



*President:* Mr. Paul J. F. LUSAKA  
(Zambia).

**AGENDA ITEM 26**

**Question of the Falkland Islands (Malvinas):  
report of the Secretary-General (continued)**

1. Mr. SUCRE-FIGARELLA (Venezuela) (*interpretation from Spanish*): Before I begin my statement on this item, I wish to refer to the tragic news which has struck so hard at our hearts and minds. The untimely death of Indira Gandhi, Prime Minister of India, is a severe blow not only to her country but, indeed, to mankind. She represented traditions of culture, civilization, peace, freedom, co-operation and justice that are the very foundations of the United Nations. I believe that all of us here must therefore be truly grief-stricken at this tragic event.

2. Venezuela is taking part in this debate on the Malvinas Islands in the firm belief that it is beneficial to the parties to the conflict and to the community of nations represented here, because it may constitute a decisive step towards the beginning of a process of negotiations leading to a definitive solution of the dispute between Argentina and the United Kingdom.

3. It is well known that my country has always stood in solidarity with the Argentine cause. But our world view does not readily encompass inextricable conflict, particularly when the other party is a nation like the United Kingdom, with which, throughout our history, we have experienced some truly outstanding moments of co-operation, such as those that were possible during our war of independence in the last century. London is replete with undying reminders of our great, heroic figures: Simón Bolívar, Francisco de Miranda, Andrés Bello. And in Venezuela there is testimony to the contribution made by the British to our movement of emancipation.

4. Here, at the United Nations, we have found ourselves agreeing on many occasions, particularly those where the aim has been the legitimate process of decolonization.

5. Whatever the reasons that now set these two nations against each other, my delegation believes that we have entered upon a new phase that must be considered with all its consequences for the immediate future. There is an eloquent fact that must be given its proper weight; that is, the draft resolution that has been submitted by 20 Latin American countries [A/39/L.8], prompted by resolutions adopted by the General Assembly itself, and also by the Security Council.

6. That draft resolution reflects a firm will to negotiate, an undeniable desire for peace and a realism that provides assurance of its moderate approach, further from rhetoric and closer to the objective facts. It reflects also an unbiased attitude. It is based on a consideration of the facts, without distorting them. Both parties have arguments which they can set forth freely. They are not being asked to sit down at the negotiating table without any room for flexibility.

7. From an examination of the preamble and operative part of the draft resolution, members of the Assembly, having in mind the higher cause of peace and their own responsibilities, will, I am sure, find nothing with which they can disagree. The entire text is conducive to a spontaneous convergence of views consonant with the aims it sets. There is no motive of subterfuge or deception. It is a matter of taking or rejecting a chance for peace.

8. Members of the Assembly must seriously ask themselves what reasons there could be to reject the text of the draft resolution submitted by the Latin American countries. It is not prejudicial to any national or regional interest. Things are as they are, in the best negotiating tradition.

9. Consistent logic and a rational attitude are therefore needed. This is a way of showing that the United Nations has a function to fulfil, for the good of all. This is precisely the concern expressed by the Secretary-General in his recent report on the question of the Malvinas [A/39/589].

10. The Latin American countries have attempted to voice that same concern in the firm belief that the majority of the members of the Assembly will lend an attentive ear. We reject any attempt to read into our position any opportunism or any effort to exert undue pressure by encouraging undeserved sympathy and a critical attitude towards a powerful country.

11. The United Nations is facing tasks that have so far not been completed or have been accomplished with only relative success. I refer to tasks involving confidence-building measures among nations and the peaceful settlement of disputes.

12. The differences between Argentina and the United Kingdom over the Malvinas come wholly within that sphere. We should be acting as true members of an international community were we to view the problem we are now discussing from that angle. That is the burden of the proposal in the draft resolution now before the Assembly.

13. In stating those propositions, my delegation is convinced that they are designed to achieve broad agreement on more workable ways to resolve the existing difficulties.

14. According to a well-known diplomatic anecdote, a negotiator, discerning in the language of the

other party certain deceitful intentions, sarcastically remarked that they were seeking to lay "the groundwork for a just and lasting war".

