



Wednesday, 3 November 1982,
at 11.10 a.m.

NEW YORK

President: Mr. Imre HOLLAI (Hungary).

AGENDA ITEM 135

Question of the Falkland Islands (Malvinas) (continued)

1. The PRESIDENT: First, I should like to draw the attention of the members of the General Assembly to the report of the Fourth Committee [A/37/592]. If I hear no objection, I shall take it that the General Assembly takes note of that report.

It was so decided (decision 37/404).

2. The PRESIDENT: Before calling on the first speaker, may I remind representatives that, in accordance with the decision taken at yesterday's plenary meeting, the list of speakers in the debate on this item will be closed at 12 noon today.

3. Mr. MUÑOZ LEDO (Mexico) (*interpretation from Spanish*): I should like to extend to you, Mr. President, our best wishes for success in the discharge of your important functions. In so doing, I should like to repeat the well-deserved tribute paid to you here by the President of Mexico [13th meeting] for your diplomatic qualities and to your country for the strength of its national values.

4. I had the honour to present here from the rostrum of the General Assembly the request for inclusion in the agenda of the thirty-seventh session of the item entitled "Question of the Malvinas Islands" [A/37/193], a request which was approved by consensus. I did so with the valuable support of 20 Latin American delegations whose Governments had decided to act jointly to ensure that this age-long, grievous dispute would find a just and lasting solution.

5. We feel that over a century and a half of controversy, approximately two decades of bilateral negotiations and debates in the United Nations, as well as the recent armed conflict with its loss of human lives, material damage and confrontations between countries and regions, make it incumbent upon the international community to provide an adequate framework and an effective impetus for a peaceful settlement of this dispute.

6. In that request we reaffirmed that: "The persistence of this colonial situation in America and the dispute between the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Islands . . . have led to serious armed conflict in the South Atlantic and constitute a situation that affects the Latin American region in particular". We asked the General Assembly to "urge the parties to the dispute to resume, under

United Nations auspices and at the earliest possible date, the negotiations with a view to a peaceful settlement".

7. The countries which sponsored that request and are now submitting a draft resolution [A/37/L.3/Rev.1] are all founding Members of the Organization and have been the promoters of the long and arduous political process of decolonization. We have also fought many battles for economic decolonization. We have helped to gain independence for almost two thirds of the States now in the United Nations and thus to democratize international society. We come here today to reaffirm an old commitment: to extend our solidarity to the countries and peoples which are fighting for the full exercise of their sovereignty and to eliminate all vestiges of colonial domination.

8. The parties in this process are well-defined: on one side, we have the nations which have suffered subjection and, on the other, we have colonialism as a philosophy and a stubborn reality still embodied by some Powers with imperialist desires.

9. This structural demarcation should be present in the minds of the peoples of Latin America, Asia, Africa and Oceania, whatever empire they have been part of in the past and whatever their language, culture, geographical location or post-colonial ties.

10. General Assembly resolution 1514 (XV) sets forth principles which sum up the basic aspirations of the developing world and which are the reverse of the theories and practices on which the colonial régime is based. It defines the subjection of peoples as a denial of fundamental human rights. It also gives the true meaning of the principle of self-determination and also establishes that: "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

11. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, after considering in 1964, for the first time, the situation in the Malvinas Islands, invited the Governments of Argentina and the United Kingdom to enter into negotiations in order to find a peaceful solution to the problem.¹ The General Assembly did the same in resolution 2065 (XX) of 1965, for the purpose of swiftly and unconditionally "bringing to an end everywhere colonialism in all its forms". Subsequently, in 1966, 1967, 1969 and 1971, a consensus was adopted urging the parties to continue those negotiations.

12. In resolutions 3160 (XXVIII) and 31/49, the Assembly endorsed the decision to proceed with the decolonization of the islands and requested that the

negotiations be speeded up in this regard. The latter resolution, in addition, recognizes the continuous efforts made by Argentina to facilitate that process and to promote the well-being of the inhabitants of the Islands.

13. A few months ago, we deplored a grievous conflict which sorely tested the capacity of the Organization peacefully to resolve disputes between States. This happened after an excessively prolonged period during which there was no substantial progress made in negotiations nor was there a will manifested by the occupying Power to arrive at a just settlement.

14. The international community then unanimously appealed for an immediate cessation of hostilities by both sides and for a search for a diplomatic solution to the conflict. This is the ultimate thrust of Security Council resolutions 502 (1982) and 505 (1982). The Council asked the Secretary-General to undertake a resumed mission of good offices which he had already begun in accordance with the prerogatives vested in him by the Charter. In recognition of the tireless efforts of the highest official of the Organization, the Council endorsed the approach outlined by him in his statement of 21 May 1982² and invited him to continue his work.

15. I have cited the most important factors of this dispute in the United Nations in order to make clear the continuous aspects and consistency of the draft resolution that we are now submitting concerning decisions previously adopted by the main bodies of the Organization. There is a new fact, however, which could not be ignored and lends a distinct aspect to our initiatives compared with those taken previously in this forum, namely, the common initiative of 20 Latin American countries whose peoples have been very closely affected by the tragic extremes resulting from this dispute and by the quite evident behaviour of third States which did not observe neutrality in this conflict.

16. We have undertaken this joint initiative, not for reasons of convenience, but because we are moved by deep currents of historical identity and popular solidarity. We are committed to a just cause. Faced with the arrogance of force and the defiance of the occupying Power, the path we propose is that of immediate negotiations. We trust that reason and right will triumph here, thus renewing our loyalty to the United Nations.

17. The draft resolution we are introducing is constructive and well balanced; it does not prejudice the results of the negotiations, nor does it affirm expressly the titles, antecedents and declarations in support of the legitimacy of the Argentine claim over the Islands. Nor does it even refer to the documents of the Movement of Non-Aligned Countries and the Inter-American system which refer to the occupation of the Territory as an "illegal situation" and support the rights of the Argentine Republic to recovery of the Malvinas Islands. The draft resolution simply reaffirms that the maintenance of colonial situations is incompatible with the purposes of the United Nations and recalls the General Assembly and Security Council resolutions I have already mentioned.

18. Bearing in mind the suggestions made by various delegations, the revised draft resolution, in its preambular part, refers to the cessation of hostilities

in the South Atlantic and to the expressed intention of the parties not to resume them. It reaffirms the need for the parties to take due account of the interests of the population of the Islands. It also reaffirms the principles of the Charter on the non-use of force or the threat of force in international relations and the peaceful settlement of disputes.

19. In its operative part, the draft resolution requests the Governments of Argentina and the United Kingdom to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Islands; it requests the Secretary-General to undertake a renewed mission of good offices in order to assist the parties and asks him to take the necessary measures to that end; it also requests him to submit a report to the General Assembly at its thirty-eighth session and proposes to include the item in the provisional agenda of that session.

20. The draft resolution we are submitting is clear, well-founded and well-meaning. We do not intend to surprise anyone; we are opening the way to dialogue with the other party. It would be difficult for us to understand it if the countries that voted for the previous resolutions relating to this question should now withhold their support. That would constitute an inexplicable change of position. We can find no justification for any State that upholds the Charter to quibble over supporting this initiative which has been made in good faith and the purpose of which is to rule out the possibility of a new armed conflict and to cause this long-standing dispute to be resolved by peaceful means.

21. It has been argued that the draft resolution should allude to a dispute and not refer to the word "sovereignty". Such a premise would be neither logical nor acceptable. Quite clearly, the controversy between the Argentine Republic and the United Kingdom refers to sovereignty over the Malvinas Islands. That has been expressly recognized by the United Nations in all its relevant decisions and recommendations since 1964.

22. Deleting the concept of sovereignty would void the controversy of any content and cause the negotiations to be diverted to secondary and even banal questions. It would constitute an inadmissible subterfuge in the eyes of the international community, which has repeatedly and unequivocally pronounced itself on the nature and substance of the question before us.

23. At the last session, there crept in an element of confusion between the concept of sovereignty and that of authority. Public authority is obviously the prerogative of Governments which they exercise in keeping with laws, while sovereignty is exercised by nations. What is in dispute is not the exercise of authority, which is an effect but, rather, which of the national States holds legitimate title over the Islands.

