



Wednesday, 3 November 1982,
at 3.20 p.m.

NEW YORK

President: Mr. Imre HOLLAI (Hungary).

AGENDA ITEM 135

Question of the Falkland Islands (Malvinas) (continued)

1. Mr. RÁCZ (Hungary): The General Assembly is once again considering a problem which gives us cause for concern. The re-emergence last May of the long-standing issue of the Falkland Islands (Malvinas) and the increased tension in that region turned the South Atlantic into an acute focal point of international politics.

2. We consider the war in the South Atlantic yet another manifestation of how unresolved problems of colonial origin threaten stability and world peace. In our view, the explosive issue of the Falkland Islands (Malvinas) is a question of decolonization and should be treated accordingly.

3. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples began to review the question of the Falkland Islands (Malvinas) in 1964. In its conclusions and recommendations, adopted on 13 November 1964, the Committee invited the Governments of Argentina and the United Kingdom to initiate negotiations to settle their differences.¹

4. These recommendations of the Special Committee were reiterated by the General Assembly in its resolution 2065 (XX), adopted in 1965. In 1966, the General Assembly reached a consensus for the first time on urging the parties involved to find a peaceful solution as soon as possible.

5. Regrettably, the negotiations between the two parties proved to be inconclusive, and the frustration led to the outbreak of open hostilities and war, causing heavy loss of life and severe material damage on both sides.

6. The Hungarian delegation shares the view with regard to this war outlined by the Ministerial Meeting of the Co-ordinating Bureau of the Non-Aligned Countries, held from 31 May to 5 June 1982 in Havana [A/37/333, annex, paras. 109-117].

7. We hold that the draft resolution before us [A/37/L.3/Rev.1], which was introduced on behalf of 20 Latin American countries, is a constructive effort towards a peaceful and just solution of the dispute. This well-balanced draft resolution calls for the resumption of negotiations between the Governments of Argentina and the United Kingdom in order to find as soon as possible a peaceful solution to this question. The

Hungarian delegation is ready to support the draft resolution.

8. We particularly support the paragraphs requesting the Secretary-General to undertake a renewed mission of good offices and to submit a report to the General Assembly at its thirty-eighth session on the progress made in the implementation of the resolution. In this connection, we should also like to express the Hungarian delegation's appreciation to the Secretary-General for his tireless efforts during the days of the crisis. We hope that his coming efforts, based on his diplomatic skills and negotiating experience, will result in a useful contribution to the solution of the problem in the future, too.

9. When the process of decolonization is totally completed—and we hope that this will be in the not-too-distant future—and the former colonial Powers cease their insistence on their so-called right to certain possessions which are very often far from their own territories and which were once taken by force, there will be less danger to international peace and security. That is why we firmly support every effort by the United Nations aimed at the speedy implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples [resolution 1514 (XV)].

10. Mr. CORRÊA DA COSTA (Brazil): The question of the Malvinas Islands is almost 150 years old. That is indeed a long time—long enough, there are those who might say, to bestow a certain degree of legitimacy upon a *de facto* situation. But that is obviously not so in this case. Members must still have vividly in mind the inspiring statement made by the Minister for External Relations of Argentina, Mr. Aguirre Lanari, during the general debate at this session of the General Assembly [14th meeting]. To say that in 1833 an act of aggression deprived the newly independent Argentine Republic of part of its territory may at this stage sound rather hackneyed. Perhaps it is; but it states the very essence, the gist, of what this question is all about: that is, the occupation of foreign territory by the most powerful nation of those days.

11. Ever since that humiliation was foisted upon the Argentine Republic, its leaders have never failed to protest against the unlawful occupation of the Malvinas Islands by British forces. As time has passed, Argentine resentment has only grown more bitter, and the international aspects of the case have never changed so as to warrant a different interpretation of the nature of the dispute between Argentina and the United Kingdom. In this connection, I should like to quote from the statement I made in the Security Council last May, which repeated the words of the Minister for External Relations of Brazil at the Consultative Meeting of the Organization of American States:

“With the passage of time, there was no arbitral award, no international judicial decision or treaty giving juridical validity to the British occupation, nor does the passage of time give legal validity to the fact of occupation, since the aggrieved country—Argentina—unceasingly reiterated its protest and its objection to the occupation.”²

12. In 1833, the Government of Brazil associated itself with Argentina's protest to the British Government and, ever since, Brazil has unwaveringly supported Argentina's legitimate claim to the Malvinas Islands.

13. On the other hand, Brazil has always insisted that a peaceful settlement to the dispute can and must be achieved. For this reason, Brazil gave its full support to the bilateral negotiations launched in the 1960s on the recommendation of the General Assembly. We deeply regret the scuttling of those negotiations.

14. In 1982, the smouldering tensions finally exploded into a conflict which resulted in the loss of many lives, both British and Argentine. We were shocked by the tragedy that befell the peoples of those two nations, both friends of ours with which we have always maintained close and mutually beneficial relations. Our shock was all the greater because the tragedy could have been avoided. Indeed, we believe that good sense and moderation could have prevented the escalation of events to the point of no return. We may unconsciously have been deluding ourselves at the time, but, imbued with this belief, my Government made every effort in its power to help avoid the outbreak of armed confrontation. Once it has begun, we redoubled our efforts to assist in bringing it to an end. The Brazilian Government pledged its full support for the attempts of the Secretary-General to find a formula that could have resulted in a peaceful solution. While he was so engaged, we expressed the view that, since the Secretary-General was so close to success, everyone, and particularly the two parties involved, should give him a chance to fulfil his mission by refraining from actions that would polarize the dispute.

15. The scars of war remain and should be healed. I should like to quote from the statement made at this session by the President of the Federative Republic of Brazil:

“It is time for those who so vigorously condemn the use of force in the solution of controversies to demonstrate the consistency and sincerity of their designs. Negotiations must start in order to avoid the risk of increasing tensions in an area naturally inclined to co-operation and prosperity.” [5th meeting, para. 16.]

16. Indeed, negotiations are the only way to achieve a just and lasting settlement, and when I speak of negotiations, I mean serious negotiations. Security Council resolutions 502 (1982) and 505 (1982) provide both the basis and the framework for negotiations. My country makes an appeal to the two parties not to squander any more time and effort and to address the fundamental question: that is, whose claim to sovereignty over the Malvinas Islands is the more legitimate? My Government is certain that, inescapably, the only true answer is not inconsistent

with the protection of the legitimate and justified interests of the British settlers that inhabit the Islands. On the contrary, they would be the first and greatest beneficiaries of the easing of tensions and of eventual peace.

17. With peace and justice as our one and only purpose, Brazil and 19 other Latin American countries requested the inclusion of an item entitled “Question of the Malvinas Islands” in the agenda of the thirty-seventh session of the General Assembly [A/37/193]. The same 20 countries are sponsors of draft resolution A/37/L.3/Rev.1, the sole purpose of which is to request the Republic of Argentina and the United Kingdom to resume negotiations with a view to reaching “a peaceful solution to the sovereignty dispute” relating to the question of the Malvinas Islands. The draft resolution also requests the Secretary-General to assist both parties in the negotiations they are expected to conduct.

18. I should like to make one final comment on the draft resolution. The revised text is the result of the informal consultations that took place during the past few weeks with a number of delegations and representatives of different regional groups. Let me point out that certain changes were introduced in order to allay apprehensions and to give an answer to some delegations with regard to the interests of the Islanders, in conformity with General Assembly resolution 2065 (XX), which was adopted by an overwhelming majority and without any dissenting vote. The revised text also records the cessation of hostilities and the intention of the parties not to resume them. In this connection, let me stress that Argentina, as a sponsor of the draft resolution, is giving a pledge not to reopen hostilities in the South Atlantic.

19. The sponsors have introduced into the draft resolution a preambular paragraph that reaffirms the principles of the Charter on the non-use of force or the threat of force and on the peaceful settlement of disputes. My country believes that, in voting in favour of the draft resolution, all Governments represented in this Hall will be vouching for their peaceful intentions and for the sincerity of their adherence to the purposes and principles of the Charter.

20. Before concluding, let me state that Brazil's purpose is to contribute to the achievement of peace and justice. We therefore make an honest and sincere appeal to both parties to seek a settlement of their differences at the negotiating table. Brazil cannot accept the South Atlantic being transformed into a sea of confrontation. After all, the South Atlantic has always been the least militarized of all the oceans of our globe, and we intend to do our utmost to ensure that it remains so. We are convinced that the South Atlantic will be known to the world as a region where there is no room for any activity other than open and friendly co-operation among the coastal developing countries of Latin America and Africa, free from the tensions between the great Powers and free from any military presence associated with outside interests.

21. Mr. SANZ DE SANTAMARÍA (Colombia) (*interpretation from Spanish*): The Argentina cause,

the legitimate objective of which is to recover part of its rightful territory, is the cause of Latin America.

22. Yesterday, at the 12th meeting of the Fourth Committee, we heard statements and replies from petitioners from the Malvinas Islands, among them some citizens of English origin who subsequently became Argentine nationals and are satisfied with the way in which their new country has received them, enabling them to work and make progress on an equal footing with those born in that country. The conclusions flowing from the lengthy and interesting debate yesterday favour the Argentine claim.

23. Pan-Americanism was established on the basis of the prohibition of territorial conquest and the inadmissibility of any acquisition of territory by violence. Hence, it is quite clear that the Latin American States do not recognize the validity of territorial conquest. Furthermore, Colombia has a long anti-colonialist tradition, and any action not involving bloodshed rightfully adopted by the international community to combat colonialism has our active and resolute support.

24. Colombia defends Argentina's cause and its claim against the United Kingdom because it is aware of the existence of a genuine title justifying Argentina's aspiration to exercise full sovereignty over the territory which is the subject of the confrontation with the United Kingdom. There is no other way to explain or justify the decisions of the United Nations on the question of the Malvinas Islands. First, it has been recognized that the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples apply to the Malvinas Islands.

25. Subsequently, resolution 2065 (XX), in recognizing the existence of a dispute on sovereignty between the Governments of Argentina and the United Kingdom and inviting them to bear in mind the interests—not the desires—of the population, let it be understood openly and unequivocally that the principle of self-determination was not applicable to the dispute over the Malvinas Islands, since it involved an occupied territory and thus the principle of territorial integrity prevailed, in accordance with resolution 1514 (XV), which makes it clear that any breach of territorial integrity by a country is incompatible with the principles and purposes of the Charter of the United Nations.

26. Similarly, resolutions 3160 (XXVIII), of 14 December 1973, and 31/49, of 1 December 1976, expressly recognize the efforts made by the Argentine Government to promote the well-being of the population of the Islands.

27. Since the Argentine title to the Malvinas is genuine, it would not be proper to leave the fate and future of a territory whose sovereignty is the subject of a conflict in the hands of those that occupied it by force. That would mean accepting an improper procedure to legitimize the use of force.

28. My delegation is confident that, in view of the indications given by the United Nations, the well-founded solidarity of the Movement of Non-Aligned Countries and the categorical statement of the Inter-American Juridical Committee, the General Assembly will approve and support the just and conciliatory

language of draft resolution A/37/L.3/Rev.1, in the firm belief that by taking as a basis the system set out in the draft resolution, and resuming the dialogue after its untimely suspension and renewing the collaboration—which we know to be highly effective—of the Secretary-General, a proper solution will be found to the conflict in the South Atlantic.

29. Mr. GOLOB (Yugoslavia): The statements made by the heads of delegations in the general debate at the thirty-seventh session and the report of the Secretary-General on the work of the Organization [A/37/1] point out that the international situation has deteriorated in the course of the last year. The existing hotbeds of crisis have not been extinguished, and new ones have erupted and exceeded the limits of bilateral conflicts, tending to grow into wider disputes. All this has affected the maintenance of peace and security in the world.

30. One such new crisis is the problem of the Malvinas Islands, which escalated into an armed conflict between two States Members of the United Nations. That issue is on the agenda of the Security Council, 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, of the Fourth Committee and of the thirty-seventh session of the General Assembly. This in itself is ample proof of the urgency and gravity of the crisis and of the necessity for new efforts by the international community to resolve it. We believe that the problem can be solved. We hold that a lasting and just solution of the present situation can be found if sufficient political will is shown by the parties directly involved. This can, in our opinion, be helped by the well-intentioned support and assistance of all those that maintain traditionally good and friendly relations with both Argentina and the United Kingdom, as is the case with Yugoslavia.

31. In approaching the problem of the Malvinas Islands, it should be borne in mind that this Territory is on the list of the Non-Self-Governing Territories of the Special Committee on decolonization and that the General Assembly has on several occasions adopted decisions by consensus and recommended negotiations between Argentina and the United Kingdom. It seems to us that this clearly indicates how the solution should be sought at this moment.

32. The statement issued by the Federal Secretariat for Foreign Affairs of Yugoslavia, after the outbreak of the armed conflict in the Malvinas Islands in the spring of 1982, said, *inter alia*, that the use of force and the heavy loss of life made Yugoslavia even more convinced of the necessity to seek a negotiated settlement in accordance with the Charter and relevant United Nations resolutions and the documents of meetings of the non-aligned countries concerning this problem.

33. In accordance with that statement, Yugoslavia has, since the very beginning of the crisis concerning the Malvinas, in contacts with both Argentina and the United Kingdom, pointed to the danger of the use of force and called for the utmost restraint by the parties involved in order to prevent a further deterioration of the situation and to achieve a just and lasting solution by peaceful means, in the interest of

peace and security in the region and in the world at large. We continue to stress the need for such an approach to the problem of the Malvinas Islands. This, in our view, is indispensable; it is in the common interest of us all. It is the primary responsibility of the two parties directly concerned to exert efforts to achieve a peaceful solution.

34. The non-aligned countries have on several occasions supported Argentina's claim to sovereignty over the Malvinas Islands. The Sixth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana in 1979, clearly underlined that:

"In the special and particular case of the Malvinas Islands, the Heads of State or Government firmly reiterated their support for the Argentine Republic's right to the restitution of that territory and sovereignty over it and requested that the negotiations in this regard be speeded up."³

This position has been reiterated at all subsequent meetings of the non-aligned countries.