15. That is the kind of danger that this draft resolution seeks to avoid. What we seek is lasting peace for the benefit of the parties involved and of the world as a whole. We should not be like certain persons who have a single illusion, their own self-interest, and a single disillusion, the rest of mankind.

16. There are today so many urgent needs that we must give serious attention to all constructive proposals. As Lord Keynes, one of the greatest men of our age, said, referring to the lack of agreement between the major Powers in confronting the problems created by the First World War: "Our patience has been tried far beyond its limits; what we need now is a little peace."

17. I hope that that bitter remark by a man able to see so clearly into the future will be borne in mind by the statesmen guiding the foreign policy of Argentina and the United Kingdom. The political change represented by the new Government of President Alfonsín is a guarantee that a dialogue can now be entered into free from the misunderstandings of the past. The resurgence of humanistic democracy in that brother country to the south and the age-old British civilization, which are conducive to the understanding and realism necessary for change, may now make it possible for the disappointed hopes of Lord Keynes to be fulfilled.

18. In the light of the conciliatory nature of the draft resolution submitted by the Latin American States, I should like to echo the hopes expressed by the Argentine Minister for Foreign Affairs this morning [44th meeting] when he urged delegations to give it unanimous support.

19. Mr. ZUMBADO JIMÉNEZ (Costa Rica) (*interpretation from Spanish*): Mankind's progress towards peace and peaceful coexistence has often been painful. Our society, however, has continued to follow that path, no matter how often it has been stained with the blood of martyrs and heroes seeking the common good. Of the small group of people who dared accept a historic challenge fraught with dangers and difficulties, Indira Gandhi was one—a woman who was an example to her country and to the world.

20. The Government and people of Costa Rica take this opportunity to convey to the people and Government of India their deepest sympathy.

21. The concern for peace and security in the South Atlantic felt by the international community 30 months ago is being expressed today as profound concern for the observance of and respect for the principles of regional and universal international law.

22. Within the framework of inter-American international law, over 35 years ago, in Bogotá, we Latin Americans defined the situation in the Malvinas Islands as one of territorial occupation by an extrahemispheric Power. In this context, the Inter-American Conference of the Organization of American States flatly declared that the principle of territorial integrity was the only juridical basis on which to settle questions of the occupation of territory.

23. In the body of international law drawn up by the world Organization, the situation of the Malvinas Islands has, from the outset, been qualified as a dispute involving sovereignty over a territory that is geographically linked to Argentina.

24. For its part, the United Kingdom has placed this conflict in the context of decolonization. In that connection, General Assembly resolution 1514 (XV), as well as inter-American law, gives the principle of territorial integrity precedence over the principle of self-determination. As we have stated on other occasions, the principle of self-determination cannot, in the view of the delegation of Costa Rica, be applied in this case, because the circumstances are different.

25. This does not mean that Latin America and the international community that has supported it are insensitive to the legitimate interests of the islanders. Any political, negotiated solution must indeed take into account the interests, if not the wishes, of the population inhabiting the Malvinas today. We believe that the interests of that population would best be protected at the negotiating table.

26. In keeping with all this, we believe that it is necessary to establish peace on the basis of respect for international law, putting the general interest above narrow national interests. Costa Rica's concern for the peaceful settlement of the question now before us also stems from the friendship the people and Government of Costa Rica feel for Argentina and the United Kingdom. The painful conflict between those countries over the question of the Malvinas Islands casts a shadow over their relations and affects the bonds that have historically linked the United Kingdom and Latin America. The settlement of the problem is juridically necessary and will be an example of the co-operation and brotherhood that should be the hallmark of relations among present-day democracies.

27. My country considers that the Government of President Alfonsín, which has reaffirmed the importance of civilized coexistence and respect for human dignity and has promoted national dialogue, has clearly endorsed those ideals by its actions at the international level. The United Kingdom, a pioneer nation in the field of democracy, cannot and should not remain insensitive to the restoration of democracy in Argentina.

28. In their hearts, Latin Americans are favourably disposed towards unconditional recognition of Argentine sovereignty over the western hemisphere territory of the Malvinas Islands. However, with a view to reaching understanding and by way of an appeal to the civilized conscience of the British people, we call for the resumption of negotiations aimed at finding a peaceful solution to all the differences arising out of the case of the Malvinas Islands.