24. It was also suggested that there should be included in the draft resolution a reference to the principle of self-determination of peoples. Such an initiative would tend to disguise colonial domination with supposedly moral arguments and give rise to confusion, given the commitment of developing countries to that concept. And here a clarification is in order.

25. The resolutions to which I have referred expressly mention the interests of the inhabitants of the Islands and their well-being, which would clearly be unnecessary and even superfluous if the principle of self-determination were applicable to this case. The Assembly has consistently reaffirmed its position not to apply the right of self-determination in this case, bearing in mind the difference between colonies proper and territorial enclaves.

26. According to the text of resolution 1514 (XV), typically colonial cases are those where peoples have been subjected to foreign subjugation, domination and exploitation—conditions from which they have the right to liberate themselves by exercising the right to self-determination and acceding to independence. That is not the case with respect to territorial enclaves, such as the Malvinas, where decolonization consists of the restoration of the territory to the State which has indisputable rights of sovereignty over them.

27. The principle of self-determination is paramount, and we cannot allow it to be distorted in order to justify the prolongation of a colonial status. The development of that principle in theory and practice is the result of the struggles of newly emerging peoples. On the other hand, for some centuries—and even today—in various regions of the world it has been denied or restricted by those who are now invoking it. Let us recall that for us, self-determination means not only the right of every people to shake off the colonial yoke and achieve political independence, but also the full exercise of the attributes of sovereignty, such as to have the political régime that best corresponds to its interests and to make free use of its natural resources and its economic processes.

28. Who could claim that the inhabitants of territorial, strategic and military enclaves of the great Powers who are citizens of those same great Powers can enjoy the right to self-determination in the territory of another State? Who could agree that the South Africans of Walvis Bay and the adjacent islands should exercise self-determination and separate that area from the territory of Namibia, or that the British population of Gibraltar could set up the caricature of a new nation on Spanish territory?

29. We do not object to the application of the principle of self-determination to the Malvinas because of the size of the population of the Islands, as has been suggested; our objection is rather based on the lack of any valid right to settle those people there in the first place. We are here dealing with the subjects of an occupying Power who have been settled on foreign territory. To claim that they can acquire rights to such territory through the passage of time and legitimize such rights by their own decision would be tantamount to legitimizing the armed conquests and annexationist and expansionist policies that are, unfortunately, all too prevalent.

30. To claim, on the other hand, that the settlement of a population in a territory in itself establishes the right to self-determination for that population would set a very dangerous precedent, particularly in an era that is characterized by increasing migratory flows across borders, as a result of which millions of human beings are living outside their countries of origin and, in some instances, form very large communities. The

human, social, cultural and labour rights of such communities must be respected, but without violating the sovereignty and territorial integrity of the States in which they are living.

31. To attempt to have the Assembly change the basic elements of previous decisions is to propose an inadmissible step backwards and to suggest that the international community should support the arguments put forward during the armed conflict by one of the parties to it. It would mean, basically, violating one of the essential principles of international law, namely, that conquest does not confer rights.

32. By the same token, there have been attempts to refer to the time factor and to suggest that the vote on this draft resolution should be postponed. It is claimed that the blood shed is still too fresh to allow of the opening of negotiations. That statement is not valid, however, because the more recent hostilities have been, the more urgent the need to find a peaceful solution to them. The means provided by the Charter to maintain international peace and security should be employed even in the midst of an armed conflict. The respect for the victims of the tragedy that is being urged here would in fact be shown by resolving the problem that caused the tragedy, not by absurdly prolonging the dispute and risking a new conflict.

33. Our draft resolution is a realistic one and is based on law. It proposes the creation of a negotiating framework on an impartial basis and leaves to the Secretary-General the responsibility for taking the measures he deems necessary for that purpose, which logically implies consultation with the parties that will be assisting in the negotiating process.

34. Lastly, it has been suggested that we act with a sense of present-day reality and take a so-called pragmatic approach to the observance of international law. We should recall here that if an anachronistic wind is felt wafting through this Hall, it is not created by the behaviour of our countries. The attitudes assumed by other States on important issues give us reason to think that attempts are being made here to restore the predominance of force as the ultimate recourse in international coexistence, a situation that would return us against our will to eras we had thought long dead.

35. Faced with that trend, we, the majority of States, with a genuine vision of the future, are calling for the development of international society and of its principles, rights and institutions that represent one of the finest legacies of civilization. The dispute over the Malvinas is deeply rooted in the past, but it also has tremendous significance for the future. Consequently we must act with the greatest possible political responsibility, setting aside untoward displays of triumph and defiance.

36. I would urge members of the Assembly to adopt without delay the draft resolution I am now introducing, one to which no just and truly modern conscience could object.

37. In the early days of this coming January, shortly after the conclusion of this session of the General Assembly, it will be exactly 150 years since the taking of the Malvinas Islands by force. Let us hope that the anniversary will mark the beginning of genuine

negotiations that will lead to the restoration of peace and the renewal of harmony.

38. Mr. ROA KOURÍ (Cuba) (*interpretation from Spanish*): Argentine sovereignty over the Malvinas, Sandwich and South Georgia Islands has the support of history, geography and international law. Part of what had been Argentine territory under Spanish colonial domination was to remain so after independence. Britain's colonial appropriation in 1833 when, through the use of force, it expelled the Argentine authorities and population from the Islands, does not invalidate the just claims of that South American country, which never renounced its sovereign rights over that part of its territory.

39. Time and again, the Argentine nation has patiently upheld its cause and advocated a solution through bilateral negotiations with the United Kingdom.

40. The General Assembly declared in resolution 1514 (XV) that:

“Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.”

41. On the other hand, resolution 2065 (XX) on the question of the Malvinas Islands, adopted in 1965 without a single opposing vote, called on the United Kingdom and the Argentine Republic to resolve this dispute on sovereignty through direct negotiations. A year later, indeed, those negotiations began.

42. It appears that as far back as 1968, the text of an agreement was ready and the British Government was to undertake to recognize Argentine sovereignty within a period not to exceed 10 years provided that Argentina took into account the interests of the inhabitants of the Islands—interests that certainly should be taken into account. But the change of Government in the United Kingdom in 1970 also changed the course of negotiations and, in April 1973, the United Kingdom interrupted them.

43. In the same year, the General Assembly adopted resolution 3160 (XXVIII), in which it expressed grave concern at the fact that eight years should have elapsed without any substantial progress having been made in the negotiations and urged that they be pursued in order to put an end to the colonial situation. It also expressed “its gratitude for the continuous efforts made by the Government of Argentina, in accordance with the relevant decisions of the General Assembly, to facilitate the progress of decolonization and to promote the well-being of the population of the Islands” for which, since 1971, Argentina had been providing various services and material and cultural facilities.

44. It is common knowledge that there are about 1,800 inhabitants on the Islands; for the most part, they are employees of the Falkland Islands Company or of the British Government, which has no permanent presence on the Islands. Therefore, the arguments now adduced by the United Kingdom in favour of the alleged right of its subjects in the Malvinas to self-determination seem rather strange. Equally surprising is the sudden concern of its representative about a

principle which has been systematically flouted by the British Empire through history and in our own time.

45. Of course, we cannot forget the period of 11 years during which the Government of the United Kingdom refused to recognize the inalienable right of the people of Zimbabwe to self-determination and independence, nor can we forget the decisive influence of the fact that it regarded the racist white minority as people of its own blood or, to put it in the words of *The Times* of London, its “kith and kin”.

46. Nor do we forget—now that the representative of Her Majesty speaks of double standards—what happened to the indigenous population of Diego García, an island in the Indian Ocean, nor the fact that after expelling them without much ado from their land—probably because they were blacks and Indians, lowly colours, in short, and not kith and kin—they ceded the island to their United States allies, who established there a gigantic military base against the express wish of the countries in the region.