35. In our view, this constitutes the only possible way for the solution of the problem. Peaceful negotiations between Argentina and the United Kingdom should be resumed. They are the only viable and realistic way to improve the situation in the South Atlantic. Any successful negotiating process must take into account all facts and interests, particularly the rights of Argentina and the interests of the population of the Malvinas Islands, which should not be neglected.

36. The Yugoslav delegation would like to point out that it will be possible to solve the problem of the Malvinas Islands only through negotiations with strict adherence to the principles of the Charter of the United Nations. In this context, we feel that the restoration of confidence between Argentina and the United Kingdom is of substantial significance.

37. Yugoslavia will vote in favour of the draft resolution sponsored by 20 Latin American States. We consider that in order to achieve a lasting and just solution to the problem it is necessary to resume negotiations between the United Kingdom and Argentina, within the framework of the United Nations and with the assistance of the good offices of the Secretary-General, to find a peaceful solution as soon as possible.

38. Mr. BLANCO (Uruguay) (*interpretation from Spanish*): Uruguay is taking part in this debate with a constructive attitude and in a spirit of harmony. This position of my country is not new and is not made to fit this instance. It corresponds to a policy which has always been followed and advocated by Uruguay, that of seeking peaceful solutions. Even before the universal embodiment of rules in this regard, our Constitution established that policy as a self-imposed obligation.

39. No one is unaware of the strong links that bind us to the Republic of Argentina in brotherly relations which are daily renewed with growing common undertakings. That is, and always will be so. That does not prevent us from considering the question objectively, nor does it prevent us from recalling our long-standing relations with the United Kingdom.

40. I shall not refer to the tragic events that occurred between April and June of this year in the South Atlantic, the analysis or discussion of which would certainly not lead to a solution of the problem. I wish only to mention two simple, telling conclusions: first, undoubtedly there is a dispute over sovereignty, expressed in contradictory statements from the parties, which we have heard even in this General Assembly, a dispute recognized by Assembly resolutions and eloquently borne witness to by hundreds of dead; secondly, this dispute cannot remain in a vacuum, without a political and legal framework which would firmly set it on the way to peaceful negotiations.

41. Certainly there do exist international instruments which set forth the principle of the peaceful settlement of disputes, first and foremost of which is the United Nations Charter itself. It is to be hoped that the Manila Declaration on the Peaceful Settlement of International Disputes adopted by consensus in the Sixth Committee, will be adopted unanimously by the General Assembly at this session.⁴

42. But it is necessary for general rules accepted by all to be translated also into a specific criterion for each situation, to give the parties a safe guide for channelling their conflicts. It is necessary for principles to be followed by practical recommendations for effective implementation, drawn up by the international community according to the circumstances of each case. In accordance with this premise, Uruguay, together with 19 other Latin American countries, has sponsored draft resolution A/37/L.3/Rev.1.

43. I wish to mention briefly the main aspects of the draft resolution which, in the view of my delegation, recommend the adoption of the text: it is a balanced document, which does not prejudge the positions of the parties; it promotes the holding of negotiations, which is one of the universally recognized means of peaceful settlement; it stresses the functions of the Secretary-General, who is given a flexible mandate to act in a mission of good offices in order to help both parties; it confirms that this problem should be dealt with by peaceful means; it maintains the item under the care of the General Assembly.

44. Through all those things, the draft provides a political and legal framework for resolving the conflict through negotiations. Thus, by a simple mechanism, it fills the vacuum between the principal parties and the situation created. In this regard, I wish to stress that the mandate of the Secretary-General is particularly timely, both because of his powers in the office which he occupies and also because of the acknowledged action he has already taken in this matter. This gives everyone the necessary guarantees and, at the same time, is a positive factor for the carrying through of a delicate and highly sensitive task.

45. I do not wish to confine an analysis of the draft resolution to its most immediate legal or political aspects. The simplicity of the text and its clear purpose of peace are also a positive contribution to creating an atmosphere for dialogue. The changes introduced in the initial draft resolution bear witness to this: a reference to a cessation of hostilities, reaffirmation of the principle of the non-use of force or the threat of use of force, and reaffirmation of the

need to take into account the interests of the inhabitants of the Islands.

46. This latter aspect, besides being consistent with General Assembly resolutions 2065 (XX) and 3160 (XXVIII)—both adopted without a single negative vote—gives a delicate human problem the serious consideration it deserves.

47. The changes eloquently emphasize a firm purpose of understanding and peace. I am aware that the wounds are recent and deep. I understand the urge to remember the sacrifices made. But that natural feeling, which is worthy of respect, should not prevent us today from working together to lay the foundations of a peaceful settlement under international law.

48. Throughout the general debate and also during the second special session on disarmament, we have reviewed the many situations and areas of tension and crisis, if not of open conflict. Those facts and the thought-provoking report of the Secretary-General have highlighted the need to strengthen the United Nations, particularly its role in the preservation of international peace and security. Above all, the need has been stressed for prior preventive action.

49. The item under discussion provides an excellent opportunity to put into practice all these ideas and resolutely to approach the question through a draft resolution dealing with the item in a balanced and timely manner.

50. During the debate on the Malvinas Islands, both within the Organization and outside it, reference has been made to the principle of self-determination. Without any doubt, that principle is highly important, as recognized in the Charter and as an essential element for the independence of States. However, as far as my delegation is concerned, it is not applicable in the present case. From the point of view of form, what we have is a dispute concerning sovereignty which should be resolved through negotiations. Therefore, there is no ground for referring now to the content or the result of the negotiations, qualifying them with the principle of territorial integrity, self-determination or any other principle that refers to the substance of the matter. To do so would imply going beyond the negotiations themselves and prejudging their outcome.

51. From the substantive point of view, it is also clear that there is no reason to refer to self-determination. The introduction of settlers since 1833 is at variance with the principles governing the occupation of territories, both those acknowledged by general opinion at the time and those accepted now. In the technical sense, occupation as a means of acquiring sovereignty must come under *res nullius* or *res derelictae*. In the case of the Malvinas Islands, in 1833 neither of the two situations existed, as the territories were neither without a sovereign nor had they been abandoned; abandonment, in order to be proved, requires, as well as a physical or a natural element, also one of intent, that is, the desire to abandon, which obviously never existed. Neither is there any ground for invoking prescription since, in the light of the foregoing, the initial act did not give rise to title and was promptly contested in any case.

52. Acceptance of the opposite solution, besides contradicting the aforementioned legal criteria, would involve a serious precedent for weaker countries, which could be dismembered by the settlement of groups of people from other more powerful countries.

53. Therefore, the relevant General Assembly resolutions refer exclusively to the Argentine Republic and to the United Kingdom as the parties to the dispute. From the international point of view, the present population of the Islands is not recognized as a people within the meaning of resolution 1514 (XV), that is, as being entitled to the right to self-determination. In the light of the considerations of form and of substance I have made, my delegation considers there is no ground for invoking this principle in the present debate.

54. The draft resolution under discussion, apart from its own merit, has a special meaning for my country and I should like to mention it. It is an initiative of a great number of Latin American countries, associated for a purpose of great international importance and significance. Beyond the differences and possible discrepancies inherent in a group of free nations, without masters or tutors, we have come together in a great peace initiative, open to all without exception.

55. This fact heralds the beginning of a new stage; it establishes Latin America anew as a presence in the United Nations, as a stable and calming force, as a group of nations that helps to build bridges of understanding and peace. My Government will always be committed to this aim. I hope that this initiative will have that practical effect.

56. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): Consideration by the General Assembly, at the request of 20 Latin American States, of the question of the Falkland Islands (Malvinas) is, in the opinion of the Soviet delegation, timely and necessary.

57. As part of the historical problem of the elimination of the world colonial system, the question of these Islands has been facing the United Nations from the time of its establishment. However, today we are seeing how the absence of a solution to the problem of ending the colonial status of this Territory has led to a serious armed conflict.

58. During the recent general political debate, the Soviet Minister for Foreign Affairs, Andrei Gromyko, emphasized that:

“When a centre of tension appears in some part of the globe there can be no doubt that it is caused by the actions of those who have no regard for the legitimate interests of others. Not infrequently they are inspired by attempts to retain by force positions inherited from the colonial past.” [*13th meeting, para. 137.*]

59. The conflict in the South Atlantic broke out precisely as a result of the desire of the administering Power to keep in its own hands, by every possible means, the vestiges of its former extensive colonial possessions. This conflict has already cost hundreds of lives, but in the light of the position of those States bent on maintaining and strengthening their own military and strategic positions in this region, it continues to remain the source of a

serious threat to the maintenance of international peace and security in the Latin American region and even in the whole world. The colonial nature of the problem of the Falkland Islands (Malvinas) is obvious. Located many thousands of miles away from the administering Power—in fact, at the opposite end of the earth—these Islands were in the past inscribed by the United Kingdom itself on the United Nations list of Non-Self-Governing Territories. After the adoption of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, which solemnly proclaimed the need for an immediate and unconditional end to colonialism in all its forms and manifestations, the Falkland Islands (Malvinas) were included in the list, approved at the eighteenth session of the General Assembly,⁵ of Territories falling within the sphere of that Declaration, and the colonial status of those Islands was to be ended as quickly as possible.

60. We must stress that, in the decisions adopted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and those adopted directly by the General Assembly on the question of the Falkland Islands (Malvinas), it was pointed out from the very beginning that there was a need to decolonize that Territory. In its resolution 2065 (XX), the General Assembly emphasized the ardent desire to put an end everywhere to colonialism in all its forms, one of which covers the case of the Falkland Islands (Malvinas). Noting the existence of a dispute between the Governments of Argentina and the United Kingdom concerning sovereignty over the Islands, the General Assembly called upon the Governments of those countries to proceed without delay with negotiations with a view to finding a peaceful solution to the problem, bearing in mind the provisions of the Charter and the Declaration and the interests of the population of the Islands.

61. The absence of the slightest substantive progress in solving the problem of the Falkland Islands (Malvinas) during recent years has caused serious concern on the part of the General Assembly and prompted it repeatedly to adopt decisions in which it has been clearly confirmed that this colonial situation should be ended through a peaceful solution to the dispute between the Governments of Argentina and the United Kingdom over the sovereignty of those Islands.

62. The General Assembly has repeatedly expressed its gratitude to the Government of Argentina for its constant efforts to promote the process of decolonization and the well-being of the inhabitants of the Islands, and has urged the Governments of both countries immediately to enter into negotiations to put an end to this colonial situation.

63. The lack of a solution of the problem of the decolonization of the Falkland Islands (Malvinas) has caused concern among a broad range of States, including the members of the Movement of Non-Aligned Countries, which has repeatedly studied that problem in various forums. Thus, in the Political Declaration adopted in 1975 by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Lima, the following is stated:

“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.”⁶

64. That position of the non-aligned countries has been confirmed in decisions of the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held in Havana, and in other documents of the Movement of Non-Aligned Countries.

65. In the light of Argentina's sovereign right to the Falkland Islands (Malvinas) and the interests of the inhabitants of the Islands, the Organization of American States has repeatedly advocated a settlement of the conflict through negotiations. In spite of the numerous appeals and the relevant decisions of the General Assembly, the Government of the United Kingdom declined, under various pretexts, to settle through peaceful means this dispute with Argentina over sovereignty over the Falkland Islands (Malvinas) and continued stubbornly to maintain the colonial status of those Islands. This is the root cause of the military conflict which broke out in the South Atlantic. It was the cause of the appearance of a hot-bed of tension in that region, which threatened international peace and security. Thus, responsibility for the situation around the Falkland Islands (Malvinas) lies with the United Kingdom.

66. When the conflict in the South Atlantic worsened, the United Kingdom placed its stake on the restoration of the colonial status of the Falkland Islands (Malvinas) by armed force and undertook a broad operation using its air force, navy and marines, in spite of the persistent attempts of the Security Council and the Secretary-General to avoid bloodshed and to achieve a peaceful settlement of the conflict.

67. During the mediation efforts undertaken by the Secretary-General at the first stage, definite prospects appeared for bringing together the positions of the parties. But the closer the British expeditionary force got to the conflict region in the South Atlantic, the firmer became the position of the United Kingdom. In the light of that policy of the British Government, a legitimate question arose amongst delegations in the Security Council as to whether or not the participation of the United Kingdom in efforts to achieve a settlement by peaceful means served only as a diplomatic cover for military preparations. The further development of events, the rapid unfolding of military action and even a veto imposed by the United Kingdom and the United States, on 4 June of this year, in respect of a draft resolution for a cease-fire in the conflict region⁷ confirmed that such suspicions were justified.

68. It is clear that, no matter what positions were taken by the parties as to the substance of the conflict, the questions involved should be solved by

peaceful means at the negotiating table. The longest negotiations are the best, and the longer they are, the shorter the war. Therefore, the United Kingdom Government's rejection of negotiations, the continuation of which was advocated by the Government of Argentina, cannot be justified from any point of view.

69. The military activities of United Kingdom forces for the purpose of restoring the colonial status of the Islands were in contradiction with the Charter of the United Nations and the fundamental norms of international law, as well as with the relevant decisions of the United Nations.

70. Responsibility for the dangerous worsening of the conflict in the South Atlantic is borne also by the United States. It is clear that the Government of the United Kingdom would not have decided on such a serious military operation along the shores of the South American continent if it had not been assured of the agreement of, and had not been promised comprehensive support by, its main partner in the North Atlantic Treaty Organization [NATO].

71. The Soviet Union condemned the military activities of the United Kingdom designed to restore the colonial status of the Falkland Islands (Malvinas); it also condemned the support of those actions by the United States as contradicting the Charter and relevant decisions of the United Nations and as representing a threat to international peace and security. In supporting the United Kingdom, the United States did not hide its own purposes in the British-Argentine conflict, including an aspiration to strengthen its own military and political springboard in Latin America, the States of which were ever more firmly defending their own independent foreign policy course.