29. For the sake of the rule of international law, the prestige and effectiveness of the United Nations and the affection we feel for Argentina and the United Kingdom, we cannot allow a fleeting victory to become a permanent conflict.

30. Mr. BLANCO (Uruguay) (*interpretation from Spanish*): I wish to begin by saying with deep emotion that my delegation fully endorses the remarks made this morning [44th meeting] by the representative of Saint Lucia on behalf of the Group of Latin American States on the tragic death of the Prime Minister of India, Mrs. Indira Gandhi. I wish also to express our feelings of solidarity to the delegation of India over this great loss to its country, a loss with great implications for the rest of the world. We emphatically condemn this latest manifes-

tation of violence, which is contrary to all the norms of civilization.

31. Uruguay, together with other Latin American countries, sponsored draft resolution A/39/L.8, requesting the Governments of the Argentine Republic 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 and their remaining differences relating to the question of the Malvinas Islands.

32. The existence of a sovereignty dispute is based on sound arguments. The General Assembly had already recognized the existence of such a dispute on three occasions before 1982, in the resolutions which the representative of Spain reminded us of this morning [*ibid*]. Since 1982, it has made the same point on two further occasions.

33. Apart from those pronouncements by the Assembly, the parties themselves, in setting forth their respective views, have taken opposing positions, both claiming rights over the Islands. Moreover, the two parties carried on negotiations within the framework of the United Nations for 17 years, pursuant to resolutions that acknowledged the existence of the sovereignty issue, which was on the agenda of the negotiations.

34. Although my country unswervingly supports the Argentine claim to rights over the Islands, it is, of course, essential to make it clear that the request to the parties to negotiate on their sovereignty dispute does not imply prejudging the result of the negotiations or imposing conditions for them. The need to negotiate is objective, responds to the nature of the dispute and may be acknowledged without difficulty by all States, whatever their position on the substance of the matter.

35. Under the Charter of the United Nations, the threat or use of force is prohibited, except under Article 51. Controversies, conflicts or disputes between States must therefore be resolved by peaceful means, negotiation being one of those means—in fact, the essential means of reaching an agreement and the first listed in Article 33 of the Charter.

36. The draft resolution that we have sponsored is therefore limited to a request to the parties to use one of the available means—negotiation. We are recommending a procedure, without anticipating its results. The tragic events that occurred between April and June 1982 do not alter these conclusions. On the contrary, they confirm the need for negotiation.

37. The lack of appropriate international action in this matter, as in other matters, causes frustration and reduces the credibility of the Organization. As the Secretary-General has said, it is necessary to develop actively a vigorous policy of “anticipation”, to defuse factors that could give rise to a crisis. Disputes and other conflict situations must be placed within a legal framework and dealt with through procedures for their peaceful solution.

38. Since the thirty-eighth session, there have been certain developments in connection with the Malvinas Islands that should be borne in mind. The Secretary-General has continued his contacts with the parties, pursuant to resolution 38/12. According to the report submitted in accordance with that resolution [A/39/589], the determination of the parties to reduce the factors making for tension and to keep the question within the realm of peaceful solutions is welcomed. That attitude is similarly

revealed by the public statements of the Governments concerned and the published exchanges between them.

39. The direct contacts at Berne in July [*see A/39/364*] were also positive, although it is regrettable that they were broken off without a conclusion being reached. The valuable contribution of Brazil and Switzerland in sponsoring the meeting of high-level officials from Argentina and the United Kingdom is worthy of praise.

40. My delegation emphatically encourages those efforts and all other efforts, in whatever forum, to remove obstacles and create a climate conducive to negotiation. Once negotiations have begun, they will provide an appropriate framework for consideration of all outstanding questions, within a broad, unrestricted agenda.

41. It is in a constructive spirit and with a desire for peace that Uruguay, together with the other countries of the region, submits to the General Assembly a draft resolution that in essence provides a new opportunity for dialogue. Now that more time has elapsed since the painful events of 1982, and with the stimulus of the contacts maintained by the parties, a new appeal is being made for negotiation, which amounts to an appeal for the consolidation of peace and security.