47. Not even a farce of the kind so superbly put on by the Old Vic could dare to put forward the false claim of Britain's support for the self-determination of peoples; still less is that position tenable when that right is invoked on behalf of British subjects in a territorial enclave which has been occupied illegally since the last century, thus distorting the spirit and the letter of resolution 1514 (XV) of the Assembly.

48. It is enough to have listened yesterday in the Fourth Committee to the petitioners of the Malvinas, brought by the British Government to give some local colour to their self-determination comedy, to be convinced that today the only legitimate majority population on the Malvinas are the sheep and the kelp. It seems to me that not even Alice in Wonderland would defend the right of the latter to self-determination.

49. It was to avoid whimsical interpretations and spurious claims of the right to self-determination that the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held in Lima in 1975, declared:

“The Non-Aligned Countries, without prejudice to ratifying the validity of the principle of self-determination as a general principle for other Territories, strongly support, in the special and particular case of the Malvinas Islands, the just claim of the Argentine Republic, and urge the United Kingdom to continue actively the negotiations recommended by the United Nations in order to restore the said territory to Argentine sovereignty and thus put an end to that illegal situation which still persists in the southern part of the American continent.”³

50. That position was ratified in the Declaration adopted by the Fifth Conference of Heads of State or Government of Non-Aligned Countries held at Colombo in August 1976, and at the Sixth Summit Conference, held in Havana in September 1979.

51. Despite the repeated requests of the United Nations and of the Movement of Non-Aligned Countries, the refusal of the United Kingdom to put an end to that colonial situation through negotiations led to the recent past events, wherein the colonial Power displaced the bulk of its military, naval and air might,

including nuclear submarines, to maintain 8,000 miles from its shores its domination over that inalienable part of Argentine territory in a war that was as anachronistic as it was indefensible. Latin America saw how, at the moment of truth, the United States gave its full support to its North Atlantic Treaty Organization [NATO] allies—kith and kin in the reverse sense, perhaps—and tore into shreds the instruments of the so-called inter-American system which it had created itself, on the basis of the interventionist Monroe Doctrine, thus revealing its true aim of dominating, and not defending, the American nations south of the Río Bravo.

52. Today, as yesterday, the words of José Martí, when he warned the countries of Latin America against their crafty neighbours, are very relevant:

“The trees should be planted in line so that the seven league giants may not get through. It is the time of reckoning, a time for us to present a united front; and we must close ranks and be as one like the silver at the roots of the Andes.”

53. It is no accident that the request for the inclusion of this item in the agenda of the current session of the General Assembly should have borne the signatures of 20 Latin American Foreign Ministers.

54. The collective request for the resumption of negotiations between the United Kingdom and the Argentine Republic, as proposed in the draft resolution before the Assembly, reflects not only the position of the signatories and of the almost 100 member States of the Movement of Non-Aligned Countries, but also the feelings of the international community as expressed in resolutions adopted by the Assembly in the past.

55. We hope that once again Member States will repeat their call to the parties concerned for negotiations and that the administering Power will heed that request. In fact, that is the least the international community can demand, under the Charter of the United Nations, of two parties to a dispute; and certainly we must not allow time to pass without this prudent action being promoted by the General Assembly.

56. That is why we consider particularly incomprehensible the allegation that it is too soon after the fighting to think of negotiations. Quite the contrary, the victims of that unnecessary conflict, both the British and the Argentine victims, deserve that an effort be made forthwith in favour of peace, understanding and a negotiated solution.

57. The peaceful settlement of this dispute, under the auspices of the Secretary-General, and the restoration of the sovereign rights of the Argentine Republic should be the aim of the international community. Latin America will not slacken in its endeavour to see our continent liberated from the colonial presence; nor will it go back on its historic commitment to the Argentine people.

58. To win a battle does not necessarily mean victory. It is more important, as a matter of justice, to achieve peace and friendship between peoples.

59. Mr. ZUMBADO JIMÉNEZ (Costa Rica) (*interpretation from Spanish*): Costa Rica comes to this session aware of the serious nature of the problem

with which we are now concerned here. We are not moved exclusively by a sense—certainly beyond question—of Latin American solidarity. We are moved as well by a legitimate concern for the interests of the countries involved in the dispute and those of the international community as a whole.

60. Our history is clear with respect to the priority we have always attached to problems relating to decolonization. We have also demonstrated our interest in preserving international peace and security, even more so when insecurity and war threaten nations united by history and by common traditions and aspirations.

61. The question of the Malvinas Islands is not a new issue for the Assembly. Seventeen years ago, we adopted in this very Hall the first expression of the will of the international community for a peaceful solution of the dispute [*resolution 2065 (XX)*]. Today, we must regret the events which have weakened the ties uniting, despite the vicissitudes of events, two friendly countries.

62. We should recall today the expressions of concern of the international community over the Malvinas Islands dispute. The background, which is directly applicable to this case, is the concern of the international community over the persistence of colonialism and its desire to put an end to it, as expressed in the historic resolution 1514 (XV) of 1960. That concern and that will were demonstrated in the specific case of the Malvinas Islands in resolution 2065 (XX) of 1965.

63. In that resolution, the General Assembly, taking into account the chapters of the reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Malvinas Islands, invited the Governments of Argentina and the United Kingdom to proceed without delay to negotiations with a view to finding a peaceful solution to the problem. At that time, the Assembly asked that the provisions and objectives of the Charter and of resolution 1514 (XV), as well as the interests of the population of the islands, should be taken into account. Seventeen years later, we seem to find ourselves at the same point.

64. My delegation regrets that so much time has gone by, that so much blood has been shed and that the feelings of the peoples of the United Kingdom and Argentina have been hurt without the wishes and the efforts of the international community yielding the desired results.

65. In 1973, the General Assembly adopted resolution 3160 (XXVIII), in which it expressed concern at the fact that eight years had elapsed since the adoption of resolution 2065 (XX) without any substantial progress having been made in the negotiations. On that occasion, the General Assembly expressed its appreciation for the efforts of the Argentine Government, in accordance with the relevant decisions of the General Assembly, to facilitate the process of decolonization and to promote the well-being of the population of the Islands. The Assembly urged the Governments of Argentina and the United Kingdom to proceed without delay with the negotiations to find a peaceful solution to the sovereignty dispute in order to put an end to the colonial situation. At the time,

no opposition was expressed in this Hall to the spirit of conciliation and the desire and will to put an end to a situation which was recognized as a colonial one. It should be recalled that, in the eight years between the two resolutions, the General Assembly adopted by consensus four proposals relating to the problem we are considering at present.

66. The General Assembly should also take note of the change which has taken place in the position of the United Kingdom. In August 1968, the United Kingdom considered the possibility of recognizing Argentine sovereignty over the Islands within a minimum period of 4 years and a maximum of 10. However, it appears that the possible existence of strategic resources and the importance that the Islands could have for the United Kingdom in controlling the South Atlantic have caused that country to use its resources again to defend what Admiral George Gray called in 1837 a harsh, inhospitable and costly addition to the dominions of the Crown.

67. What brings us together today is our commitment to peace, the same commitment that obliges us not to seek the immediate satisfaction of what we consider to be just aspirations but rather to choose the long and difficult road leading to the satisfaction of the parties to the dispute.

68. Costa Rica would like to make it clear to the countries represented in this Hall that we feel that the position of the Argentine Government, in our view a legitimate one, reflects a broad national consensus. It is not unrealistic to expect that a claim which has been pending for almost a century and a half will become weaker, nor is it legitimate to try to obstruct the decolonization process which should take place in the Malvinas.

69. We are firmly convinced, too, that it is necessary to remove this obstacle which so seriously affects the relations of the United Kingdom with the Latin American countries. We consider it vital for our interests that this be done, and we are convinced that it is vital to the interests of the United Kingdom as well.

70. Costa Rica would have liked to introduce today a draft resolution which would recognize without delay the territorial integrity of a Latin American sister nation; and we would have liked as well to introduce today a draft resolution which would constitute a further step towards the eradication of colonialism; but, mindful of the present serious situation, we seek support for a solution whose modest aspiration is dialogue as an indispensable prerequisite for peace.