72. The crisis in the South Atlantic showed also that the United States is increasingly striving to include the NATO bloc in its own policies in the western hemisphere. Since the end of the military activities in the South Atlantic, plans have emerged for a significant expansion of military structures and installations in the Falkland Islands (Malvinas); that has led to the involvement of other countries so as to ensure their so-called security.

73. The strategic and military motives for maintaining these Islands within the sphere of influence of the Western Powers are becoming ever more clear. The military actions of one of the Western Powers, a member of NATO, supported by its ally in that bloc, the strongest Power in the western hemisphere, clearly demonstrated the true source of tension and the threat to Latin American security.

74. The events in the South Atlantic showed also that the maintenance of any colonial possessions, whether they be large or small, is a dangerous anachronism. This danger is multiplied when the remaining tiny islands of colonialism are used for the establishment of military bases and installations. Scattered through the various corners of the world—in the Pacific Ocean, in the Atlantic Ocean or in the Indian Ocean—those bases, when needed by the forces of imperialism and colonialism, are immediately turned into strategic support bases for the implementation of military actions in order to exert pressure on, and if necessary to carry out punitive measures against, developing countries.

75. The Soviet Union has vigorously and consistently advocated the immediate completion of the decolonization process. It has advocated the elimination of the network of military bases on foreign territories and the limitation of the areas of activity of military blocs. In this regard, we view as very timely the proposal put forward on 20 September of this year by the President of the Presidium of the Supreme Soviet of the USSR, L. I. Brezhnev, that the leading organs of NATO and of the Warsaw Treaty would make declarations not to extend their spheres of activities to Asia, Africa and Latin America. At the meeting on 21 and 22 October 1982 of the Committee of Ministers for Foreign Affairs of the States Parties to the Warsaw Treaty, it was confirmed in this regard that "the States Parties to the Warsaw Treaty have no intention to extend the sphere of activities of their alliance and they expect the NATO Member States to take a similar stand".

76. On the basis of its position of principle with regard to the peaceful settlement of contentious questions, the Soviet Union advocates that this problem which has arisen in the South Atlantic be solved through negotiations within the United Nations framework, on the basis of United Nations decisions. We note with satisfaction that it was confirmed in yesterday's statement by the Minister for External Relations of Argentina, Mr. Aguirre Lanari [51st meeting], that it was the aspiration of his Government to have negotiations. That aspiration is reflected in the draft resolution presented by the delegations of the Latin American countries. That draft resolution is in keeping with the decisions of the United Nations on this question, and the Soviet delegation will vote in favour of it.

77. Mr. BOLE (Fiji): My delegation felt compelled to take part in this debate on the question of the Falkland Islands because the dispute relating to this question regrettably culminated earlier this year in a war with colossal loss of lives and property. Moreover, this question involves fundamental principles of international law and of the Charter of the United Nations, by which all States Members represented in this Hall have declared themselves to be bound, and my Government is deeply sensitive to the need for respect for those principles. They include the principles of non-recourse to the threat or use of force in the conduct of international relations, peaceful settlement of disputes, and respect for the inalienable right to self-determination of all peoples of Non-Self-Governing Territories.

78. My delegation is cognizant of the competing territorial claims over the Falkland Islands. However, until April of this year, my Government was satisfied that all attempts to settle the competing claims to sovereignty by Argentina and the United Kingdom were being made in accordance with international law and the principles of the Charter. Indeed, it was precisely those kinds of problems that the United Nations was created to resolve, so that disputes would be settled in a peaceful and rational way in order to defuse potential conflict situations.

79. It was therefore with very deep regret that, on 2 April 1982, we saw Argentina seeking a military solution to the sovereignty question by invading the Falklands. This was contrary to international law

and those norms that govern relations between States. My delegation reiterates that the two cardinal principles of the Organization must be upheld—the principle that force shall not be used to settle international disputes and its concomitant principle of settlement of disputes by peaceful means. These principles are at the very heart of the Charter and must be strictly adhered to. For all States, and in particular for small nations, respect for international law and for the basic principles of the Charter remains the best guarantee of peace and security, which are essential ingredients for their social and economic development.

80. In this case, where one party sought to settle an outstanding dispute by force, it was not only wasteful of men and *matériel*, but it also exacerbated the situation by increasing the suspicions and tensions on all sides, thereby creating a stumbling block on the path to peace.

81. The question is not merely one of the peaceful settlement of a dispute. It is essentially a colonial question that should be viewed within the context of appropriate Charter provisions and United Nations resolutions.

82. Since 1945, the United Nations has accepted the position that the Falkland Islands is a Non-Self-Governing Territory and that the United Kingdom is the administering Power. As such, the Falkland Islands come within the purview of Article 73 of the Charter—the “declaration regarding Non-Self-Governing Territories”. This Article enunciates the principle that the interests of the inhabitants of dependent Territories such as the Falklands are “paramount” and that the administering Powers “accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these Territories”. Also under Article 73, the administering Power is to ensure the development of self-government and progressive development of free political institutions. The administering Power is also obliged to transmit regularly to the Secretary-General relevant information regarding the dependent Territory.

83. In all these areas my delegation is of the view that the administering Power has fulfilled its obligations, having due regard to the wishes of the Falkland Islanders, as stipulated under Article 73 of the Charter and as subsequently amplified and underscored in 1960 in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

84. As the administering Power, the United Kingdom has kept the Secretary-General regularly informed and has, in our view, co-operated with the Special Committee on decolonization, which has reviewed the situation in the Falkland Islands every year. The Committee has closely monitored the developments in all colonial Territories, including the Falklands, and has noted with satisfaction that the United Kingdom has introduced political advances, with a Legislative Council and an Executive Council with elected members.

85. Through their elected representatives, the Falklanders are provided with the opportunity of taking part in the running of their Government, and

are doing so. In free elections—the most recent of which was held in October 1981—they have shown a preference for the *status quo*. Accordingly, the administering Power and the international community must respect the wishes of these people, whose interests are paramount. The fact that there is only a small number of inhabitants does not mean that they must be deprived of their right to self-determination. Indeed, they are as entitled to the protection of international law and to have their freely expressed wishes respected as any other peoples, including those who inhabit other small territories. My delegation is of the firm view that the process of decolonization of the Falklands, which is proceeding satisfactorily in accordance with General Assembly resolution 1514 (XV), should be fully endorsed by the Assembly.

86. In conclusion, my delegation maintains the position that the administering Power should be allowed to continue to promote the interests of the Falklanders and respect their wishes as regards their future. The decolonization process under way should continue in close consultation between the United Kingdom and the Falkland Islands, in accordance with Article 73 of the Charter and resolution 1514 (XV).

87. Turning now to the draft resolution before us, my delegation is of the view that it does not address itself to the main issue—that is, the universally recognized inalienable right to self-determination of the Falkland Islanders themselves. Even though the question is essentially a colonial one, there is no explicit reference in the operative paragraphs to the applicability of resolution 1514 (XV) to the Territory and the right to self-determination, which is referred to only in a preambular paragraph. Moreover, the scope of the negotiations is confined to the “sovereignty dispute” without explicitly mentioning that the people of the Falkland Islands should be fully involved in the process of self-determination in accordance with the provisions of resolution 1514 (XV).

88. For those reasons, my delegation is of the view that the draft resolution addresses itself only partially to the important question before us.

89. Mr. CHANNANA (India): An armed conflict between Argentina and the United Kingdom set the South Atlantic on fire earlier this year. A peaceful island inhabited by a peasant community and its environs became the arena of a full-scale war which endangered peace and security in the area, with dangerous portents for world peace and stability. Many precious lives were lost on both sides, untold suffering was inflicted on the island's population, valuable property was destroyed, international trade and other arrangements were adversely affected and the economies of both countries were seriously disrupted.

90. India was pained to see two friendly and responsible members of the international community engaged in destructive combat. When the conflict finally ended, there was no solution to the problem but only the *status quo ante*, with the added complications that a devastating war brought in its wake. The process of negotiations between two friendly

countries was rudely interrupted, rendering the resumption of dialogue difficult to achieve. The utter futility of the use of force as a means of settling international disputes was once again demonstrated. As the two sides settled down to count their dead and assess the damage to themselves and to the world at large, they must have realized more than ever before the infinite value of the other means of settling international disputes—diplomacy, dialogue and negotiation.

91. Though the present debate on the question of the Falkland Islands (Malvinas) is being held under a new item included in the agenda at the request of 20 Latin American States, the United Nations had long ago included the Islands on its decolonization agenda and listed them as a Non-Self-Governing Territory. The United Kingdom had been transmitting information on the Territory to the United Nations under Article 73 of the Charter, and the United Nations, for its part, had actively been encouraging Argentina and the United Kingdom to continue the negotiations between them with a view to finding a lasting solution to the question. Numerous General Assembly resolutions have urged an early settlement of the dispute through peaceful negotiations between the two parties. In the declarations adopted since their Ministerial Conference of 1975, the non-aligned countries have, while supporting the restitution of Argentine sovereignty over the Malvinas Islands, reiterated the call for the speeding up of peaceful negotiations between the United Kingdom and Argentina. The Special Committee on decolonization, of which India is a member, kept a close watch over these negotiations. The Committee noted that, in December 1977, Argentina and the United Kingdom, in accordance with an agreement reached in July of that year in Rome, had held a ministerial meeting in New York to continue negotiations on "the future political relations, including sovereignty, with regard to these islands and Anglo-Argentine economic co-operation with regard to the said territories in particular and the South-West Atlantic in general".

92. It was in view of the progress being made in the negotiations that the General Assembly had decided in recent years not to consider the question in detail, but requested the Special Committee to keep the situation in the Territory under review. Even as recently as February 1982, we were pleased to note that, after a ministerial meeting of the two countries, with the participation of the Legislative Council of the Territory, it was announced that "the two sides reaffirmed their resolve to find a solution to the sovereignty dispute and considered in detail an Argentine proposal for procedures to make better progress in this sense".

93. It was because of our conviction that the negotiations were proceeding in the right direction and that there was the real possibility of a peaceful solution being found that we were particularly distressed to learn in April 1982 that the dialogue had broken down, resort had been made to the use of force, relations between Argentina and the United Kingdom had been ruptured and a major armed conflict was brewing. Expressing its regret at the use of force to resolve a political problem, India appealed, on 6 May

1982, to all parties concerned to desist from the use or threat of use of force and to return to the process of negotiations so that a peaceful resolution could be worked out.

94. Following the outbreak of hostilities and the adoption of Security Council resolution 502 (1982), India urged that the eruption of a wider conflict should be staved off and that the search for a negotiated peaceful settlement should be facilitated. We supported the admirable endeavours of the Secretary-General to bring the two parties together and to evolve a framework within which the search for a peaceful settlement could go forward. His dedication and determination gave us hope that his efforts would succeed. We noted with satisfaction that the Secretary-General was able to get the two sides to reach essential agreement on a cease-fire, the mutual withdrawal of forces, the termination of exclusion zones and economic measures, the interim administration of the territory and negotiations towards a peaceful settlement. That his efforts were interrupted and that the two sides proceeded to a full-scale war was a matter of disappointment and anguish for the Government and people of India. The mandate to renew his efforts given to the Secretary-General by the Security Council in resolution 505 (1982) reflected the intense desire of the international community that, regardless of the fortunes of war, a final solution to the problem must be found through negotiations under the auspices of the United Nations. The end of the conflict has brought relief to the world, but the mandate given to the Secretary-General remains unfulfilled. Our attention should now turn to creating the necessary conditions for the resumption of the dialogue between Argentina and the United Kingdom.

95. The mutual suspicion, mistrust and bitterness created by the war must be removed so that Argentina and the United Kingdom can proceed to seek a diplomatic solution to the dispute, a peaceful solution to the problem, bearing in mind the provisions and objectives of the Charter and of General Assembly resolution 1514 (XV) and the interests of the population of the Islands, a solution to be found through negotiations, as was recommended in General Assembly resolution 2065 (XX). It is our conviction that General Assembly action on this item at the present time should contribute towards that end. While the process of healing the wounds of war and the gradual restoration of normal relations between the two countries continues, efforts to ensure the resumption of the rudely interrupted dialogue should also continue.

96. It is a matter of concern to us that even though the fighting is over, an atmosphere of tension and animosity continues to prevail and passions remain inflamed. There have been allegations and counter-allegations of harassment and intimidation. We had hoped, and we continue to hope, that now that the din of battle has died down and the futility of sacrificing precious human lives has been realized, wiser counsel would prevail. We hope that both Governments can find, in the very righteousness of their respective causes, the necessary confidence to negotiate. The world looks to them for a display of far-sighted statesmanship, which we know can be found in the best of their own respective histories and tra-

ditions. We hope the United Kingdom and Argentina will vindicate our trust.

97. Mr. TSVETKOV (Bulgaria) (*interpretation from French*): The request by 20 Latin American countries for the inclusion in the agenda of the thirty-seventh session of the General Assembly of the question of the Falkland Islands (Malvinas) had the support of the overwhelming majority of States Members of the United Nations. There are a great many official United Nations documents devoted to the causes and the background of this question. The General Assembly and its organs that deal with decolonization problems have on numerous occasions examined them, as is shown by the relevant United Nations resolutions that in substance request Argentina and the United Kingdom to begin and carry through to completion negotiations designed to bring about a peaceful settlement of the conflict.

98. Nearly 17 years of negotiations have not led to a positive solution because of the refusal of the United Kingdom to take the appropriate steps to comply with General Assembly resolutions 2065 (XX), 3160 (XXVIII) and 31/49, in which the Organization expressed its deep concern at the lack of noticeable progress in the negotiations and invited the two parties to put an end to the colonial situation by peaceful means and to expedite the negotiations concerning the dispute over sovereignty over the Islands. None the less, instead of acting in accordance with those resolutions, the United Kingdom took steps to strengthen its presence in the Islands by postponing the definitive solution of the problem to an indefinite future date. That lack of willingness to negotiate led to extreme exacerbation of the conflict and, finally, to a colonial war.

