owned by another company, Coalite, Inc., at least some of whose shareholders resided in the Falklands. He did not know whether or not Coalite Inc., was a transnational corporation.
106. Mr. CHADERTON (Venezuela), referring to the statement that approximately 37 per cent of the population of the Malvinas was employed by the Falkland Islands

(Mr. Chaderton, Venezuela)

Company and approximately 3 per cent by the British Government, asked Mr. Blake what percentage of the dependent population in the Malvinas were supported by that 40 per cent, and what percentage of the population was employed elsewhere.

107. Mr. BLAKE (Falkland Islands Legislative Council) pointed out that the figures given previously had been 31 per cent employed by the Falkland Islands Company and 1 per cent by the British Government, making a total of 32 per cent. Since he assumed that statistics concerning families applied equally to all classes of citizens, the percentages of those depending totally on the Falkland Islands Company and the British Government remained exactly the same. That left somewhat over 65 per cent of the population not wholly reliant on the British Government or the Falkland Islands Company.

108. Mr. CHADERTON (Venezuela) asked Mr. Blake what type of retirement benefits were available to British civil servants or employees of the Falkland Islands Company, and whether, when they retired, they ended their days in the Malvinas or returned to live in the United Kingdom or elsewhere.

109. Mr. BLAKE (Falkland Islands Legislative Council) said that the Falkland Islands Company, like most companies, had a compulsory old-age pension scheme, and the same was true of the Falkland Islands Government. What a person did when he was 65 years of age was his own decision. His own father had retired in the Islands and intended to live out his life there.

110. Mr. KAM (Panama) asked Mr. Blake, who was a member of the Legislative Council but had lived in the Malvinas only 11 years, how many Council members had been born in the Islands; and how many Council members were employed by the Falkland Islands Company.

111. Mr. BLAKE (Falkland Islands Legislative Council) said that there was one other Legislative Council member who had not been born in the Falkland Islands, but whose mother was a Falkland islander. Two members of the Legislative Council were currently employed by the Falkland Islands Company, the first time in 60 years that there had been more than one such member on the Council at the same time.

112. Mr. KAM (Panama) asked whether the petitioners gave credence to the press reports that nuclear submarines had been involved in the recent Malvinas Islands conflict and that nuclear-equipped ships had been sunk off the Islands.

113. Mr. CHEEK (Falkland Islands Legislative Council) said that he himself would be sceptical about many of the things reported in the press regarding that war.

114. Mr. Cheek and Mr. Blake withdrew.

115. At the invitation of the Chairman, Mrs. Coutts de Masiello took a place at the petitioners' table.

116. Mrs. COUTTS de MASIELLO said that, although born in the United Kingdom, she had been raised and educated in the Malvinas Islands and had moved to Argentina in 1976 after marrying an Argentine citizen who had been working for the Argentine Government in the Malvinas. Since the interruption of communications, she had had no contact at all with the rest of her family, who lived on the Islands, and was very concerned about their situation. Her only wish was for the conflict between Argentina and the United Kingdom to be brought to a peaceful conclusion through negotiations. She appealed to the United Nations to assist both countries in finding a solution.

117. Since the end of the armed conflict, the situation on the Islands had reverted to what it had been before Argentina, in 1971, had established communication between the Islands and the mainland together with regular transport and mail services. The Islands, once again, had become an isolated colony. That was true also in other areas such as education, as Argentina had provided essential support in the form of teachers and scholarships for study in Argentine universities. Social life on the Islands had disappeared as well, with British soldiers occupying most of the available living quarters and frequenting the places of recreation.

118. Peace and normality must be restored to the Malvinas Islands, and that could only be done if both Argentina and the United Kingdom resumed immediate and serious negotiations.

119. Mrs. Coutts de Masiello withdrew.

120. At the invitation of the Chairman, Miss Minto de Pennissi took a place at the petitioners' table.

121. Miss MINTO DE PENNISSI said that she had been born in the Falkland Islands but had lived since 1976 at Mar del Plata on the Argentine mainland with her Argentine husband and two children. She had adopted Argentine nationality, but three of her brothers were still living in the Islands, though she had had no news of them since the end of the war.