71. The General Assembly has a very clear choice before it with respect to the Malvinas question. On the one hand, it may reaffirm the principles inspiring the United Nations and, in accordance with the very purpose of the Organization, we may appeal to the parties to seek a peaceful and lasting solution to their differences. On the other hand, we can leave this dispute to be resolved by the strength of the parties, thus consolidating injustice, harming the interests of the weaker party and contributing to the weakening of the United Nations.

72. Draft resolution A/37/L.3/Rev.1, submitted to the Assembly today for its consideration, reflects the position of Latin America. We Latin Americans

feel proud of a tradition of confidence in the international legal machinery and in our draft resolution we reaffirm the ideal of universal peace. We consider it encouraging that hostilities have ceased in the South Atlantic and we are pleased that the parties are willing to refrain from resuming them.

73. We also reaffirm the need to take into account the interests of the population of the Islands, and we request the parties, with the agreement of the Latin American side, to resume negotiations to find a peaceful solution to their dispute. We hope that the international community will support this draft resolution, which does not prejudge the situation and whose sole aim is to return to the course marked out 17 years ago. The fact that such a course was abandoned is the reason we must today mourn the war, destruction and bloodshed. It is up to the international community fully to implement the Preamble of the Charter, affirming the determination to save succeeding generations from the scourge of war.

74. We understand that the wounds of conflict make negotiations more difficult. But we are firmly convinced that only when peoples learn to live in peace and to respect the rights of others shall we be able to say that the blood spilled was not spilled in vain.

75. Mr. CHAMORRO MORA (Nicaragua) (*interpretation from Spanish*): Once again, the Organization has before it the question of the Malvinas and adjacent islands, a matter on which this General Assembly has been taking decisions since 1965 and in respect of which it has expressed with unequivocal clarity the colonialist character of the conflict, arising from the existence of a dispute over sovereignty between Argentina and the United Kingdom.

76. For 17 years, the General Assembly has been urging both sides to proceed without delay to begin negotiations with a view to finding peaceful solutions that will put an end, under resolution 1514 (XV), to the colonial situation that, through the use of force, has existed since 1833 in that part of Latin America.

77. Latin America is still bleeding from the wounds resulting from the vestiges of colonialism in our continent. Once again, we have to face the claims of colonial Powers, claims that some thought had disappeared or were but a nightmare of the past. The spirit of Hispanic unity that was forged on the basis of the ideas and ideals of Bolívar, Martí, Betances, San Martín and Sandino again runs through our continent from Mexico to the Malvinas. The whole of Latin America calls for justice and for recognition of its rights, which are, in this case, the undeniable rights of the brother nation of Argentina.

78. We believe it unnecessary to dwell on the historical facts that, under international law and the American doctrine of *uti possidetis juris*, fully back the claim of the sister Republic of Argentina. However, we find that today, in the twentieth century, there are those who, when it suits them, disregard the rules of international law and peaceful coexistence among peoples by obstinately denying realities and by hanging on to a past era that has no further justification for existence. Those who assume such attitudes cannot expect anything but the condemnation of the peoples, since to try to maintain colonialist enclaves, apart from running counter to the spirit of the Charter of the

United Nations, serves to exacerbate tensions and further endangers international peace and security.

79. We are impelled to point out that Great Britain itself recognized the jurisdiction of the Spanish Crown, not questioning Spain's rights over the archipelago. Moreover, in 1774, Great Britain itself decided to leave and restore to Spain what in 1766 it had named Port Egmont. It also signed international agreements, such as those in the Treaty of Peace of Versailles of 1783, prohibiting the British from sailing in the South Atlantic, and the San Lorenzo Convention of 1790, that prohibited it from settling the coasts and islands occupied by Spain in South America. Similarly, over much of the period between the restoration of Port Egmont and the independence of the Río de la Plata Provinces, specifically between 1776 and 1810, there were more than 30 Spanish governors, and the British never questioned the sovereignty of Spain. After Argentina had attained independence, it became heir to the titles and the sovereign rights of the former metropolitan Power over those territories and incorporated in its sovereignty, under the right of the succession of States, all the former Vice-Regency of the Río de la Plata. We must point out that in 1825 Great Britain recognized the independence of the Provinces of the Río de la Plata when it subscribed to the Treaty of Peace and Trade and entered no claims or reservations in that treaty.

80. However, in spite of having recognized those rights, Great Britain invaded the Malvinas Islands in 1833, expelled by force or imprisoned the legitimate Argentine authorities, and expelled the original population of those territories.

81. History also tells us that, in 1833, after Great Britain's invasion and armed occupation of the territory of the Malvinas, the Argentine Republic protested against that usurpation, and over the years has continued to protest against the invasion and illegal occupation of the Islands. Since then it has been endeavouring to recover full sovereignty over its territory, on the basis of international law, since, like the overwhelming majority of States Members of the United Nations, it does not accept as valid the acquisition of territory by force. In this respect, the Organization has spoken out clearly in condemning this kind of policy in any part of the world.

82. We must also recognize the readiness of Argentina to seek a solution to the dispute with Great Britain through negotiation. Thus, in 1965, the General Assembly adopted resolution 2065 (XX), with no opposing votes, recognizing the existence of a dispute concerning sovereignty and inviting the parties to proceed with peaceful negotiations bearing in mind the provisions and objectives of the Charter and of resolution 1514 (XV), as well as the interests of the population of the Malvinas Islands, as the only viable means of putting an end to that colonial situation.

83. After eight years of frustrated negotiations—frustrated not because of Argentina's intransigence—in 1973 the General Assembly adopted, again without a single opposing vote resolution 3160 (XXVIII), in which it reiterated the existence of a dispute over sovereignty and made a further appeal for speeding up negotiations in order to arrive at a peace-

ful settlement of the dispute over sovereignty between the two countries concerning the Malvinas.

84. Once again, in 1976, the Assembly considered the question of the Malvinas and adopted resolution 31/49—this time with the negative vote of the United Kingdom—in which it recognized the efforts made by Argentina to facilitate the process of decolonization and to promote the well-being of the population of the Islands, and yet again requested that negotiations on the dispute over sovereignty be expedited.

85. For its part, the Movement of Non-Aligned Countries, loyal to its principles and reiterating its support of all those peoples which still live under the yoke of colonialism, has not hesitated in expressing its solidarity with the sister Republic of Argentina. In 1975, at the Ministerial Meeting in Lima, the Movement was clear and precise in asserting, in the specific and particular case of the Malvinas, its firm support of Argentina's just claim, while urging the United Kingdom to pursue negotiations in order to restore that Territory to Argentine sovereignty. Since then the Movement has been reiterating that position in various communiqués, meetings and summit meetings of Heads of State or Governments. At the Meeting of Ministers for Foreign Affairs and Heads of Delegations of Non-Aligned Countries, held in New York in October of this year, in addition to reiterating its support of Argentina it called on the parties concerned to resume negotiations, bearing in mind the principles of the Movement and General Assembly resolutions 1514 (XV), 2065 (XX), 2621 (XXV), 3160 (XXVIII) and 31/49 [*see A/37/540, annex, para. 35*].

86. The regrettable events that took place a few months ago in the South Atlantic, the results of which we are acquainted with, do not promote the cause of peace. We believe that they are the result of the persistence of the colonial situation in Latin America and the obdurate policies which continually reject true negotiations and do not contribute to the peaceful settlement of disputes. We are champions of the principle of the non-use of force between States in the settlement of their disputes. We do understand the frustration of 150 years of waiting for an act of good faith by the United Kingdom and 17 years of sterile negotiations in the United Nations. Faced with such a situation, the sister Republic of Argentina, having no alternative than to defend its national territory, was forced to use the same means that did violence to the Argentine nation in 1833 in order to recover its usurped territory.