99. Thus, just six months ago, came the tragic and bloody events in the South Atlantic which elicited the condemnation of the international community. The world witnessed the outbreak of a new hotbed of tension. The concern of the international community at the serious threat to international peace and security created by the conventional colonial war begun by the United Kingdom was expressed in the relevant resolutions of the Security Council. Moreover, that concern found vigorous expression in the position taken by the non-aligned countries, which in several documents emphasized that the question of the Falkland Islands (Malvinas) must be resolved peacefully and justly in accordance with the principles and decisions of the Movement of Non-Aligned Countries and with the Declaration on the Granting of Independence to Colonial Countries and Peoples and relevant resolutions of the General Assembly.

100. It is no secret that the dangerous adventure of the United Kingdom enjoyed the unreserved support of other imperialist countries which did not hide their intention of gaining a foothold in the South Atlantic. There is no doubt that their strategic aspirations are the main reason for the intensification of the military presence of two NATO member countries in this region of the world, that is to say, a region beyond the NATO sphere of operations. Furthermore, the United States and the United Kingdom, in the light of the experience gained in relation to the island of Diego García in the Indian Ocean, intended, by transforming the Falkland Islands (Malvinas) into

a strong and unsinkable military base for naval, air and intelligence operations, to erect a new springboard for the purpose of controlling the southern regions of the South American and African continents and the major part of the world's oceans. It was in this context that the United Kingdom, the United States and some of their allies imposed economic sanctions against Argentina, in complete contradiction with the established norms of international law on peaceful relations among States and the purposes and principles of the Charter of the United Nations.

101. The People's Republic of Bulgaria, in its capacity as a long-standing member of the Special Committee on decolonization, has always firmly and consistently explained its position on the question of the immediate implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. As early as 1965, in the debates in the Fourth Committee at the twentieth session of the General Assembly, my country said⁸ that the occupation of the Islands by the United Kingdom bore all the characteristics of colonialism. On several occasions, the People's Republic of Bulgaria has supported the settlement of the question of the Falkland Islands (Malvinas) through peaceful means, on the basis of the appropriate United Nations resolutions. Those are the reasons why the Bulgarian delegation supports the draft resolution submitted by 20 Latin American States [A/37/L.3/Rev.1].

102. In conclusion, I wish to express the conviction of the delegation of the People's Republic of Bulgaria that the adoption and implementation of this draft resolution and the fulfilment of the mediating role entrusted to the Secretary-General will contribute to the achievement, within the framework of decolonization, of a peaceful and just solution of the question of the Falkland Islands (Malvinas).

103. Mr. CHADERTON MATOS (Venezuela) (*interpretation from Spanish*): On 16 December 1965, the General Assembly adopted resolution 2065 (XX) on the question of the Malvinas Islands. That resolution contains very important elements, which should be borne in mind, namely: the fact that the question of the Malvinas Islands falls within the provisions of resolution 1514 (XV); recognition of the existence of a dispute over sovereignty between the Republic of Argentina and the United Kingdom; and a request for negotiations, without delay, on a peaceful settlement of the dispute, in accordance with the Charter of the United Nations and with resolution 1514 (XV) and taking into account the interests of the population of the Malvinas Islands.

104. That text was adopted by an overwhelming majority. I should recall that among the votes in favour were those of several member countries of the European Community and countries of Africa, Asia and the English-speaking Caribbean region, members of the British Commonwealth. There were 14 abstentions by members of the Group of Western European and other States, including the United Kingdom and South Africa. It should be remembered that there was not a single vote against; not even the United Kingdom opposed the resolution.

105. In 1966, 1967, 1969 and 1971, the General Assembly reached a consensus on urging both parties to undertake negotiations to reach a peaceful settlement of the issue as soon as possible, within the framework of resolution 1514 (XV), because it was a colonial situation in the elimination of which the United Nations was interested.

106. On 14 December 1973, the General Assembly adopted resolution 3160 (XXVIII), in which, after recalling resolutions 1514 (XV) and 2065 (XX), it expressed serious concern at the lack of substantial progress in negotiations and indicated that the way to put an end to the colonial situation was the peaceful solution of the conflict; it also expressed gratitude for the continuous efforts made by Argentina to facilitate the process of decolonization and to promote the well-being of the population of the Islands. It declared the need to accelerate the negotiations and urged the Governments of Argentina and the United Kingdom to proceed without delay with the negotiations in order to put an end to the colonial situation.

107. The vote in favour was again overwhelming; there were few abstentions and no vote against. Among those voting in favour were countries of the British Commonwealth, of Africa, Asia and the English-speaking Caribbean region, which showed that their unwavering adherence to the principles of decolonization and the peaceful settlement of disputes carried greater weight than the very important and valued ties to the United Kingdom. There were again abstentions by certain countries of the Group of Western European and other States, including the United Kingdom, the Scandinavian countries and South Africa. It should be noted that once again the United Kingdom did not vote against the resolution.

108. On 1 December 1976, the General Assembly adopted resolution 31/49, couched in terms similar to the earlier resolutions and repeating an expression of gratitude to the Government of Argentina for its efforts to facilitate decolonization and to promote the well-being of the population of the Islands. In this regard, it was no accident that the gratitude was extended only to Argentina. It also made reference to the Declaration of the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo in 1976. Once again, the General Assembly adopted the resolution by an overwhelming majority of votes, but for the first time the United Kingdom voted against it, which most unfortunately demonstrated not just the usual tendency to stagnation but a new trend towards regression.

109. I should like to make a few comments. This year we have witnessed an armed conflict in the South Atlantic with the loss of the precious lives of young Argentines and Britons and of inhabitants of the Malvinas.

110. In human societies there are various ways of exercising and provoking violence; there are physical and non-physical forms of the use of violence. For example, in human relations, racism, which is an aberration of the human conscience and human conduct, does not necessarily have to take the form of isolation, persecution, torture, imprisonment or death before it is regarded as a form of violence. The very

fact of holding a human being in contempt or hatred because of the colour of his skin is an absolutely intolerable form of violence.

111. In relations between States, disregard, slight or disdain on the part of one sovereign State towards another sovereign State or towards the international community is another form of violence. The prolonged and persistent refusal to listen to reason, to consider legitimate aspirations or to pay attention to appeals of the international community is an intangible, intelligent, subtle and insidious form of exercising violence; but it is violence, and gives rise to conflicts.

112. In the South Atlantic, Latin America has been the target of aggression by a Power from outside the continent, a Power which owns advanced nuclear and conventional means of destruction. On this point, Venezuela considered Security Council resolution 502 (1982) as partial and pro-colonialist, because it reproduced word for word the proposal made by one of the parties to the conflict—the United Kingdom. However, its strict and immediate implementation by both parties would have eased the way to a peaceful settlement. Unfortunately, the British Government thought it had received a blank cheque from the Security Council and that the burden of observance lay solely upon the Republic of Argentina; hence, without pause it sent an armed fleet to the Latin American continent and took steps within the European Community for the immediate imposition of economic sanctions against Argentina. In other words—and here may I play with words—it did not even give the Republic of Argentina time not to comply with Security Council resolution 502 (1982), while itself disregarding and failing to comply with the resolution on all points and setting itself up as the international community's policeman in order to undertake an armed venture. We Latin Americans do not want our British friends to become accustomed to making use of our continent as a zone for carrying out warlike, military adventures in the South Atlantic, or any other kind of venture in, perhaps, warmer waters in the hemisphere.

113. After resolution 502 (1982) came Security Council resolution 505 (1982), which was certainly very difficult to draft and which called upon the parties to cease hostilities. Then came the draft resolution submitted by Panama and Spain,⁷ which met with the determined veto of the representative of the United Kingdom because it ordered an immediate cease-fire.

114. As to the repeated disregard for the appeals of the competent bodies of the international community, suffice it to say that the British Government did not even play by its own rules. Let us recall the tragic and treacherous sinking of the cruiser *General Belgrano* by a British submarine, very, very far from the exclusive zone illegally established by the armed forces from outside our continent. How many dead? How many defenceless victims fell outside the war zone?

115. The representative of the United Kingdom, in his statement in this debate [51st meeting], certainly convinced that we Latin Americans are stereotyped as being particularly emotional, gave us a moving story of his concern for the inhabitants of the Malvinas

Islands. However, it is worth asking why, therefore, the inhabitants of the Islands are second-class British citizens and why did they receive better education, health, transport and communications facilities and services from Argentina than from Britain. We have even heard talk of the right to self-determination, as if the deportation of the indigenous population and settlement of colonists from England and from other British possessions had never happened. Using similar reasoning at a most unlikely time, the occupiers of Gibraltar, Walvis Bay or the West Bank of the Jordan might, in a surprise move, feel they had the right to declare self-determination with the blessing and under the auspices of the United Nations.

116. In the case of the Panama Canal and the Canal Zone, such an anomaly did not come about because the Panamanian claim, promoted and supported by the whole of Latin America, met with a sensible and realistic response from a super-Power, the United States, whose interests, nationally speaking, of whatever kind in the Canal were far in excess of any British interests in the South Atlantic. Let us remember also that the American public did indeed know where the Canal was to be found, while the British public discovered the Malvinas in April 1982. In that month, British citizens discovered that they were neighbours of Argentina and that Great Britain was also a Latin American country.

117. The cause of the Malvinas is not the cause of the Argentine Government; the Argentine cause is not the cause of the Argentine opposition, or of Argentine military men or civilians, or of political parties, business or trade union circles in Argentina. The cause of the Malvinas is the cause of the whole Argentine nation.

118. The cause of the Malvinas is not just that of the whole of the Argentine nation: it is the cause of the whole Latin American continent, a pioneer in the process of decolonization and a sanctuary of peace. Hence Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela jointly submitted draft resolution A/37/L.3/Rev.1.

119. It is a draft resolution which was moderate in its initial version and which became broader and even more moderate in its revised version because we paid heed to and agreed to recommendations made in good faith by our friends from the five continents, and because it even took into account the peculiarities of the present political situation in the United Kingdom. It is a draft resolution which takes up the spirit and the language of previous resolutions of this body and even makes reference to Security Council resolution 502 (1982), which in spirit and in letter was a product of the British delegation. The draft resolution reflects the commitment of 20 Latin American States to the non-use of the threat or use of force in international relations and to the peaceful settlement of disputes between States. It calls for negotiations between the parties for a peaceful solution of the dispute over sovereignty and again asks for a mission of good offices on the part of the Secretary-General. In no way does it require any country to make a judgement

about the substantive issue, nor does it establish any deadline for the beginning of negotiations.

120. The representative of the United Kingdom does not feel satisfied and has asked that there should be no vote in favour of the draft resolution. He even went so far as to concentrate his criticism on the initial text rather than on the revised version.

121. What do we Latin Americans have to do to please the British Government? Perhaps it would be satisfied if—a midsummer night's dream—the 20 countries signed an act of capitulation instead of a draft resolution?

122. I must admit to deep confusion as to the attitude of the British Government towards Latin America for the following reasons. The date of 12 October was chosen by the British authorities to hold a military parade in the streets of London for the "victory" in the Malvinas. That date is of special significance for Latin America. It symbolizes the Latin American identity in the coming together and mixing of histories, cultures, geographies and races. What we wonder today is how the Foreign Office, with its mastery of sophisticated diplomacy, came to have overlooked that detail. Or did they perhaps want to give us some message? We received no message, just an insult. In his statement yesterday, the representative of the United Kingdom called into question the sincerity and seriousness of the draft resolution. My delegation's response is to wonder whether the representative of the United Kingdom was indulging in rhetorical excess—more typical of Latin Americans, according to certain prejudiced views—or whether he or his Government is really asserting that the 20 Governments sponsoring the draft resolution are not serious and honest in their intentions and words.

123. I would draw attention to the statements of the representative of the United Kingdom, who unilaterally condemns or censures 20 Latin American States and insinuates that they are acting in bad faith and with malice. We feel strongly about this, because this is the same kind of prejudiced reasoning that gave rise to the decision to sink the *General Belgrano*. Or, remembering what was said by the British representative, was that act also committed in application of natural law under divine inspiration?

124. In order to increase our confusion, the representative of the United Kingdom, at the beginning of his statement, hinted at a sort of declaration of love and preference for Argentina which almost gave rise to feelings of jealousy among the other 19 sponsors of the draft resolution.

125. As for the statements concerning the historical relations between Great Britain and Latin America, as far as Venezuela is concerned I can assure him that we appreciate them at their proper value and that in my country we have not forgotten the heroes who, under the colours of the British Legion, joined in the struggle for our independence, or the consequences of our previous good-neighbourly relations. At the same time, there is no reason to question Venezuela's good will in maintaining good relations with the United Kingdom based on mutual advantage and respect, as is proper between sovereign States and between two democracies.

126. Twenty States, proud to be Latin American, call for support for draft resolution A/37/L.3/Rev.1.

127. We call on the countries of the Group of Eastern European States to continue to give us their invaluable understanding and support.

128. We ask the countries of the Group of Western European and other States not to choose between Argentina and the United Kingdom, but to support a broad and moderate draft resolution which does not deal with the substance of the issue. But we can say to them that no Government in Western Europe has the right to force other members of that Group to maintain and obstinately keep alive a situation of confrontation with Latin America against their individual national interests. We ask them to support this draft resolution which will serve to strengthen the forces of moderation in the United Kingdom and to encourage the immense majority of Argentines who wish for peace and democracy.

129. From the countries of Africa and Asia, which gained their independence on the battlefields or around the negotiating tables and which have had Latin American support in the United Nations, all we ask is that they support this draft resolution calling for the beginning of negotiations to bring about a peaceful settlement of the dispute.

130. We ask the Scandinavian countries, which have always abstained on the question of the Malvinas and which have always also shown great interest in the problems of peace and in some Latin American issues, to think about this draft resolution, whose adoption would serve peace in Latin America.

131. To our sisters and neighbours, the English-speaking nations in the Caribbean, whose identity, concerns and recommendations we have deep respect for and have borne constantly in mind, we say that as we have all supported the declaration of the Caribbean as a zone of peace, we hope for their support, so that, through negotiations, the South Atlantic too may be a zone of peace. We ask for their support for the draft resolution, which ratifies the commitment of 20 Latin American States to the peaceful settlement of international disputes.