42. Mr. ALBÁN-HOLGUÍN (Colombia) (*interpretation from Spanish*): The tragic news of the assassination of Mrs. Indira Gandhi, Prime Minister of India, casts a shadow over this meeting of the General Assembly. Her devotion to world peace was rivalled only by her outstanding virtues as an exemplary leader. Her death deeply moves all those who work for co-operation and harmony between peoples, and especially those of us who belong to the Movement of Non-Aligned Countries. Her acceptance of sacrifice should inspire us to similar valour and a spirit of struggle in our quest for a better future for mankind.

43. The people and Government of Colombia wish to convey to the members of the delegation of India and to the people of India and its Government its most deeply felt condolences.

44. The rejection of colonialism has been an inseparable part of Colombia's foreign policy since its accession to nationhood.

45. The new world order—aspirations to which form the hopes of our time—calls for countries to have a clearly defined identity. It holds that dialogue is an irreplaceable instrument for the peaceful settlement of conflicts, for the creation of conditions propitious for the development of peoples, for the replacement of war by peace, and for upholding the criteria set for the strengthening of our mutual relations, if these are based on respect, dignity, ideological pluralism, democracy and the rejection of colonialism.

46. The old world order came to an end with the Second World War in 1945, when the process of decolonization began and spread to all continents. The emancipation of all peoples became inevitable.

47. Those years are linked with increased awareness by the colonial peoples, and signalled to all nations that the past order had come to an end. Complete belief in the right of self-determination had become an irreversible historical fact.

48. It is worth recalling that those circumstances are intimately related to the birth and the very essence of the Movement of Non-Aligned Countries. In this connection, we remember the city of Bandung and the enunciation at the close of the Asian-African Conference, on 24 April 1955, of principles that constitute the bill of rights of colonial countries.<sup>1</sup>

49. The General Assembly declared its position on decolonization at its 1960 session in its resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. That Declaration became one of the cornerstones of post-war international law. It places territorial integrity before the self-determination of peoples, a priority which has been applied in several cases which have been considered by the United Nations.

50. Resolution 1514 (XV) set out the rules for a new body of international law, conforming to the new democratic spirit of our times. Statements by other speakers make it unnecessary for me to engage in an analysis of that resolution. The Ministers and Heads of Delegation of the Non-Aligned Countries, in the Final Communiqué adopted at their Meeting held in New York from 1 to 5 October this year, stated the following:

“The Ministers and Heads of Delegation reiterated their firm support for the Republic of Argentina’s right to have its sovereignty over the Malvinas Islands restituted through negotiations. They reiterated their call for a resumption of negotiations between the Governments of Argentina and the United Kingdom with the participation and good offices of the United Nations Secretary-General and reaffirmed the need for the parties to take due account of the interests of the population of the Islands. This would ensure a speedy, peaceful and just solution to the question in conformity with the principles and decisions of the Movement of Non-Aligned Countries on the subject and with United Nations General Assembly resolutions 1514 (XV), 2065 (XX), 3160 (XXVIII), 31/49, 37/9 and 38/12. In this regard they noted the communiqué issued by the Government of Switzerland and the representative of the Government of Brazil in Berne on July 20, 1984.

“The Ministers and Heads of Delegation expressed satisfaction at the readiness of the Argentine Government to resume the negotiations requested by the General Assembly and urged the Government of the United Kingdom to also agree to their resumption.” [A/39/560, annex, paras. 93 and 94.]

51. The question of the Malvinas Islands has been before the General Assembly since 1960, and before the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples since 1964. But this is the first time that my delegation has been openly optimistic about the debate—which is none the less important for being a repetition—because it has noted here, in the United Nations, favourable signs in the attitudes of the principal actors in the immense drama being played out in the South Atlantic.

52. In the first place, the Argentine nation has recovered its democratic institutions and is being led by a popular, representative Government, whose first acts have been aimed at safeguarding the basic principles which have marked it for greatness in

many spheres, principally the human sphere; this country has the highest literacy rate on the continent, the highest degree of culture, and the highest levels of economic development.