87. Nicaragua, a peace-loving country, which has repeatedly expressed its readiness for dialogue and the peaceful settlement of disputes, voices its desire to contribute to the final solution of the dispute in accordance with the principles set out in the Charter of the United Nations and by the Movement of Non-Aligned Countries. That is why, together with 20 Latin American countries, we have joined in sponsoring draft resolution A/37/L.3/Rev.1. The only thing that draft resolution asks is that the Governments of Argentina and the United Kingdom, without prejudging the substance, resume negotiations to achieve a peaceful solution in respect of sovereignty over the Malvinas Islands. We trust that, with the good offices of the Secretary-General, the parties involved will achieve a just and lasting peace and put an end to the colonial

situation that exists in the South Atlantic of Latin America. We are convinced that that is the best thing for both peoples, since the continuation of this dispute would only bring more suffering to the British and Argentine peoples and, therefore, to the international community.

88. My country, which maintains cordial relations with the United Kingdom, ventures to make an appeal that they reflect on their policy in respect of the Malvinas and adjacent islands and that they heed the voice of the Latin American peoples which calls for the restitution of sovereignty over that Territory to the sister Republic of Argentina. In this context, we emphasize that the immediate initiation of negotiations would be the wisest and best policy to follow. Any attempt or manœuvre to side-track, delay or prevent that negotiating process would run counter to the wishes and desires of peace-loving nations and be contrary also to the principles set forth in the Charter of the United Nations and in resolutions and decisions of the General Assembly.

89. Nicaragua trusts that both parties will proceed with the maturity and wisdom required by the case and by the norms of international law in relations between States, and that they will find in negotiations the appropriate path to a solution of the conflict. It must be understood that the presence of colonial enclaves serves only to exacerbate tensions and not to maintain peace and good relations between States.

90. Nicaragua, which from the outset supported the Government and people of Argentina, will always be on the side of our Argentine brothers, and we wish to express to them our feelings of sympathy and the unconditional support of the people and Government of Nicaragua at any time when it is required in this just cause which still lies ahead for Argentina and, therefore, for Latin America.

91. Mr. ALBORNOZ (Ecuador) (*interpretation from Spanish*): Ecuador is one of the 20 Latin American countries which proposed the inclusion in the agenda of the current session of the question of the Malvinas Islands, in document A/37/193 of 17 August 1982, signed by 20 Ministers for Foreign Affairs of our region. This was an historical act marking a stage in the growing unity of those countries, which are all founding Members of the United Nations and are therefore defenders of the purposes and principles of the Organization and the Charter, which they helped to draft, the credibility and prestige of which we are ever committed to defend.

92. Ecuador is also one of the sponsors of the draft resolution distributed on this subject, and the revised text, as a minimal statement of the action needed to promote negotiations between two Member countries, in the clear language of the Charter, which is that used throughout this draft resolution.

93. Ecuador's position on this subject, which is a question of honour and which, for our region, has clear legal and historical roots, is not a new one nor has it just come about as a result of the regrettable events in the South Atlantic this year. Before, during and after those events, Ecuador has supported the claim of Argentine sovereignty over the Malvinas Islands. It has also supported, in all international forums in which it participates, the need for eliminating

colonialism throughout the world and, in particular, in America.

94. Thus, both in the United Nations and in the Organization of American States [OAS], we have upheld the validity of the principle of the non-use of force or threat thereof in international relations, as well as the principle of the peaceful settlement of disputes between States. By the same token, we have also reaffirmed the principle of *uti possidetis juris* of 1810, the consequence of which is the reaffirmation of the territorial integrity of American countries once they have achieved their independence, keeping the same territorial boundaries as those maintained by the metropolitan country from which we won independence at the time. This is why, as President Osvaldo Hurtado of Ecuador said:

“Ecuador and all States on the continent do not recognize territorial acquisitions achieved through the use of force, either in the form of attempts to violate this original territorial right or in the use of force. Such an occupation cannot alter the law, no matter how long such occupation has lasted, because it is still nothing other than an act of usurpation.”

95. The Charter of Conduct of Riobamba⁴ rejects aggressions and pressures of an economic nature such as those unfortunately exercised in this episode not only by the belligerent country but also by various other which are linked to our region by legal ties and ties of friendship and history.

96. The reaffirmation of the principle of the peaceful settlement of international disputes is the essence of the Charter, particularly in the many situations confronting our continent, and therefore, in trying to strengthen the means available to us to achieve peaceful solutions, it is logical that negotiations be sought between the parties, supported by the Secretary-General in exercise of his resumed function of good offices.

97. In this area, what is of paramount importance in the interests of equity is that the parties concerned should take into account the interests of the inhabitants of the Islands who were brought there by the occupying Power. Ecuador, which supported and promoted the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV) of 14 December 1960, understands that in this case, given the conditions and circumstances of this process, what is pointed out in paragraph 6 of resolution 1514 (XV) must be borne in mind above all, namely, that:

“Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.”

98. In accordance with this view, and in order to defend the principle of territorial unity, Ecuador has supported Namibia's right to keep Walvis Bay as part of its territorial integrity on the date of its independence, which we all so desire.

99. Furthermore, the invitation to the parties to resolve the Malvinas dispute through direct negotiations was already issued by the General Assembly in 1965 in resolution 2065 (XX) when it referred to the

principle of "territorial integrity" and the need to take into account the interests of the Islanders; that resolution was adopted by 94 votes in favour, with none against and 14 abstentions, when there were 115 Members in the United Nations. It was on this basis that in 1968, compromise agreements were reached recognizing Argentine sovereignty within a period of four to 10 years, once the interests of the population were guaranteed.

100. It should be pointed out that a *de facto* cessation of hostilities exists in the region, as was already clearly stated by the Minister for External Relations of Argentina, Mr. Aguirre Lanari, in the general debate [14th meeting]. All that is now needed is that an end be put to the maintenance of postures reflected in the military presence of warships, unduly large garrisons and the arbitrary occupation of maritime regions on our continental shelf, which are unacceptable to those who believe in peaceful coexistence and in the paramount importance of the system of direct negotiations between the parties in order to achieve a peaceful solution of any territorial dispute.

101. On the other hand, the right to self-determination cannot be invoked in areas where there is a territorial dispute. This new form of neo-colonialism threatens the gradual dismemberment of any State on the basis of the introduction of alleged settlers, occupation forces, administrative dependencies and purportedly technical or exploratory missions that actually have as their purpose the achievement of a permanent presence overseas, thus abusing the concept of self-determination.

102. We Latin American countries, which support the draft resolution just submitted, have held consultations on each of the concepts in the text, as well as with all the various geographical and political groups participating in the General Assembly and, heeding their views, we have inserted changes suggested in those consultations in order to make it easier to gain the support of the greatest possible number of friendly countries, with whose ideals we agree since we are all simply trying to achieve a recommendation aimed at beginning negotiations in the framework of the United Nations. This would make it possible, at a time considered appropriate by the Secretary-General in his consultations, for these negotiations to be started. When that happens, the values and usefulness of the United Nations will be reaffirmed and a climate of greater understanding and co-operation among its Members will be created.

103. Mr. JACOBS (Antigua and Barbuda): The Charter of the United Nations obliges Member States to "settle their international disputes by peaceful means" and to "refrain in their international relations from the threat or use of force". These are obligations cherished by my small country, for we possess neither economic nor military might and we are therefore vulnerable to the adventures of larger, more powerful States. Our only defence against such adventures is a universal commitment to the obligations of the Charter and to the United Nations itself.

104. From the outset of the hostilities in the South Atlantic, we strongly supported efforts to avoid conflict and urged both parties to seek a peaceful solution, for

we could envisage no benefit to either party from confrontation.

105. We were deeply saddened when one party resorted to the use of force and, in so doing, not only disregarded binding resolutions of the Security Council but also precipitated the conflict. We were doubly saddened because of our close association with both parties involved in the dispute in the South Atlantic. One country is a sister State in the group of Latin American States in the United Nations, and we share with it many similar problems and concerns. The other country is a sister State in a Commonwealth relationship, with whom we share bonds of history and tradition.

106. As we were persuaded earlier this year that hostilities between the two countries would produce no benefit to either side, so we are persuaded now that the draft resolution before us will be equally non-productive. That draft resolution has the potential to reopen wounds too fresh to be properly healed, to encourage acrimony when sensitivity is required and to whip up emotions when a period of sober reflection would be more helpful. Ideally, Antigua and Barbuda would have preferred the matter to be aired in a debate instead of having a draft resolution to be voted upon, since such a vote will serve only to heighten tension and delay the opportunity for meaningful discussions in an atmosphere of reason.