132. Since 1965, the General Assembly has been urging the United Kingdom and Argentina to begin negotiations to settle the dispute concerning sovereignty over the Malvinas Islands. It can hardly be considered logical and consistent for the international community, in the very year when the dispute broke out into armed conflict, not to reaffirm its previous appeals. On the contrary, the beginning of negotiations between the parties would help to put the process of decolonization on the right course, with good prospects for the elimination of tension and the achievement of the proper result. Hence, to vote in favour of this draft resolution is to cast a vote of confidence in the Organization; to vote for the draft resolution is to vote for peace.

133. Mr. President, the Malvinas are Argentine.

134. Mr. DEL ROSARIO CEBALLOS (Dominican Republic) (*interpretation from Spanish*): Once again the General Assembly is considering the question of the Malvinas Islands, a matter of very deep concern to all Latin American countries; and today we have

joined in sponsoring a draft resolution which, it should be noted, is not an Argentine but a Latin American draft resolution.

135. The question of the Malvinas Islands is a topic that has received the attention of every Latin American since primary school, and we never thought that at this stage in our lives Argentina's legitimate sovereignty over those Islands—as we understand it—would be the subject of debate in this international forum.

136. The historical process of Latin America, its struggle for independence and freedom, is something that fills us all with pride and it therefore pains us that there are disputes still pending that we thought would be settled by the peaceful means of dialogue and negotiation.

137. The Dominican Republic is a peace-loving country which seeks understanding among peoples. With pride we say that we have no dispute with any country and that we shall always be ready to serve the cause of peace and détente in disputes wherever these arise, because we firmly believe that in this way a contribution is made to the development and improvement of our peoples, which is the primary duty and purpose of States. We also reaffirm to the Assembly the absolute adherence of my Government and people to the basic principles of international law.

138. For the aforementioned reasons, my Government has joined in sponsoring draft resolution A/37/L.3/Rev.1, operative paragraph 1 of which reads as follows:

“Requests the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas).”

139. I think it would be difficult for any State to oppose the idea of two countries, such as Argentina and the United Kingdom, resuming negotiations as soon as possible to find a peaceful settlement to the sovereignty dispute over the Malvinas Islands.

140. The historical background of the dispute is well known to all, and I do not feel it necessary to go into that again. However, it would be fitting to remind the Assembly of resolution 2065 (XX), adopted by 94 votes to none, with 14 abstentions. Seventeen years later, Latin America is submitting to the Assembly for consideration the draft resolution before us and hopes, rightfully, that it will be adopted by an even greater majority than in 1965.

141. My Government, which since our independence has maintained with the United Kingdom relations based on friendship and respect, was pleased to hear the representative of the United Kingdom, Sir John Thomson, in his statement at the 51st meeting, make reference in praiseworthy terms to the long-standing ties of friendship and mutual interest between Great Britain and Argentina and, more broadly, between Great Britain and Latin America.

142. In the spirit of his statement, we say that Latin America too is proud of its relations with Great Britain and fully appreciates its contribution to our common civilization. In the name of that friendship and of those many common interests, as well as

valuable contributions to our civilization, we ask the Government of the United Kingdom to accept the draft resolution we have submitted on behalf of all Latin America, one which will enable two countries that are respected and highly valued throughout the world, most particularly by my Government, to be able again to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute that now separates them.

143. We also sincerely appeal to all friendly countries represented here carefully to study the draft resolution and to vote for it. We very firmly believe that the time has come for a fresh beginning to a dialogue that would bring about thorough, open, honest negotiations in a spirit of good faith, as was said by the Minister for External Relations of Argentina, Mr. Aguirre Lanari, in his statement at the 51st meeting. The Government and people of the Dominican Republic hope that the time of confrontation is now behind us, that it is a thing of the past, and that there now dawns a new day of dialogue in peace and serenity between Argentina and the United Kingdom.

144. Mr. CINÉAS (Haiti) (*interpretation from French*): The solution by force which ended the Malvinas conflict contains within it the seeds of a new conflict. This principle is part of the internal dynamics of all imposed victories, unless the parties mutually agree to commit themselves to peaceful negotiations. It is in this spirit that the Government of the Republic of Haiti welcomes the inclusion of the question of the Malvinas Islands in the agenda of this session.

145. The draft resolution submitted by 20 Latin American countries should commend itself to the approval of the parties if they sincerely wish to find a definitive solution to their dispute. It proposes the most viable formula, because it advocates the resumption of talks between the Argentine and British Governments, which in this case may rely on the good offices of the Secretary-General.

146. It is, moreover, the position which the Haitian Government has always expressed *vis-à-vis* the Malvinas question, in which it became involved for historical and geographical reasons.

147. It would be superfluous to repeat other speakers' historical arguments in favour of the legitimacy of the Argentine position. An undeniable fact remains, that a dispute exists between the Government of Argentina and the Government of the United Kingdom over sovereignty over the Malvinas Islands. This is, moreover, the conclusion reached in 1964 by the Special Committee on decolonization and confirmed by the General Assembly in its resolution 2065 (XX).

148. While deeply regretting the material and human losses caused by the war in the South Atlantic, the international community also recalls the comments made in 1973 with such perspicacity by the General Assembly in its resolution 3160 (XXVIII), in which it emphasized with concern "the fact that eight years have elapsed since the adoption of resolution 2065 (XX) without any substantial progress having been made in the negotiations".

149. The recent tragedy, which we all deplore, was a direct consequence of the delay in the search for a definite solution to the conflict. That is why the draft resolution now before us urges the interested parties to resume negotiations in order to find a satisfactory solution to the Malvinas question as soon as possible.

150. It is unfortunate that after so many years of heroic struggle in its history, Latin America has not yet finally emerged from colonialism and its consequences. The war between Argentina and the United Kingdom took us back to a completely outmoded order of things and, because of that, the Republic of Haiti is determined—we were, after all, in the vanguard of the anti-colonial forces—to stand shoulder to shoulder once again with Argentina because we regard its claims as just, the Malvinas question being essentially a Latin American matter.

151. Draft resolution A/37/L.3/Rev.1 will certainly be supported by the delegations present here because its aim is to see right prevail, in accordance with the ideals of justice as they are laid down in the Charter.

152. Mr. NATORF (Poland): The delegation of Poland takes this opportunity to address the General Assembly on the question of the Falklands Islands (Malvinas) and the dispute between Argentina and the United Kingdom over sovereignty over those Islands.

153. Although my country is situated in central Europe, it cannot remain indifferent to tensions in other parts of the world. This includes the South Atlantic region.

Mr. Treiki (Libyan Arab Jamahiriya), Vice-President, took the Chair.

154. My delegation is perfectly aware of the fact that the question under consideration has much broader dimensions than the bilateral relations between the two interested parties. It seriously endangered international peace and security several months ago. It brought about tension in the whole area. The hostilities resulted in the loss of many human lives. The possibilities for peaceful co-operation were limited, including fishing activities in the South Atlantic—which is, *inter alia*, of particular interest to us.

155. Poland, acting as a member of the Security Council, had the opportunity to express its position on this matter during the time of acute crisis. It is worth recalling that, from the outset, we joined other members of the Security Council in calling on the Governments concerned to exercise the utmost restraint and, in particular, to refrain from the use or threat of force in the region and to continue to search for diplomatic peaceful solutions.

156. The Polish delegation in the Council pointed out, *inter alia*, the decolonization aspect of the dispute. We continue fully to support resolution 2065 (XX), in which the General Assembly recognized that the Declaration on the Granting of Independence to Colonial Countries and Peoples was "prompted by the cherished aim of bringing to an end everywhere colonialism in all its forms, one of which covers the case of the Falkland Islands (Malvinas)".

157. The just aspirations of the Latin American nations to rid their continent of the remnants of the

colonial system, in accordance with various declarations of the Movement of Non-Aligned Countries, enjoy our sympathy and support. We are aware of the fact that the Falkland Islands (Malvinas) sovereignty dispute has become a common cause of the Latin American peoples and States.

158. We were not alone in feeling relief on receiving news of the so-called *de facto* cessation of hostilities in the South Atlantic and the declared intention not to resume them. The development of events convinced us once again that neither the use of force nor gunboat diplomacy was the right way to solve international disputes. The cost of such a policy was enormous, especially if measured in terms of the loss of human lives.

159. We understood that the cessation of hostilities created new conditions to initiate first steps towards the resumption of negotiations by both interested parties in order to find a peaceful solution to the sovereignty dispute in the interests of the population of the Islands. My country has consistently favoured peaceful settlement of international disputes by diplomatic negotiations. We expect both parties to undertake them in good will in their own interest as well as in the interest of peace and that of the whole international community.

160. The important role of the United Nations in solving this question cannot be overestimated. My delegation sees a strong need to request the Secretary-General to offer both sides his good offices again. The appropriate Assembly resolutions, namely, 1514 (XV), 2065 (XX), 3160 (XXVIII) and 31/49, as well as Security Council resolutions 502 (1982) and 505 (1982), constitute, in fact, an infrastructure for fair negotiations and fair solutions. Only through dialogue and meaningful negotiations, under the auspices, one hopes, of the United Nations, can a lasting political settlement, in accordance with the Charter of the United Nations, be achieved. The revised draft resolution submitted by 20 Latin American countries offers such a possibility and that is why my delegation would be ready to support it.

161. Mr. LE KIM CHUNG (Viet Nam) (*interpretation from French*): The fact that, at the request of 20 Ministers for Foreign Affairs of Latin American countries, the General Assembly decided unanimously to consider the question of the Malvinas Islands as a separate item on the agenda of this thirty-seventh session is ample testimony to the concern of the entire international community over the situation prevailing in that region and its desire to find a definitive and just solution to the long-standing sovereignty dispute over those Islands.

162. Seventeen years ago, the General Assembly adopted resolution 2065 (XX), which explicitly recognized the existence of a sovereignty dispute over the Malvinas Islands between Argentina and the United Kingdom and invited the two parties to pursue without delay negotiations to find a peaceful solution to the problem while bearing in mind the purposes and principles of the United Nations Charter and General Assembly resolution 1514 (XV), which laid down 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 pur-

poses and principles of the Charter of the United Nations".

163. Unfortunately, because of the intransigence of the Government of the United Kingdom, the negotiations did not produce any results. Once again, in 1973, the General Assembly, in adopting resolution 3160 (XXVIII), expressed its concern at the fact that eight years had elapsed without any substantial progress having been made in the negotiations, although the Argentine Government had made continuous efforts to facilitate the process of decolonization. The resolution further emphasized the need to accelerate the negotiations.

164. The Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held in 1975 at Lima, stated that the non-aligned countries gave their support to the just claim of the Argentine Republic and asked the United Kingdom actively to continue the negotiations recommended by the United Nations in order to restore the territory to Argentine sovereignty and put an end to the illegal situation still persisting in the southern part of the American continent.⁶

165. As we know, the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held in 1976 at Colombo and the Sixth Conference, held in 1979 in Havana, as well as other ministerial meetings held at later dates, have consistently reaffirmed the position of firm solidarity of the non-aligned countries with Argentina in its efforts to put an end to the anachronistic colonial presence in the Malvinas Islands and prevent its restoration there.

166. Speaking on behalf of a non-aligned country which is faithful to the fundamental principles of the Movement and on behalf of a people which suffered so much under colonial and neo-colonial régimes and is still struggling at this time to obtain from the Chinese authorities the restoration of the Vietnamese Archipelago of Hoang-Sa—which is known on Western international maps as the Paracel Islands—illegally occupied by China since January 1974, the delegation of the Socialist Republic of Viet Nam wishes to express its militant sympathy and total support for the people of Argentina in its just, heroic and resolute struggle to defend its independence and recover its sovereignty over the Malvinas Islands, which are an integral part of the national territory of the Argentine Republic.

167. This sympathy and support on the part of Viet Nam for Argentina dates from the very first days when Argentina came to grips with the United Kingdom expeditionary forces. Indeed, as soon as news of the attacks by British air and naval forces against Argentine forces in various areas of the Malvinas Islands reached Viet Nam, the spokesman of the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam made two statements—on 29 April 1982 and on 4 May 1982—reaffirming the consistent position of the Government and the people of Viet Nam which recognizes Argentine sovereignty over the Malvinas Islands, as affirmed by the relevant resolutions adopted by the non-aligned countries and the United Nations. At the same time, after having vigorously condemned the warlike acts of aggression of the British authorities and denounced the complicity

of the United States with those authorities, the Vietnamese Government and people demanded in strict and firm terms that the United Kingdom and the United States immediately put an end to such acts and respect the sovereignty and territorial integrity of Argentina.

168. Subsequently, in reply to a letter from the Chairman of the Movement of Non-Aligned Countries, Fidel Castro Ruz, concerning the serious situation in the Malvinas Islands, the President of the Council of State of the Socialist Republic of Viet Nam, Truong Chinh, emphasized on 18 May 1982 that:

“The acts of war currently undertaken by the British authorities and supported by the United States, in the hope of restoring the colonial status over the Malvinas Islands, not only aim at undermining the sovereignty and territorial integrity of the Argentine Republic, a member of the Movement of Non-Aligned Countries, but also constitute a threat to peace and security in the region.

“By supporting the hostile acts of the United Kingdom against Argentina, the Administration in Washington has revealed its colonialist and aggressive nature designed to take advantage of any opportunity in order to intensify its interventionist activities and create tension to the benefit of its imperialist interests and to the detriment of the independence and sovereignty of peoples and of international peace and security.”

169. On the basis of the consistent position of the Government of the Socialist Republic of Viet Nam, my delegation wishes to commend highly draft resolution A/37/L.3/Rev.1, which has been submitted by 20 Latin American countries, and to express our firm support for any initiative and solution designed to defend the independence, sovereignty and territorial integrity of Argentina.