122. In her opinion, Argentina had helped in many ways to improve the well-being and progress of the islanders, inter alia by providing communications facilities, cheaper fuel, and many educational and cultural benefits. For the sake of the islanders, who needed peace, tranquillity and the Argentine help without which they could not advance, Argentina and the United Kingdom, with the aid of the United Nations, must resume negotiations. The military forces should be removed from the Islands, and a solution should be found to the question of sovereignty.

123. Miss Minto de Pennissi withdrew.

124. At the invitation of the Chairman, Mr. Reed took a place at the petitioners' table.

125. Mr. REED said that he had been born in Argentina of British parents and had lived in the Malvinas for 22 years, having married an islander. Though denied a work permit, he had managed to build up a business so that his family, including his nine children, could live in comfort. Seven of his children had received

(Mr. Reed)

Government scholarships to study on the Argentine mainland. As an Argentine national who had lived on the Islands for half his adult life and whose total interests remained there, he hoped that he might be able to add weight to the appeal to the British Government to resume negotiations with Argentina with a view to finding a peaceful solution.

126. Although a number of people claiming to represent the islanders had appeared before the United Nations to give their views, it should be noted that the true islander was averse to standing for office and that most of the Councillors were therefore either British or represented British interests. The rare exceptions were people with close business ties to the Falkland Islands Company or people with personal grudges against the local authorities. In any case, they generally belonged to the favoured group which benefited from British Government or other contracts giving them financial and other advantages over the true islanders. Moreover, those so-called representatives had never mentioned the fact that there were many islanders who, though they would not dream of changing their way of life or their nationality, would accept Argentine sovereignty if respect for their customs, safety, and property was guaranteed. Although, since the beginning of negotiations in 1966, the Argentine Government had put forward such guarantees they had never been publicized by the local Government. Unfortunately, most of the criticism against Argentina came from people who had no real knowledge or understanding of the country or of what the recovery of the Malvinas meant to the Argentine people. To them the British action of January 1833 seemed perfectly natural, whereas what happened on 2 April 1982 they saw as an illegal act.

127. None of those supposed representatives had said a word about the hundreds of Argentines who had lived and worked in the Malvinas for such purposes as building the temporary air strip or providing food, fuel and other essential services for the benefit of the population. There was likewise no recognition of the free medical and hospital services that had been provided for the islanders on the mainland or of the air service provided to transport them there, sometimes under very difficult conditions. Never had any disturbance perturbed the good relations. Moreover, for close to a century, there had been close ties and free movement in both directions between the Islands and Patagonia. Many islanders were living happily in southern Argentina with their Argentine wives. By contrast, when women from the Islands married nations of Argentina, their husbands were not allowed to remain on the Islands without a contract.

128. When the Argentine forces arrived in the Malvinas on 2 April 1982, they had orders to avoid bloodshed at all costs. There had been immediate compensation for what little material damage had been done there, and every precaution had been taken to avoid friction or misunderstandings. Generally speaking, the population had responded in a sensible way to the measures taken to protect them. He had never witnessed any kind of offensive attitude towards the population on the part of those forces. Moreover, many islanders, like himself, had been friendly towards the young troops.

(Mr. Reed)

129. The attitude of the British invasion forces had been strikingly different. For them, the lives of the population had been secondary to the recovery of the Islands. The sea and air bombardment of the area surrounding the capital had cost the lives of three women, one of them pregnant and one of them in her eighties. It was easy to visualize what would have happened in the capital had the cease-fire not been agreed to on 14 June.

130. As long as the present situation persisted, there would be uncertainty. The recovery of the Islands by the British, particularly in the brutal and arrogant fashion in which it had been achieved, without respect for civilian lives or property, had merely given Argentina one more reason to pursue the struggle until the Islands could be restored to it.