107. We heard yesterday from the Government of the United Kingdom that it had made efforts to confine the matter to a debate rather than have a vote on a draft resolution. In our view, both countries would have been rendering a service to the cause of peace if Argentina had agreed with the United Kingdom to set aside voting on any draft resolution at this time.

108. The draft resolution requests the Secretary-General to undertake a renewed mission of good offices in order to assist the parties to resume negotiations. We fully endorse the notion that the parties should seek a peaceful settlement of their dispute. This is consistent with the position we expressed prior to the hostilities, and our position has not changed. But we must be practical. Discussions will not be meaningful if they are conducted in an atmosphere of tension. We are all aware that, earlier this year, the Secretary-General warned that he could not be expected to produce results in such an atmosphere. Despite his efforts, the negotiations at that time did not lead to success. It is both unfair and unrealistic to expect the Secretary-General to resume a mission of good offices in the renewed tension which this draft resolution could produce. In this context, we can see no practical purpose being served by instructing the Secretary-General to undertake a "mission impossible".

109. In our view, the cause of peace in the South Atlantic and the welfare of the people of the Falkland Islands (Malvinas) would be better served through quiet efforts by the Secretary-General to narrow the areas of difference during a period of calm and restraint. Such efforts should avoid the glare of publicity and even the floor of the General Assembly and its Committees.

110. But, beyond all that I have stated so far, there is an overriding issue of great concern to Antigua and

Barbuda. We are the newest Member of the United Nations. Just two days ago, on 1 November, we celebrated our first full year as an independent sovereign State. We owe that status to the commitment of the General Assembly to the right of self-determination. In this regard we are not unique, for the vast majority of nations gathered in this Hall are here through respect for the principle of self-determination. Antigua and Barbuda is too fresh from its efforts to attain independence not to place the right to self-determination as a paramount consideration in any attempt to reach a just and lasting solution to the question of the Falkland Islands (Malvinas).

111. We must be mindful that the draft resolution before us falls short of acknowledging that the wishes of the people of the Falklands are paramount and pre-eminent considerations. In our view, any draft resolution which fails to accord the opportunity, without any constraints, to the people of the Falkland Islands (Malvinas) to determine their own future in accordance with the principle of self-determination does not address the need for a comprehensive and enduring solution.

112. For all those reasons, Antigua and Barbuda cannot support the draft resolution. But let not our inability to support it be construed as an anti-Argentina or a pro-British position. It is neither. Rather, it is a stand for principle and right, a commitment to the obligations under the Charter of the United Nations and a plea for time in order that good sense may prevail.

113. We do not believe that it is beyond the creative capacity of Argentina and the United Kingdom to settle their differences within the framework of the Charter. We believe that they should be provided with the opportunity to settle those differences in their common interest and in the interest of international peace and security. We do not believe that this draft resolution will assist at this time in creating such an opportunity.

114. Mr. SEWRAJSING (Suriname): The decision of the General Assembly to include item 135 on the question of the Malvinas Islands in its agenda and to consider it directly in plenary meeting fully reflects the importance which this question has always had. Suriname welcomes this step because my Government is convinced that the United Nations has an important role to play in assisting the parties concerned to reach a peaceful and just settlement.

115. Recent developments regarding the Malvinas Islands have dramatically called the attention of the international community to the continued existence of colonial situations in Latin America and elsewhere in the world. These developments clearly demonstrate that the decolonization process has not yet ended and that the last vestiges of colonialism, if maintained by the colonial Powers, can endanger international peace and security.

116. The question of the Malvinas Islands has three important aspects: first, the ending of colonial rule over the Malvinas Islands, which started with the military takeover of the Islands in 1833; secondly, the restoration of the sovereign rights of Argentina over the Malvinas Islands, which include South Georgia and

the South Sandwich Islands; and, thirdly, the interests of the population of the Malvinas Islands.

117. There is no doubt—and the facts support this—that Argentina has from the outset sought the restoration of its sovereign rights over the Islands, but so far without any result. The decolonization process, which gained full force in the early 1960s, created new opportunities for both Argentina and the United Kingdom to arrive at a peaceful settlement of the conflict on sovereignty over the Islands.

118. In resolution 2065 (XX), the General Assembly invited Argentina and the United Kingdom to proceed without delay with negotiations with a view to finding a peaceful solution to the problem, bearing in mind the provisions and objectives of the Charter of the United Nations and of General Assembly resolution 1514 (XV) and the interests of the population of the Malvinas Islands.

119. The direct negotiations initiated in 1966 gave some room for optimism in the early stages, but this optimism faded away owing to the intransigent attitude of the United Kingdom, which finally halted the negotiations called for in General Assembly resolution 2065 (XX).

120. In resolution 3160 (XXVIII), the General Assembly called for a resumption of the negotiations. These negotiations have not resulted in bringing the parties closer to a peaceful settlement of their dispute regarding sovereignty over the Malvinas Islands. They have, instead, taken the parties further away from finding a just solution. In this regard, it should be noted that only the United Kingdom voted against resolution 31/49, in which the General Assembly expressed its gratitude for the continuous efforts made by the Government of Argentina to facilitate the process of decolonization and to promote the well-being of the population of the Islands. The General Assembly further requested the Governments of Argentina and the United Kingdom to expedite the negotiations over sovereignty and called upon the two parties to refrain from taking decisions that would imply introducing unilateral modifications to the situation.

121. One of the main obstacles making it difficult for the parties to arrive at a peaceful settlement is, as we understand it, the British claim of the right of the Islanders to exercise the right of self-determination. It is obvious that this claim has been put forward only to serve as a pretext for perpetuating negotiations and blocking any settlement other than the continuation of the colonial domination.

122. The General Assembly, in its resolutions 2065 (XX), 3160 (XXVIII) and 31/49, *inter alia*, has rightly not recognized the right of the Islanders to self-determination. The wording of paragraph 1 of resolution 2065 (XX) leaves no doubt as to what the General Assembly meant when it referred to resolution 1514 (XV) and the interests of the population of the Islands. Paragraph 6 of resolution 1514 (XV) gives an additional explanation.

123. Furthermore, the negotiations called for in the resolutions of the General Assembly refer to a settlement of the conflict over sovereignty, that is, the restoration of the sovereignty of Argentina over the Malvinas Islands. Moreover, the sponsors of resolution 1514 (XV) never meant or intended that the right

of self-determination should also be exercised by the people of the colonizing Power. It is beyond any doubt that, owing to the restrictive and selective immigration policy, nearly 100 per cent of the population of the Malvinas Islands are of direct British origin.

124. In this regard, I wish to stress that the non-aligned countries have taken a common position at all summit and ministerial conferences since 1975, in which they have recognized the claim of Argentina to sovereignty over the Malvinas Islands and supported the restoration of that right to Argentina.

125. The dispute about sovereignty over the Malvinas Islands, which has already lasted for almost 150 years and which has brought deep frustration and disappointment not only to Argentina but also to the United Nations, culminated in 1982 in the outbreak of hostilities and subsequently in a full-scale war in the South Atlantic. The escalating action taken by the United Kingdom since the beginning of the hostilities has aroused deep anger and resentment in Latin America. It is difficult to conceive that, in the year 1982, a colonial type of military expedition could have been undertaken to reimpose colonial domination. Moreover, the swiftness of some industrialized countries in Western Europe and in our hemisphere to support the United Kingdom in its military actions against Argentina calls for specific attention. These countries gave, in varying degrees, military, political and economic support that enabled and prompted the United Kingdom to seek a military solution. The concerted action in support of the United Kingdom cannot be regarded as an action conducive to a peaceful settlement. Instead, it tended to impose a unilateral solution.

126. The question arises why the same countries have not used their full weight and influence to induce the two parties to return to the negotiating table and seek a peaceful solution on the basis of the principles embodied in the Charter and the principles of international law.