170. In the face of the obstinate manoeuvres by imperialist, colonialist and reactionary forces to hang on to their own political, economic and military interests, the peoples will still have to overcome many complex and arduous trials in their struggle to eliminate the last vestiges of colonialism and to safeguard their independence, sovereignty and territorial integrity. But the process assuring victory for justice over brutality and victory for the forces of peace, national independence, democracy and social progress over the forces of war, aggression, oppression and exploitation is irreversible.

171. Mr. BALETA (Albania) (*interpretation from French*): A new item, entitled “Question of the Falkland Islands (Malvinas)”, has been included in the agenda of the current session, at the fully justified request of the Latin American States, because another burning problem has this year been added to the already considerable number of disturbing problems in the world. It goes without saying that it is the duty of the United Nations to deal with this problem very seriously and to find ways and means of meeting its obligations and responding to the requests and concerns of Argentina and Latin America.

172. Serious events occur every year in various parts of the world because of the aggressive and expansionist policy practised by the super-Powers

and the imperialist Powers and the harmful actions of the reactionary forces. The super-Powers and imperialist Powers persist in their course of preserving and broadening their positions of domination and oppression and, in so doing, they spare no effort to activate existing hotbeds of tension and conflict and to foment new quarrels and provoke local wars.

173. This dangerous phenomenon was witnessed last spring in the most remote area of the South Atlantic, where well-known disagreements and a long-standing conflict between Argentina and Great Britain over the Malvinas Islands took a serious turn that led to the launching of overt armed aggression by British imperialism against the Argentine people. That aggression naturally elicited the justified concern and deep indignation of the Argentine people, the other peoples of Latin America and world public opinion, which immediately condemned the aggressive and warlike behaviour of Great Britain.

174. The dispute between Argentina and England is very old and very well known. The United Nations has considered it in the past. There is no doubt, nor has there been any doubt for a long time, that the case of the Malvinas Islands is a case of decolonization according to all the norms and criteria recognized and applied by the United Nations. Therefore, in this case there is a need to remove the vestiges of the colonial system that still exists in the Malvinas Islands. One of the main foundations of that hateful system has been and remains the policy and activities of British imperialism. The heart of the conflict between Argentina and England is the restoration of the national rights of Argentina and the satisfaction of its legitimate demand to establish and exert its national sovereignty over a part of its own territory taken from it by force and occupied by an imperialist Power. When we are dealing with an affair of this sort, there is no purpose in attempting to complicate matters, as Great Britain is trying to do, for the true facts and the principles governing such cases are clear and leave no grounds for taking an ambiguous position.

175. The origin and cause of the armed conflict that broke out between Argentina and England in April and May of this year are to be found in the constant and stubborn refusal of British imperialism to take into consideration and to satisfy the just demands of Argentina, as well as in Britain's perfidious manoeuvres designed to make Argentina seem responsible for the aggravation of the situation. The chronological order in which events, and the way in which the various episodes of the armed and diplomatic war, succeeded each other and were juxtaposed cannot change the origin of the conflict and the nature of its causes. No one has been or is able to provide sufficiently convincing arguments—they do not, in fact, exist—to refute the fact that the Malvinas Islands are, historically and geographically, part of the territory of Argentina and must be returned to that country. British imperialism continues, in spite of everything, along its basically erroneous course and, with twisted logic, seeks to prove the opposite. For a century and a half, ever since it drove the Argentines from the Islands by force, that imperialism has been trying to deny Argentina its undeniable right by advancing all kinds of fabricated and unfounded

pretexts. Every English Government in turn has attempted to prove the allegation that the Islands have been British for years and that, with the passage of time, their adhesion to Argentina has vanished and should not even be mentioned. They maintain, moreover, that the Islands must remain British because the colonists that have settled there refuse to become Argentine citizens and want to remain subjects of the British Crown.

176. The English imperialists, who are known for being by tradition determined, cynical adversaries of the principle of the self-determination of peoples, have no qualms at the present juncture about posing as the great champions of that principle and even attempt to twist it outrageously to suit their own improper and fraudulent aim, to legitimize the vestiges of colonialism in the Malvinas Islands. But neither their falsehoods nor their crafty inventions can succeed in making that principle a screen for aggressors and colonialists. Self-determination is an inherent and inalienable right of each people and nation to be and to become the masters of its own country and its own fate. That right cannot be usurped by those who ravish the lands and territories of others, nor can it be invoked to arrogate to the occupiers rights which they do not have and which they cannot acquire by aggression and subjugation by the use of violence.

177. British imperialism, employing the tricky and carefully worked-out efforts and means for which it is so sadly famous, has always attempted to falsify and manipulate the history and geography of entire countries and continents, to flout principle, to create problems where none existed and to make the settlement of existing problems as complicated as possible in order to trample upon the rights of sovereign peoples and countries. We have been able to observe that once again in the case of the Malvinas Islands.

178. The crisis of April did not suddenly come to a head. It was preceded by a long period of rejection of and scorn for the efforts Argentina was making to regain its rights by means of discussions. From the beginning, Great Britain was responsible for the worsening of the situation, because it had always turned a deaf ear to Argentina's repeated requests to settle the problem and had persisted in speaking the language of trickery and threat. When Argentina made up its mind to voice with greater determination its demands to see its sovereignty over the Malvinas Islands re-established, the British lion, albeit by now fairly old and weak, made one final effort to extend its claws, still bloody from the days of the colonial empire, and leapt on Argentina in order to hoist one more time, by means of armed aggression, the pallid and loathsome flag of colonialism over those half-frozen islands 12,000 kilometres from the British coast and on Argentina's very doorstep.

179. The armed and diplomatic war over the Malvinas Islands in April and May this year has once again raised in all its intensity an old but still pertinent problem, that of the sovereignty of peoples and nations over lands and territories that have been wrested from them and occupied by imperialist Powers. In the case of the Malvinas Islands, everyone has noted two diametrically opposed attitudes with regard to a subject that is of major importance in international relations. On the one hand, there is the

just stand taken by Argentina, which consists in affirming, regaining and effectively exercising its national sovereignty over Islands that are a part of its territory and, on the other hand, there is the unjust, anachronistic, imperialist and aggressive attitude of Great Britain, which is attempting to deny Argentina's legitimate rights and to preserve its own colonial positions.

180. The stand and the demands of Argentina are just, because the sovereignty of States and nations over the territories belonging to them historically and by right can never be lost or proscribed and, consequently, it cannot be denied by evoking the length of foreign occupation or agreements and treaties into which the imperialist Powers may have entered. Historically, England is one of the rapacious colonial Powers which not only has occupied and continues its occupation of territories belonging to others, but has also, if it felt like doing so, juggled with the frontiers and the sovereignty of various peoples and nations and has dismembered and redistributed lands of other peoples among its clients and those who agreed to become defenders and policemen in the interests of British colonialism. London was the centre where secret and open treaties were drawn up to effect that type of despoliation. Even after the decline and collapse of its colonial empire, that imperialist Power deliberately left in existence several areas of dispute in relation to the borders or territories, which the super-Powers and the imperialist Powers now use to sow discord and provoke conflicts and local wars. People are well aware of the nature of the intentions and the methods of British imperialism and, consequently, nothing that the British imperialists can do by way of manoeuvres and diplomatic pirouettes will deceive the peoples of the world and lead them to accept any justification for the aggression against Argentina.

181. Nothing can change the reality of the British aggression, whatever the various opinions expressed in certain circles concerning the circumstances created around the Malvinas Islands before the unleashing of military hostilities by Great Britain and despite the confusion which that country attempted to sow by propaganda and through its diplomatic service, especially here at the United Nations, where it attempted to label its aggression self-defence and claimed to be acting in accordance with the Charter of the United Nations and Security Council resolutions.

182. The armed conflict in the Malvinas Islands has resulted in a considerable worsening of the international situation and has occupied the attention of the world public and of States and Governments. It has led to intense activity on the part of military strategists and politicians, military alliances and aggressive blocs. It has also provided an opportunity to test the value of treaties and pacifist slogans preached by the imperialists and the social-imperialists.

183. The peoples of the world and public opinion have condemned the English aggression against Argentina as a very dangerous adventure imbued with the spirit of colonialism and a flagrant challenge to the whole of Latin America. The peoples and countries of this region have demonstrated their

solidarity regarding the just cause of the Argentine people.

184. Argentina resisted the aggression, despite the inequality of strength that was to its disadvantage given the fact that it was facing a front of united imperialist Powers which sought to subdue it by force of arms, economic blockades, political pressures and diplomatic manoeuvres.

185. From the beginning, the British imperialists had at their side the United States and the countries of Western Europe. At first, the American imperialists tried to avoid taking certain positions which might very quickly discredit them in the eyes of the Latin American countries, and for a while they pretended to play the role of mediator and impartial arbitrator. But when the conflict entered its tougher stages, the United States quickly became directly and decidedly involved, assisting the British aggressors by supplying them with modern weapons and munitions, providing them with the intelligence necessary for the conduct of military operations and assuring them of constant political support. England could not have sent its aggressive fleet to the South Atlantic and maintained it there or undertaken military operations there, where on several occasions it was in a critical situation, had it not had the assistance of the United States and its other allies.

186. It is not surprising that the United States helped England against Argentina, which it also describes as an ally. The United States and Great Britain are linked by the same colonialist and neo-colonialist ideology, the same strategic interests in the world and the same contempt for the legitimate interests of sovereign peoples and countries. American imperialism frequently claims that it is an adversary of classic colonialism and even poses as the defender of Latin American States. It refers to the Monroe Doctrine whenever this is to the advantage of its ambition to dominate the American continent. But it did not hesitate to act openly to the detriment of Argentina and Latin America, because the continuing presence of the British in the Malvinas Islands allows the United States better to serve its own interests and, especially, its military needs in the South Atlantic.

187. The other British allies in NATO tried to excuse themselves for supporting the aggression against Argentina by referring to their alleged obligatory solidarity stemming from their participation in NATO, but the true reasons were the same as those of the United States, since this is not the first time that the major imperialist Powers, members of aggressive blocs, have united or shown solidarity in blockades and hostilities against other peoples. They took similar action during the war against the Korean people, the aggression against the Vietnamese people, the Suez Canal crisis, and so on.

188. The imperialist economic blockade against Argentina, organized to punish it for its resistance to British aggression, was truly an irony of fate. Those same countries which imposed that blockade have always been among the first to declare themselves opposed to the application of sanctions against the racists of southern Africa or the Israeli Zionists by claiming that, in principle, they are against that type of action.

189. The Malvinas crisis, and, in particular, the launching of the military operations, immediately provoked the interest and greed of the Soviet social-imperialists, who were not slow in making their own plans to profit from the situation and ensure the maximum political, economic and military benefit and, in particular, to harm their imperialist adversaries. They claim to be the defenders of Argentine sovereignty in the face of British aggression. But they cannot be in any way serious or sincere, because they do the same things as the British and the Americans in a great many countries where they flagrantly violate sovereignty, and at the moment when the English were bombarding the Malvinas Islands, the Soviets were bombarding and massacring people in Afghanistan.

190. The events in the Malvinas Islands have shown yet again that the imperialist Powers ignore all principles and norms and do not hesitate to unleash aggression and endanger international peace and security to protect their own interests. They are all, and always have been, very dangerous, and it is not possible to count on one for protection against the danger of the other.

191. The events in the Malvinas Islands have proved once again how important it is for peoples and countries threatened by the aggressive policies of the imperialist Powers to strengthen their solidarity. England and the United States have done everything possible to prevent the Latin American countries from developing deeper and more active solidarity with Argentina, because they know that if the hatred of the Latin American peoples were to be translated into specific action, imperialist Anglo-American interests would suffer irreparably.

192. During the armed conflict in the Malvinas Islands and at the present time, we clearly perceive that the colonial spirit and ambitions of England have not weakened. That country is now trying to benefit from the situation and the consequences of this armed conflict to impose its will on Argentina and show the whole world that England has the strength and determination to remain an important element in the family of the major Powers.

193. Irrespective of the consequences of the Malvinas war for Argentina, it is England that has emerged as the real loser, because it has been greatly discredited in the eyes of the world as an aggressive imperialist Power blindly committed to the preservation of the vestiges of its colonial system. Great Britain has also suffered enormous economic and military losses. This is an example of the fact that military adventures can be very costly for imperialists and aggressors, even if the victim of the aggression is a smaller State.

194. The Socialist People's Republic of Albania has always supported and continues to support the right of Argentina to enjoy and exercise fully sovereignty over the Malvinas Islands. It has always condemned and continues to condemn the aggression of the British imperialists against Argentina and their arrogance in denying that country's legitimate rights and preventing a solution of the problem. We support the position of Argentina and its determination not to renounce its rights, and we are convinced that Great

Britain will never succeed in preventing the Argentine people from re-establishing its sovereignty over its territory.

195. Mr. PASHKEVICH (Byelorussian Soviet Socialist Republic) (*interpretation from Russian*): The armed conflict in the South Atlantic was one of the gloomy events of 1982, causing a worsening of an already tense international situation.

196. The seeds of many already full-blown or as yet only incipient conflicts between countries and peoples were sown by the pitiless hand of the colonizers during the dark period of unlimited domination by the colonial empires, which rapaciously seized by force more and more lands, even in the far corners of the world. Among such dangerous consequences of the remnants of colonialism is the conflict over the Falkland Islands (Malvinas), the origin of which is now very well known to the world public. Among the key facts of this entire history are the following.

197. Argentina possessed the Islands until 1833. In that year, they were seized by the British warship *Clio* and Argentine citizens were driven from the Islands. Since that time, there have been ceaseless efforts by the people of Argentina to restore their own historic, just position. The United Nations recognized the Islands to be a Non-Self-Governing Territory, and the General Assembly adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV), and, subsequently, resolutions 2065 (XX), 3160 (XXVIII) and 31/49, which were aimed at the decolonization of the Islands and called for negotiations between Great Britain and Argentina on that question. Great Britain's delay in starting negotiations showed that it openly aspired to maintain its own illegal domination over the islands.