131. No one would question the right of any islander to remain a British subject if he so chose, but the native islander was a dying breed because of the regular arrival of British civilians who were given preference in employment over the local people. Life in the Islands would never be the same again; war had achieved abruptly what industrial development would have done gradually. The only road open to the islanders was for both sides to accept the need to find a peaceful solution once and for all, with recognition of the sovereign rights of Argentina over the Islands and of the prerogative of the islanders to pursue the life to which they were accustomed. In the meantime, the whole area should become a demilitarized zone so that negotiations could be carried out without pressure and so that the threat of the establishment of a virtual military base in the south Atlantic could be eliminated.

132. Mr. Reed withdrew.

133. At the invitation of the Chairman, Mr. Betts took a place at the petitioners' table.

134. Mr. BETTS explained that he was a native of the Falkland Islands who had settled on the Argentine mainland on 26 June 1982 and had subsequently been granted Argentine citizenship. He expressed the hope that his personal observations might serve to demonstrate that the case, as previously presented to the United Nations, was not supported by all the islanders.

135. The events of 2 April to 14 June 1982 ranked among the innumerable examples of the failure of man's intellectual capacity to keep pace with his technological achievements, thus making it necessary to resort to the age-old method of shedding the blood of innocent victims. Argentina had come to the Islands as a liberator to free the islanders from British colonialism but, in so doing, it had made an error of judgement in failing to understand that the intransigent islanders were not prepared to compromise their colonial status. The United Kingdom and the islanders were likewise guilty of misjudging the sincerity and fervour of Argentina's claim to sovereignty over the Malvinas.

(Mr. Betts)

136. No matter who had control over the Islands, however, there could never be a full return to the life-style followed prior to 2 April 1982. Whether they like it or not, the islanders had to accept that fact and look to the future. The presence of the British garrison on the Islands, which would at least double the population, had raised doubts about how long the islanders would have to tolerate such inconveniences as British troops billeted in their homes, water and electricity restrictions, the lack of regular sea and air communications, and the social problems caused by a 200 per cent increase in the male population.

137. Another question which arose was how long the United Kingdom could bear the economic burden. A steady decline in the economic situation had been aggravated by the conflict, and, as the Shackleton Report had pointed out, any future development of the Islands would depend largely on Argentine participation. That, of course, was only logical in view of the geographical location of the Islands, but it could not be attained without a return to the negotiating table in an earnest desire to find a solution. Argentina had stated that the hostilities were over.

138. The United Kingdom should pledge to negotiate and to make Argentina's arguments available to the islanders, including the list of guarantees that Argentina had presented in every round of negotiations. To his knowledge, that list had never been made public in the Islands, nor had the islanders been properly informed of Argentina's request, early in 1981, that they should produce their own list of guarantees. If the Malvinas was a truly democratic community, then all the facts should be presented to the islanders for their full consideration. If Britain's claim that nothing would alter the wishes of the islanders was true, then there was nothing to fear from a factual presentation of the Argentine arguments. In the interim, the Islands should be declared a demilitarized zone.

139. Finally, he explained that his motive for addressing the United Nations was to prevent any repetition of the needless loss of human life that had occurred between 2 April and 14 June 1982. If he had left the Islands, it was because of the lack of progress there and because, as the holder of a Falkland Islands passport, he had been a second-class citizen of the United Kingdom, with no right of abode there.

140. He believed that if the United Nations was to maintain its credibility, it must urge the parties to the dispute to return to the negotiating table.

141. Mr. Betts withdrew.

142. The CHAIRMAN said that, in accordance with the decision taken by the Committee at its 9th meeting, the Rapporteur would submit a report to the General Assembly on the hearings held in connection with the consideration of agenda item 135.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued)

Question of Western Sahara (continued) (A/C.4/37/L.5 and L.6)

143. The CHAIRMAN announced that Liberia had become a sponsor of the draft decision in document A/C.4/37/L.5 and that Afghanistan, the Congo, Iran, the Lao People's Democratic Republic, Viet Nam and Zimbabwe had become sponsors of the draft resolution in document A/C.4/37/L.6.

The meeting rose at 6.10 p.m.