127. Another question that arises is whether the Security Council can perform its duties effectively when one of the parties to the conflict happens to be a permanent member that has all options open to it to block decisions or consensus that are not to its liking.

128. The Secretary-General made the utmost efforts to mediate between the parties in order to avert an escalation of the situation and to bring the parties to the negotiating table to settle their dispute by peaceful means. The tremendous efforts of the Secretary-General, which came very close to relieving the situation, were ultimately of no avail because one of the parties remained intransigent and preferred military action.

129. We deeply deplore the use of force to solve disputes among States. Suriname adheres strictly to the principles of the inadmissibility of the threat or use of force in international relations, the peaceful settlement of disputes on the basis of the principles embodied in the Charter of the United Nations and respect for the territorial integrity and sovereignty of States. My Government is convinced that a lasting settlement of the question of the Malvinas Islands is possible only if that settlement is sought on the basis

of meaningful negotiations aimed at finding a just solution. Any other settlement, based on imposition or military domination, will not be acceptable to the other party. It will always bear the seed of discord and might lead to all kinds of actions to redress the situation. Suriname therefore joins the ranks of most countries in calling upon Argentina and the United Kingdom to resume negotiations as soon as possible in order to find a peaceful and lasting solution to the dispute about sovereignty over the Malvinas Islands. Suriname also joins in requesting the Secretary-General to undertake a renewed mission of good offices and to assist the parties in their quest for a peaceful solution.

130. Mr. GAUCI (Malta): Five and half years ago, on 14 February 1977, a significant article appeared in the *Ocean Oil Weekly Report*. It read as follows:

“Argentina. A representative of the United Kingdom Foreign Office will visit the Falkland Islands and Argentina this month to set up talks on co-operative development of the islands. The Falklands, located off the tip of southern Argentina, have long been considered a potential oil province, particularly offshore. Although they are under British rule, they have been the subject of jurisdictional disputes between England and Argentina. The British Foreign Office, which announced the talks, indicated the United Kingdom does not plan to give up jurisdiction over the Islands. Population of the Islands is only about 1,900 and the economy is stagnant.”

131. That approach seemed not only to symbolize the difficulties and the hope but also to project a positive outlook both for the future of the inhabitants of the Islands and for improved relations between the United Kingdom and the Republic of Argentina, not to mention the overall objective of regional peace and security. That trend should have been sustained and nourished. Since then, of course, that ray of hope has been displaced by a dense black cloud, and the recent unhappy conflict over the Falklands has cast a long shadow over the prospect of future progress. My delegation will pass over in sorrowful silence its regret at the senseless loss of life and equipment that was the main hallmark of that savage conflict.

132. Even now that the fighting is mercifully over, we in Malta still find ourselves in a difficult situation on this question. As a small island country not immune to outside pressure but fiercely resistant to it, our first instinctive consideration naturally is the primacy of the wishes of the inhabitants and the need for a peaceful solution.

133. The relations that we already have with both of the protagonists we desire to improve. We sense the strong feelings of the countries of South America on this question and we cannot but be impressed by the widespread continental support behind the draft resolution presented for our consideration. We see in that sponsorship reassuring indications of a determination faithfully to carry out its provisions. At the same time, of course, we appreciate the inherent difficulties and the present intensity of feeling that stand in the way of an early and equitable solution. The detailed documents and opening statements presented by each of the protagonists are sufficient indication of the complexity of the question.

134. Yet, in an ideal world, the case of the Falkland Islands could have served as a model for many other similar situations that may still arise. The old colonial empires, which even their founders, in moments of candour, have described as the doubtful outcome of "fits of absence of mind", have undoubtedly left their mark on the historical map of the world. This, however, belonged to a different era, and it cannot be expected to remain immutable. In his own time, Samuel Johnson was already describing the Falkland Islands as "a harsh, inhospitable and costly addition to the dominions of the Crown".

135. Britain prides itself on its valid contribution to the process of decolonization. Many of us might not be here to speak if that process had not in fact gathered momentum in the post-war years. It is now in its final phase, and the positive momentum should be maintained rather than reversed or brought to a grinding halt.

136. Against that background, the recent conflict was therefore all the more deplorable. In its aftermath, time will be needed for the wounds to heal and for the wiser counsel that was and remains necessary to be restored so that a peaceful and enduring solution, through negotiations without any prior conditions, will be reached, which respects the needs of today projected into the future and meets with the approval, primarily, of the people directly concerned, with due recognition of the special circumstances of the situation.

137. Some time will be necessary for this process, and we express the hope that, at this late stage and on this occasion, the time spent on negotiation will not be artificially prolonged. Hasty efforts may be counter-productive as, most certainly, was the illegal and internationally unacceptable attempt to solve the matter through the use of force. But we must also point out that delay on one side which may be seen by the other as deliberate procrastination can be very provocative.

138. The resolutions already adopted by the United Nations should be our guide; the bilateral negotiations between the two protagonists, our reservoir of effort already expended; and the good offices of our indefatigable Secretary-General, our spur to further effort, so that a positive momentum can be restored and maintained.

139. I believe it can be asserted with conviction that the recommendations outlined in paragraphs 4 and 5 of document A/AC.109/712/Add.1, prepared by the Secretariat, could not have been as comprehensive and as finely tuned to meet the preoccupations of all concerned if matters had not received urgent and priority attention and if the good offices of the Secretary-General had not been used. The failure at that time to respond positively to those suggestions can be ascribed mainly to the inflamed passions prevalent at that particular period, arising naturally from the intensity of the conflict and the loss of life incurred. The wounds will, of course, require time to heal but they should not become another running sore in international relations; hence the need for third-party medication and mediation becomes all the more pressing.

140. Those are the main considerations which will guide my delegation in its attitude towards discussion of the question. In the terms of the draft resolution submitted, we see many positive elements, but they need to be complemented. The revised text is a definite improvement on the initial version. We hope that other missing elements can also be introduced so that the draft resolution can be adopted by consensus. This should be our objective at this session. If it is not achieved, we should continue to strive to attain it and to guide developments in a positive direction in the interests of all concerned. In the meantime, we feel it necessary to support all positive efforts to ensure the resumption of peaceful negotiations. Therefore, as a first step in the right direction, we shall support draft resolution A/37/L.3/Rev.1, even though it may gloss over or not deal with sufficient precision with other important elements necessary for a peaceful, just and lasting resolution of the Falklands question.

141. Mr. OTT (German Democratic Republic): The delegation of the German Democratic Republic is speaking in the debate on this item because the conflict over the Falkland Islands (Malvinas) affects not only the national interests of the peoples and States in the South Atlantic region, but is indeed related to the maintenance of peace and security in the world at large and to the eradication of the remaining vestiges of colonialism. It is related to the attainment of the purposes and the application of the principles of the Charter of the United Nations and the implementation of the important Declaration in resolution 1514 (XV) and of many other pertinent resolutions of the United Nations.

142. The conflict in the South Atlantic erupted because it had not proved possible, even after 150 years of occupation and colonization of that group of islands, to find a solution of the problem in keeping with the United Nations resolutions concerning decolonization. Thousands of dead and wounded, scorched earth and destroyed property, heightened political tensions and increased dangers to international peace—these are today the results of that conflict. Therefore, common sense, realism and far-sighted statesmanship dictate that we draw the necessary lessons and conclusions from it.

143. For the peoples of Asia, Africa and Latin America to seek to remove for ever the problems inherited from the colonial past and to embark on a road to independent development is an understandable desire and, indeed, this is an objectively necessary process. In this struggle, the peoples can always count on the solidarity and support of the German Democratic Republic. The peoples are firmly opposing attempts by imperialist Powers to ensure, through political and diplomatic intrigues, pressure, blackmail and the use or threat of force, that the colonialist policies of the past can continue even in our time.

144. The ill-famed gunboat policy of imperialism dates back to the last century. That policy has been thwarted by the fight of the peoples for freedom and independence. The Declaration on the Granting of Independence to Colonial Countries and Peoples was another expression of the failure of that policy. However, the events in the South Atlantic and in other regions of the world testify to a revival of the spirit

and the practices of colonialist, imperialist politics. The purpose is, quite obviously, to teach a lesson to the peoples, notably those in the developing countries.