198. An objective analysis of these and other circumstances leads to the only possible conclusion, namely, that responsibility for the situation in the Falkland Islands (Malvinas) is borne by Great Britain, which for many years stubbornly opposed the implementation of United Nations decisions on the decolonization of the Islands and on the peaceful settlement of the dispute with Argentina over the future of the Islands.

199. At the very beginning of the current stage in the conflict, Great Britain, relying on armed force, sent an armada to the South Atlantic and began military action against Argentina. Moreover, Great Britain blocked efforts, including those of the Secretary-General, undertaken for the purpose of preventing armed conflict. The large-scale military action by British forces in the Falkland Islands (Malvinas), contrary to the provisions of the Charter of the United Nations and in conflict with the fundamental rules of international law, has created a threat to international peace and security.

200. The great concern of the world public over the conflict in the South Atlantic is undoubtedly shown by the fact that 66 delegations dealt with this question in the general debate at this session. Along with other delegations, the delegation of the Byelorussian Soviet Socialist Republic supports the just cause of Argentina with regard to the decolonization of the

Falkland Islands (Malvinas), with due account being taken of the interests of the population of the Islands.

201. We consider the proposal of 20 Latin American countries to include the question of the Islands in the agenda of this session to be an expression of the will of all Latin America to achieve the liberation of the Islands from colonial domination. This is the voice of an entire continent, and it cannot be ignored.

202. The conflict in the South Atlantic provides several important historical lessons. It demonstrated with renewed force the need for the removal as quickly as possible of the remnants of colonial domination wherever they unfortunately still exist; the sooner the peoples of dependent territories in Asia, Africa and Latin America gain freedom and independence from foreign domination, the less will be the danger of conflicts such as the one we are discussing. The conflict once again showed the entire world that imperialism, in its stubborn aspiration to defend its own shaky domination, is capable of any type of aggressive adventurist action and is prepared without hesitation to use military might, including the most modern weapons, to carry out its policy. The conflict shows why imperialism indeed needs the arms race, which it so stubbornly defends in spite of the mass expression of the will of its own people and of the peoples of the entire world. The conflict once again confirmed the well-known truth that any aggressive action on the part of allies of the United States is immediately justified and supported by American imperialism. That is how the situation stands in the Middle East, in southern Africa and in other regions of the world, and that is what happened in the South Atlantic.

203. Having taken the side of its NATO partner and having given it huge military assistance and support, the United States openly ignored its own obligations stemming from the Inter-American Treaty of Reciprocal Assistance and demonstrated once again the true meaning of the Monroe Doctrine. The United States wishes to see the American continent primarily as something for itself and its allies.

204. The conflict and the subsequent action by Great Britain as a member of NATO again visibly confirmed the aggressive policy of that bloc for the purposes of expanding its own military presence in more and more new regions of the world. This time it was the strategically important region of the South Atlantic. According to press communiqués, work is going ahead full blast at the present time to transform the Falkland Islands (Malvinas) into a major military base for Great Britain and NATO.

205. As was pointed out in this connection in the Buenos Aires Declaration, adopted in August of this year at an international conference held to discuss the sovereignty of Argentina over the Malvinas Islands, peace in the South Atlantic and in the entire world, the actions of the British armed forces, supported by the United States and other allies, have political, economic and military goals and are intended to establish on the Islands military bases for the control of the South Atlantic and to use the Islands as a strategic strongpoint or harbour for the exploitation of the natural resources on part of Argentina's

continental shelf. The Conference justly demanded the prevention of the establishment of such bases in the South Atlantic, which, in accordance with the wishes of the coastal States and in the interests of the international community, should become a zone of peace.

206. Against the background of that action, it is especially timely to consider the proposal of the States parties to the Warsaw Pact that both military and political alliances—NATO and the Warsaw Pact—for the purpose of promoting the lessening of international tension, should agree not to extend their action into new regions—that is, into Asia, Africa or Latin America.

207. Furthermore, events in the South Atlantic have shown the hypocrisy of the United States, Great Britain and some of their allies in their use of arbitrary “economic sanctions”.

208. Those sanctions were imposed against Argentina, with rare unanimity, at a time when measures of crude economic pressure were being applied against Cuba, Poland, the Soviet Union and other countries, measures that were completely illegal in terms of international law, without any decision of the Security Council to justify them. Yet, at the same time, the United States and its allies were trying to avoid implementing the arms embargo against South Africa called for by the Security Council and, here at the United Nations, were doing all they could to protect the aggressors in South Africa and Israel against sanctions and even giving them direct military, economic, financial and other support. In the absence of such support, the rights of the Palestinian people would have been restored long ago, Namibia's right to self-determination would have been ensured, and peace would have come to long-suffering southern Africa.

209. This is the real attitude of the imperialists towards decolonization, revealed not in their words but in their deeds. As we see it, the crisis in this Anglo-Argentine conflict has forced people to see things as they really are, which is as they should not be.

210. For those reasons, the delegation of the Byelorussian SSR, together with other delegations, supports the draft resolution before the Assembly, which is a balanced, carefully thought-out text. In our view, it pursues the generally acceptable goal of resumption of negotiations between the parties to the conflict for the purpose of a rapid and peaceful solution to the dispute over the sovereignty of the Falkland Islands (Malvinas). It also calls for a resumption of the good offices mission of the Secretary-General. The negotiations between Argentina and Great Britain on the Falkland Islands (Malvinas) are necessary to arrive at a political solution to a long drawn-out conflict. In this connection, there is some surprise over the stubborn refusal of the United Kingdom, using all sorts of far-fetched pretexts, to engage in such negotiations. A rejection of negotiations at this time cannot be justified, no matter how we assess the causes of the conflict. We hope that the draft resolution will not only be adopted but will also be implemented.

211. Mr. KAMANDA wa KAMANDA (Zaire) (*interpretation from French*): As a non-aligned country, and in accordance with the decisions and resolutions of

the Movement of Non-Aligned Countries, the Republic of Zaire supports the legitimacy of Argentina's claim to recover its sovereignty over the Falkland Islands (Malvinas).

212. At the time of the unleashing of hostilities in the Malvinas, the Republic of Zaire stated that it was categorically opposed to the use of force, or the threat of the use of force in international relations, especially with respect to a problem where negotiations were under way, in accordance with the relevant resolutions of the General Assembly and the wishes of the parties concerned. To that end, my delegation made an appeal to the two parties, with which the Republic of Zaire maintains excellent relations of friendship and co-operation, with a view to creating conditions propitious to a negotiated settlement of the conflict, to ending the war, and obviating any action that might lead to an escalation of tension and confrontation in the area of the South Atlantic.

213. The Security Council, in addition to making a number of appeals, adopted resolutions 502 (1982) and 505 (1982), which, in our view, clearly defined the framework for a negotiated settlement of this problem, if the parties involved show the necessary good faith in implementing these resolutions.

214. It is regrettable that the efforts and repeated appeals both of the Secretary-General and the Security Council were not heeded by the parties involved, in the interests of international peace and security.

215. According to the reasoning that led it to decolonize its possessions, the United Kingdom should have been able to approach this problem in a generous spirit, and with a serenity based on the many proofs of its willingness to decolonize, in order to adopt a position in accordance with the flow of history.

216. Argentina, for its part, should have been able to realize that failure to respect the principles of the Charter of the United Nations, in particular the non-use of force, and the inevitable consequences are not likely to create favourable conditions for a negotiated settlement. Many peoples and nations of the world facing similar problems do not have the means to settle such disputes by force, even if they wished to do so, and the creation of such a dangerous precedent could be prejudicial not only to international relations but also to their own vital interests, because they would provide an opportunity or a facile pretext to the strongest nations to settle certain international disputes by the use of force, by scorning the principles of the Charter and the principles of international law concerning friendly relations and co-operation between States.

217. Thus, we believe that ways and means do exist and that there are many examples for solving this dispute in accordance with the legitimate interests of all the parties involved, both those of Argentina and the United Kingdom and those of the inhabitants of the Falkland Islands (Malvinas), in accordance with the letter and spirit of the Charter and the relevant resolutions of the United Nations.

218. It was indeed within that context that the delegation of Zaire noted with great interest the formal assurances given by Argentina in April 1982 that it would participate in negotiations, and its commit-

ment to examine with an open mind the rights and interests of both the inhabitants of the Falkland Islands (Malvinas) and those of Great Britain in that area. We are pleased to note, moreover, that care has been taken to reflect those same ideas in the draft resolution before us.

219. Whatever the subject of the dispute—because there is, in fact, a dispute between two States Members of the United Nations—it must be settled in accordance with the spirit and letter of the Charter. Any draft resolution on this difficult question must, above all, avoid the temptation to amalgamate inconsistent elements.

220. Defining the very nature of the dispute as exactly as possible would in itself be a way of helping towards a solution. The third preambular paragraph refers to resolution 1514 (XV) as the legal basis for settlement of the question, which implies that it falls within that context.

221. Is this truly a problem of decolonization, *stricto sensu*, and in what terms is it posed? If it is such a problem, then who should decolonize whom? Does decolonization, according to General Assembly resolutions 1514 (XV) and 1541 (XV), have only to do with the people, populations and inhabitants, or with the land, the territory, without considering those who inhabited them, or both? And when there are no people, no population or inhabitants, or when they are not involved, does this still involve decolonization within the meaning of resolution 1514 (XV)?

222. Is this a territorial claim? If so, then should we refer to resolution 1514 (XV), or are there other elements or objective factors, other principles, which might be called upon on the basis of international law and the Charter of the United Nations?

223. Finally, is this a question of territorial integrity and national unity requiring a claim of sovereignty, or transferred sovereignty, a problem of succession of States within the framework of disputes arising from the colonial conquests of the last century? One can in fact cite paragraph 6 of resolution 1514 (XV), which states 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," to say that this extract applies not only to the colonial territories whose national unity and territorial integrity should not be violated at the time of their independence, but also to the independent countries which have made claims to certain territories under a colonial régime and which they wish to recover, especially since here we have a Latin American territory governed by a Power that is not Latin American. But what really happened at the time of the independence of Argentina?

224. Should resolution 1514 (XV) be invoked and, if so, can one discard the principle of self-determination which motivates decolonization and on which this resolution is based?

225. These are all questions which emphasize and highlight the complexity of the matter. But it is important to reply to these questions in order to know what the parties to the dispute really think of the nature of the dispute which divides them, in order better to understand any draft resolution and to make

our modest contribution to the search for appropriate solutions.

226. On 24 May 1982, I emphasized in the Security Council⁹ that the question we were dealing with was: what was the real meaning of the war of the Falkland Islands (Malvinas) and the exact nature of the dispute? I raised the question whether it was law which was involved, or dignity, honour, or the interests of the various parties.

227. We should remember that the origin of some situations of crisis at the present time in the world find their origins in the darkness of time, whereas today these situations cannot be solved except by the use of positive international law, which law, in this world of turbulence, has not always been successful in benefiting throughout the years from the experience and genius of many peoples of the earth who were not its authors; but this law is and remains one of the fundamental guarantee of sovereignty, independence and territorial integrity and a safeguard of the identity of those who have not been able to gain justice by themselves—the small and medium-size nations.

228. Situations deriving from the law of conquest do not all fall within the strict framework of decolonization, within the terms of resolution 1514 (XV), nor are they all necessarily just, and it is for this reason that the international community, through the United Nations, has set up rules and procedures aimed at resolving problems deriving from such situations.

229. International law and the principles contained in the Charter were conceived to govern and regulate relations between States, and not to crystallize situations of conflict. Thus, rightly or wrongly giving the impression that international law and some of its principles might have been conceived and drafted to endorse certain situations deriving from conquest is not such as to appease those who feel that they have been profoundly injured; and it raises for some, interminable problems of interpretation which themselves give rise to conflict between nations. But it remains paradoxically true that this international law, even if imperfect, is, for nations and peoples who cannot obtain justice by themselves, one of the surest guarantees of sovereignty, territorial integrity and independence.

230. I should like to add that the principles of fairness and justice, apart from resolution 1514 (XV), by rebalancing the law which underlay the old order, and by adapting it to new contingencies, should allow us to move towards a new political and economic international order by democratizing international relations. That is why, in this matter of the Falkland Islands (Malvinas), common sense, realism and fairness should also come to the assistance of legalism. These should be sufficient in themselves, apart from resolution 1514 (XV), to lay down the bases of a negotiated settlement.

231. I have already spoken of the role of the United Kingdom in decolonization. Perhaps it might not be wrong to think in consequence that its problem here is not that of having to complete a process of decolonization, but undoubtedly that of having had its hand forced, militarily speaking, by a young nation of

the third world—a young friendly nation, furthermore—which resorted to force prohibited under the Charter of the United Nations and international law, to settle a question which has been under negotiation for many years in accordance with resolutions of the General Assembly, and in particular resolutions 2065 (XX), 3160 (XXVIII) and 31/49, negotiations which the United Nations has always encouraged.

232. Furthermore, Argentina, a young nation of the third world, an emerging Power, wishes and intends to go back in history and recover the lands over which it had lost control for more than a century and a half. If one takes account of the emotions which have gripped both sides, preventing them from realizing the real nature of their dispute, one can understand the responsibility incumbent on the international community to help them find an appropriate solution in the clearly understood interests of international peace and security.

233. Draft resolution A/37/L.3/Rev.1 contains one fact which is very clear and which must gain the support of all, namely, the settlement of the dispute by peaceful means, by negotiations in accordance with the Charter of the United Nations. But at the same time, we must be able to realize that, after the war of the Falkland Islands (Malvinas), we find ourselves again in the General Assembly, hoping for a resumption and a continuation of the negotiations to settle this dispute, because we unanimously recognize that the means used in April 1982 were unable to settle the problem. That is a fact.

234. But if the draft resolution includes certain dimensions of the problem, in particular the non-use of force, and taking into account the interests of the inhabitants of the Islands, with a view to restoring the whole problem to its historical context, nevertheless in our view it does pose a serious problem in the fifth preambular paragraph when it mentions a *de facto* cessation of hostilities. Now, what does a *de facto* cessation of hostilities mean in this context? Does it mean that it was with extreme reluctance that the parties ceased hostilities and that, if necessary, hostilities or even war might resume?