145. My country's delegation takes the view that the question of the Falkland Islands (Malvinas) is integral to the process of decolonization of Territories in various parts of the world once conquered by colonial Powers. It has been repeatedly asserted, both in the Security Council and in the General Assembly, that those Islands constitute one of the Territories whose colonial régime has to be abolished unconditionally, in accordance with the demands of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

146. The delegation of the German Democratic Republic joins in the call of representatives from many States for the conflict in the South Atlantic to be settled speedily and on a just basis, so as to prevent the current more tense international situation from deteriorating even further. Therefore, it is expected of both parties to the South Atlantic conflict that they display the necessary readiness to settle the existing problems by making full use of all the peaceful means available. A practicable way of achieving this would undoubtedly be through negotiations between the parties concerned, with the Secretary-General acting as mediator.

147. It soon became manifest during the conflict over the Falkland Islands (Malvinas) that it involved the global and strategic interests of the imperialist system as a whole. The leading imperialist Power, the United States, was very quick to abandon its pretended neutrality by taking sides in both the politico-diplomatic and the military field, thereby ignoring treaties with and alliance commitments towards the Latin American nations. That attitude appears as a logical result of a policy line which, during the last 10 years, has increasingly looked to the South Atlantic as another area of significance to the United States. Quite clearly, owing to its strategic location at the crossroads of the major sea lanes, which makes it a springboard for the Antarctic and a potential operational base against the independence and progress of peoples in the region, that group of islands is to be given the same role there and the same fate as Diego García in the Indian Ocean and other imperialist military bases.

148. As soon as the conflict began to jeopardize the political, economic and strategic interests of imperialism, the workings of its internal solidarity were put into high gear. NATO practically took part in the conflict as a military alliance. Collective sanctions and boycott measures were applied, in violation of international law. The intention to extend NATO's range of action and competence so that it would include the South Atlantic was clearly demonstrated. Therefore, the proposal of the States parties to the Warsaw Treaty, launched by the organization's Committee of Foreign Ministers when it met in Moscow recently—namely, that the two military-political alliances, NATO and the Warsaw Treaty organization, should abstain from extending their respective ranges of action to further regions—Asia, Africa and Latin America—appears very timely.

149. The fact that the conflict in the South Atlantic was used for testing not just logistic and telecommunication links, but the efficiency of sophisticated NATO weapons systems, the functioning of rapid deployment forces and ocean warfare generally has long ceased to be a secret. Thus, much as in the case of the Middle East, the Caribbean and other regions, the United States and NATO as a whole have turned the South Atlantic into another area for military training activities—activities carried on at the expense of the peoples of Asia, Africa and Latin America—whereby the most aggressive forces of imperialism, first and foremost the United States, are getting ready for a future D-Day, and that means for real war.

150. Incidentally, another remarkable fact should be noted here. For years now the spectre of an alleged Soviet threat and a so-called danger from the East has been raised in Western countries in an effort to justify current programmes for the buildup of military strength, including naval strength. This spectre—busily cultivated and daily harped on—of a threat from the East disappeared overnight during the months of the Falkland Islands (Malvinas) conflict. A huge imperialist armada set sail—to the west, for once—for an area some 8,000 miles from Western Europe's coastal seas, in order to erase a danger to so-called national interests which had newly arisen there. But now, half a year later, Western officials and the mass media have restored the threat legend to its usual political and geographic tendency. Tough anti-Communist and cold-war style declarations from Washington, London and, lately, West Berlin confirm that imperialism is indeed embarked on a crusade against socialism and the striving of the peoples to achieve social progress and to eliminate colonialism in all its forms and manifestations.

151. Thus, a direct relationship emerges between the recent events in and around the Falkland Islands (Malvinas) and the imperialist policy of the arms race, confrontation and war. Whether in Europe or the South Atlantic, the Middle East or South-East Asia, southern Africa or the Caribbean, the causes and effects of that policy are equally at work in all these focal points of conflict and tension. My delegation therefore emphasizes the need to oppose firmly the imperialist policy of confrontation and provocation, for the sake of peace and security in the world and in the interests of stability and peaceful co-operation in all regions.

152. The German Democratic Republic reaffirms from this rostrum its basic policy commitment: the removal of existing hotbeds of tension and conflict as well as the prevention of the coming into existence of new ones; and the settlement of all international disputes by peaceful means, that is, at the bargaining table.

153. Mr. LING Qing (China) (*interpretation from Chinese*): Not long ago, in the hitherto relatively calm South Atlantic region, a war of considerable scale broke out and lasted for two and a half months, further destabilizing the situation in Latin America and the world and causing grave concern among the people of all countries.

154. Although the war ended with the reoccupation of the Malvinas (Falkland) Islands by British troops, the dispute between Argentina and the United

Kingdom over the sovereignty of these Islands has remained unsettled. In these circumstances, the current session has responded to the request contained in the letter of 16 August this year [A/37/193] from the Foreign Ministers of 20 Latin American countries to the Secretary-General and has decided to include this question in the agenda for consideration in plenary meeting. The Chinese delegation considers this decision entirely necessary and opportune.

155. The dispute over the Malvinas Islands reminds people that, although the cause of national liberation has won great victories throughout the world in the post-war period, the process of decolonization has not yet been completed. The Argentine claim to sovereignty over the Malvinas Islands has given expression to Argentina's national aspirations over the more than 150 years since its independence and has won the consistent sympathy and support of third-world countries, especially the non-aligned and Latin American countries. The conferences of the Movement of Non-Aligned Countries and of the OAS have adopted several resolutions in support of Argentina's claim to sovereignty over the Malvinas Islands.

156. The General Assembly has also adopted several resolutions on this issue, affirming that this is a question of decolonization and urging the two parties to accelerate the process of negotiations. Argentina and the United Kingdom had held prolonged negotiations without achieving conclusive results, and military conflict broke out eventually. After the outbreak of the war, the Security Council held meetings and adopted resolutions calling for the cessation of hostilities, withdrawal of troops and settlement of the dispute through negotiations. Mandated by the Security Council, the Secretary-General actively undertook mediation, and his efforts won wide support and appreciation from the international community. This fully shows the strong desire of the international community to see the dispute over the Malvinas Islands settled peacefully and equitably.

157. Regrettably, all efforts for a peaceful settlement of this dispute ended in failure and the military conflict was steadily escalated, inflicting heavy losses on both sides. Though the conflict ended with a momentary

success for the militarily stronger party, it could by no means lead to a settlement of the dispute over the Islands. On the contrary, it hurt the national feelings of Argentina and other Latin American countries and this was fraught with serious consequences for the party which had gained the upper hand this time.

158. The Chinese Government and people have always firmly supported the third-world countries and peoples in their just struggle to safeguard State sovereignty and territorial integrity. We are of the view that Argentina's claim to sovereignty over the Malvinas Islands should be respected by the international community and that the relevant resolutions of the Movement of Non-Aligned Countries and the OAS should be implemented. Twenty Latin American countries have sponsored draft resolution A/37/L.3/Rev.1, which calls for the resumption of talks between Argentina and the United Kingdom so as to expedite a peaceful settlement to the dispute on the sovereignty of the Malvinas and which once again requests the Secretary-General to use his good offices in this matter.

159. This is a new effort by the Latin American countries to promote a peaceful, just and equitable settlement of the issue. The Chinese delegation appreciates and supports this effort of the Latin American countries. We believe that their recommendations provide the correct course to settle this dispute left over from history, for they not only are in the interests of the peoples of both Argentina and the United Kingdom but are also helpful to the maintenance of peace in the South Atlantic and the world at large.

The meeting rose at 1.15 p.m.

NOTES

¹ See *Official Records of the General Assembly, Nineteenth Session, Annexes*, annex No. 8 (part I), document A/5800/Rev.1, chap. XXIII, para. 59.

² See *Official Records of the Security Council, Thirty-seventh Year*, 2360th meeting.

³ A/10217 and Corr.1, annex, para. 87.

⁴ A/C.3/35/4, annex.