235. Are we then to invite the General Assembly to suggest that the problem could be settled by the resumption of hostilities, when the Charter prohibits the use of force? Thus, here we have a concept, an idea—I think we all realize this—which belies the peaceful approach contained in that self-same draft resolution.

236. Furthermore, the sixth preambular paragraph states—and quite correctly so—that account must be taken of the interests of the population of the Islands, in accordance with General Assembly resolutions 2065 (XX) and 3160 (XXVIII). But operative paragraph 1 assigns a single task to the negotiations, a single purpose, namely, the transfer of sovereignty. At what particular point, then, would account be taken of the interests of the inhabitants referred to in the preambular part, if they cannot even be discussed during the negotiations proposed? We must be realistic. This situation could hardly contribute to the creation of propitious conditions for a negotiated settlement of the problem as sought by the draft resolution.

237. These are the elements to which we should like to draw the attention of the sponsors, because they might give rise to serious reservations of principle.

238. At the beginning of my statement, I said that as a non-aligned country, the Republic of Zaire supported the legitimacy of Argentina's claim concerning its sovereignty over the Islands. The delegation of Zaire remains firmly convinced that Security Council resolutions 502 (1982) and 505 (1982), of 3 April and 26 May 1982, provide the appropriate framework for the settlement of this problem and that any useful draft resolution should be inspired by them.

239. Mr. GÁLVEZ MUCIENTES (Bolivia) (*interpretation from Spanish*): Once again we are assembled here to discuss a problem the solution of which depends on respect for one of the most elementary principles of civilized life. The question is that of the Malvinas Islands, a problem which has gone beyond the borders of two nations and become a source of serious concern to Latin America and to the international community as a whole. Bolivia is therefore one of the countries of the area that have asked that the matter be dealt with as a separate item in the work of this session of the General Assembly.

240. For the same reason, my country was determined to be one of the sponsors of the draft resolution submitted to the General Assembly. Moreover, this very Assembly has condemned colonialism as a crime against humanity and has pointed out that all Member States have a legal duty to co-operate to put an end to it.

241. Therefore, Bolivia's position is clear and firm; in view of the historic fact of the rights of Argentine sovereignty over the Malvinas Islands until 1833, when they were taken by force, giving rise to a dispute concerning sovereignty with the United Kingdom which has lasted to the present day, we should like to confirm the unquestionable right of Argentine sovereignty over the Islands. In keeping with our traditional support for peace and moved by the tragic events of last April, we therefore believe that negotiations are essential in the search for an appropriate peaceful settlement.

242. This is a forum for the fight against colonialism. Latin America, which since the founding of the Organization has contributed tenaciously to the struggle to overcome this anachronistic form of domination, is not going to falter in its efforts to eliminate all vestiges of colonialism from the continent.

243. In the case of the Malvinas, it is not just a matter of solving the problem of the inhabitants of the Islands, though that admittedly is a problem relevant to other cases of decolonization, as is the right to self-determination when put in its proper context. What we have here is a question of the restoration to Argentina of its territory that was usurped from it in 1833 by the use of force.

244. Many arguments have already been adduced in the Assembly on certain aspects of the problem, and I shall not dwell on them. However, we believe we have a duty to point out one thing that must be borne in mind when we vote on the draft resolution before us: we shall be taking a stand not only for the particular case before us, although it is very important, but for the great basic principle in the Charter

that the international community must fight to the full extent of its powers against colonialism in all its forms, as an indispensable prerequisite for the rule of justice and peace.

245. Mr. RAJAKOSKI (Finland): The Government of Finland has followed with growing concern the gradual weakening of the United Nations in a world of tension and strife. As a small neutral country, Finland has a vested interest in promoting the development of a peaceful and rational world order based on the purposes and principles of the United Nations and on the universal collective security system provided by the Charter.

246. As a matter of consistent policy, Finland has taken a balanced and conciliatory position on various controversial issues in the world. It is our firm intention to continue that policy. We believe that Finland can best contribute to the search for a just and durable world order through strict and consistent adherence to a policy of neutrality, which enables us to maintain friendly relations with all States and work whenever possible for the cause of conciliation and the peaceful settlement of disputes. Neutral States have, we believe, a special obligation not only to themselves but to the international community as a whole, to conduct themselves with objectivity and restraint.

247. I have asked to speak on the item before us today because of more general considerations. From the point of view of the common interest of the international community, those considerations transcend the confines of any particular dispute or conflict. Without concern for them, the entire fabric of international relations will be impaired.

248. The tragic conflict of the Falkland Islands (Malvinas) is not due to the failure of the United Nations. The United Nations did what it could; it acted through the Security Council and through the well-prepared mediation efforts of the Secretary-General. The cause for failure lies elsewhere. It lies in the breach of the code of international conduct to which nations have subscribed by signing the Charter of the United Nations and by promising to abide by it. It lies in either ignoring or not making full use of the capacity of the United Nations to act for the peaceful settlement of disputes before they erupt into armed conflict.

249. International events of this year, including the conflict of the Falkland Islands (Malvinas), have put the United Nations collective security system to a harsh test. The action by the Security Council and the Secretary-General designed to uphold the principles of the Charter and to promote peaceful settlement of disputes have been of no avail. Considerations of political expediency based on narrowly conceived national interests have continued to erode the authority of the United Nations to the detriment of the interests of the international community. The United Nations cannot escape its inherent weaknesses, composed as it is of sovereign Member States with widely differing ideological, political and cultural values. Yet, unduly emphasizing those weaknesses weakens it further.

250. While recognizing this, we should do whatever can be done to enhance the authority of the United Nations and its capacity to act for its primary task of

maintaining international peace and security. We believe that the events the General Assembly is now discussing should make this clear to all.

251. The PRESIDENT: I shall now call on those representatives who have asked to be allowed to speak in exercise of the right of reply.

252. Sir John THOMSON (United Kingdom): I have asked to be allowed to speak in exercise of the right of reply to the statement made by the Argentine Foreign Minister yesterday [51st meeting]. So much of his statement required correction that I hope I may be forgiven if I fail to discuss in detail obscure happenings in the eighteenth century, especially since I covered the main relevant points in my statement yesterday [*ibid.*].

253. I disposed then of four persistent Argentine myths, namely: the myth that Argentina inherited sovereignty over the Falkland Islands from the Spanish Empire, the myth that Argentina settled the Falkland Islands after 1820, the myth that there was a settled Argentine population when Britain reoccupied the Islands in 1833, and the myth that British reoccupation in 1833 was accomplished by the use of force. All of these are myths; all of them are unsupported by the facts.

254. Much of the statement delivered by the Foreign Minister was based on the presupposition that the Falkland Islands constituted part of the territory of Argentina in the early part of the nineteenth century. This turns out to be false. The major part of his statement therefore falls to the ground, because it is based on an unsustainable premise.

255. A good half of the statement of the Foreign Minister was devoted to self-determination. It was dismaying to discover that his purpose was not to reaffirm the fundamental importance of self-determination. Instead, he developed a complex doctrine to show that the Falkland Islands are a special exception to this basic and universal principle. In a letter circulated on 20 October [A/37/553 and Corr.1 and Add.1 and 2], Argentina even tries, although on the basis of no evidence at all, to persuade us into believing that the Assembly has previously ruled out the applicability of self-determination to the Falkland Islands. I have dealt with this specious argument in a letter distributed as document A/37/582 and do not propose to go further into it now.

256. The repeated Argentine claims that the General Assembly has specifically excluded the right of self-determination for the Falkland Islanders are not true. They are not even credible. They throw doubt on the credibility of other Argentine statements. For instance, how genuine is their concern for the interests of the Falklanders? Anyone who listened to the testimony in the Fourth Committee yesterday [12th meeting] will know that the Argentines aim to set themselves up as the judges of what the interests of the Falklanders are. Most people would think that the Falklanders would be the best judges of their own interests.

257. In his attempt to deny the Falkland Islanders' inherent right to self-determination, the Argentine Foreign Minister used two arguments, both untenable. First, he attempted to persuade us that the International Court of Justice itself had decided that the

applicability of the principle of self-determination is dependent on the nature of the ties between the Territory in question and the claiming State. To do so, he plucked out of context two paragraphs in the 1975 advisory opinion on the Western Sahara.¹⁰ But he failed completely to make mention of the discussion of the right of self-determination in the 1971 advisory opinion on Namibia.¹¹ This is the classic statement of the views of the International Court on self-determination, as was reaffirmed by the Court in the 1975 opinion.

258. I do not propose to make copious citations from either advisory opinion. I merely draw attention to paragraph 52 of the Namibia opinion, in which the Court states, in the context of Article 73 of the Charter, that: "the subsequent development of international law in regard to Non-Self-Governing Territories, as enshrined in the Charter of the United Nations, made the principle of self-determination applicable to all of them".

259. In the 1975 opinion, the Court declared that the provisions of resolution 1514 (XV) "confirm and emphasize that the application of the right of self-determination requires a free and genuine expression of the will of the peoples concerned".

260. I imagine those were the sort of points which the representative from Zaire had in mind in the statement we have just heard.

261. Secondly, the Foreign Minister made the quite unworthy assertion that to accept the right to self-determination in the case of the Falkland Islands would set a precedent for Israeli settlements in occupied Arab territories. The comparison is far-fetched. The Israeli settlements were established in very recent years, against the direct condemnation of the overwhelming majority in the United Nations, in territories over which Israel neither claims nor exercises sovereignty and, moreover, territories which were already densely populated.

262. So much for the points that occupied a great deal of the statement of the Foreign Minister. What he failed to mention at all was Argentina's act of aggression in April of this year. Indeed, astonishingly, he actually referred to "British aggression". He went on to attack my Government for the establishment of a so-called military base in the Falkland Islands. The token size of the British garrison before the Argentine attack is known to all, as is its capture by vastly overwhelming Argentine forces on 2 April. Subsequent Argentine defiance of the Security Council left the United Kingdom no alternative but to act in self-defence. The presence of a larger garrison now is solely a measure of self-defence against a continuing Argentine threat. We look forward to the day when a fundamental change of Argentine policy allows the garrison to be reduced.

263. Finally, one word about "colonialism" and one word about the "sovereignty dispute"; both terms figure in the statement of the Foreign Minister. His assertion that "the basic assumption of the decolonization process is the denial of the sovereignty of colonial Powers over the Territories subject to that process" [51st meeting, para. 44] will be greeted with astonishment by this Assembly, which well understands that the basic assumption of the decolo-

nization process is not that at all, but the assertion of the rights of the peoples, notably their right to self-determination.

264. If there is a valid definition of "colonialism", it is that given in paragraph 1 of resolution 1514 (XV): "The subjection of peoples to alien subjugation, domination and exploitation...". In relation to the Falklands, to whom does that apply? To Argentina or to the United Kingdom?

265. The Foreign Minister made much of a joint communiqué agreed by his Government and my own on 26 April 1977, and he was kind enough to have the full text circulated this morning [A/37/553/Add.1, annex]. It can be seen that, far from supporting his assertion about the sovereignty dispute, the communiqué referred to negotiations on, *inter alia*, the following: future political relations, including sovereignty; issues affecting the future of the Islands; the establishment of a framework for Anglo-Argentine economic co-operation in the South Atlantic; a stable and prosperous and politically durable future for the Islands, and so on. The communiqué clearly recognizes the need to consult the Falkland Islanders during the course of the negotiations.

266. What the Foreign Minister referred to as 17 years of fruitless negotiations were in fact on a quite different basis from that claimed by him and on a quite different basis from what Argentina now proposes in this draft resolution. Indeed, his point demonstrates very clearly what I said yesterday, namely, that Argentina sees only one possible end to the negotiations, that is, the transfer of sovereignty from the United Kingdom to Argentina. They do not envisage a real negotiation in which the end is not predetermined. Delegations will also wish to take note of the fact that, far from being fruitless, these negotiations led to a number of useful improvements in the conditions for the Islanders, all of which were brutally interrupted and put to an end by the Argentine invasion in April of this year.

267. Mr. SHERMAN (United States of America): We are engaged in this debate in a serious attempt to implement the principles of the Charter of the United Nations by finding a peaceful and negotiated solution to the tragic conflict between the United Kingdom and Argentina over the Falkland Islands (Malvinas). Our efforts to this end are not assisted by the attempt of the Soviet Union and its East German and Bulgarian clients to introduce extraneous propaganda charges unrelated to the issue at hand. True to its conspiratorial view of world events, the Soviet Union has abused this Hall today with allegations that the tragedy for which both countries paid so dearly was part of a NATO conspiracy to achieve a military springboard in the South Atlantic. I submit that this interpretation is an insult to both the parties and to the nations of Latin America.

268. As my country learned through its extended efforts to bring the two parties to the negotiating table, the issues involved in this tragic dispute are real and of long standing. Let no one belittle them, least of all the Soviet Union, East Germany, Bulgaria and other clients, which played no role whatsoever in seeking to restore peace during the trying days of that conflict. Their effort now, when we are gathered

here to put that conflict behind us once and for all, is a mindless and incredible effort to score propaganda points from the tragic conflict of interest and principle between two Member States. It perverts and stands on end truth and the search for peace to which most of us in this Hall are committed.

The meeting rose at 7.05 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/34/542, annex, para. 168.

⁴ Subsequently adopted as resolution 37/10.

⁵ See *Official Records of the General Assembly, Eighteenth Session, Annexes*, addendum to agenda item 23, document A/5446/Rev.1, annex I.

⁶ A/10217 and Corr.1, annex, para. 87.

⁷ *Official Records of the Security Council, Thirty-seventh Year, Supplement for April, May and June 1982*, document S/15156/Rev.2.

⁸ See *Official Records of the General Assembly, Twentieth Session, Fourth Committee*, 1558th meeting.

⁹ See *Official Records of the Security Council, Thirty-seventh Year*, 2364th meeting.

¹⁰ *Western Sahara, Advisory Opinion, I.C.J. Reports, 1975*, p. 12.

¹¹ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports, 1971*, p. 16.