53. In addition, we have noted that this year the British nation has been more inclined to engage in dialogue on the dispute, and has been more responsive to the opinion of friendly nations which daily express their concern at the breaking off of the negotiations recommended on several occasions by the United Nations. Since the United Kingdom is one of the founders of the United Nations and possesses an age-old culture admired by peoples all over the world, it cannot disregard the Charter’s call for the peaceful settlement of international disputes and for dialogue and coexistence among peoples.

54. Mankind will have gained nothing on its journey of pain if these two colossi of the Western world do not set an example of balanced understanding in the resolution of a conflict which has stood in the annals of international law for 150 years. If what are proclaimed as principles of international law in colleges and universities—which are the same in both countries—are derogated or suspended while the interests of one of the States are pressed, then we will have very little to hand down to future generations and to young nations as guidance in an increasingly maladjusted world.

55. Colombia and Latin America wish to see Argentina and the United Kingdom, their friends, at the negotiating table, because they cannot conceive of the formation of irreconcilable feelings between them. That is the procedure prescribed in the Charter and expected by the civilized world.

56. In the 150 years of this conflict, Colombia has on various occasions lent its support to the Argentine nation. This was expressed in the debates at the thirty-seventh [33rd meeting] and thirty-eighth [59th meeting] sessions and it hereby renews that support. However, that does not keep it from hoping for a solution to this dangerous conflict through negotiation.

57. Latin America has received help from the United Kingdom in the solution of some of the serious problems that beset it, not the least noteworthy of which is support for the peace effort being worked out for Central America by the Contadora Group. To that country and to all the countries of the European Economic Community we must express our sincere gratitude for the timeliness and generosity with which they have offered political and economic support, at the ministerial meeting at San José, held in September 1984, to the solutions proposed by the Group in the Contadora Act on Peace and Co-operation in Central America [A/39/562].

58. But the conflict over the Malvinas Islands is different, and firm political will is needed to find the way to equity and harmony. After a confrontation costing hundreds of lives and sowing distrust, we need determined efforts and resolve by the leaders of both nations, so that public opinion in their countries will support negotiated solutions.

59. They know full well that, in the world of today, the force of arms only brings fleeting triumphs that at times serve only to bolster the ego of the rulers of the day, while they contribute nothing to stabilizing relations among peoples.

60. How many efforts have been wasted! While Latin America, the model continent for two decades, is experiencing the great turmoil of a crisis that has swallowed up most of its foreign exchange in interest payments, one of the countries, whose response is critical, refuses to sit at the negotiating table to settle a conflict that the continent has adopted as its own.

61. We do not wish today to mention the causes of the disagreement, or the reasons adduced by each of the parties, or the war that took place, or the heart-rending tragedy of human beings who live with the fear that one day the conflict will again break out and give rise to violence. These are events of the past that are not mentioned in draft resolution A/39/L.8, submitted by the Group of Latin American States to the General Assembly for consideration, because the sponsors wish to achieve amicable solutions through dialogue and understanding, taking the decisions of the United Nations as a starting-point.

62. Many resolutions have been adopted at the United Nations. In December 1973, the Assembly adopted resolution 3160 (XXVIII), in which it expressed concern over the lack of substantial progress and again declared the need to accelerate the negotiations between the Governments. In 1976, it adopted resolution 31/49, in which for the first time the decisions of the non-aligned countries were taken into account.

63. It is the unmistakable wish of the international community to find a peaceful settlement to this dispute, but it is all the more interested in this now that a democratic, free Government has been unequivocally elected by the people in Argentina, respectful of human rights and a firm ally of the great Latin American causes. From the statement by the representative of the United Kingdom at the thirty-eighth session [54th meeting], the Government of that country will have no objection whatsoever in undertaking negotiations with the present Argentine Government.

64. Since 1982, the Latin American countries have sponsored resolutions that reaffirm the statements made by the General Assembly and by the Security Council; this year, however, they wish to contribute to the start of discussions without pre-conditions compromising the positions of the parties. In other words, the Latin American countries do not wish the Government of Argentina or the Government of the United Kingdom to have difficulties with public opinion in their own countries in initiating dialogue and friendly relations that no doubt will lead to a peaceful, just and reasonable settlement of the problem of the Malvinas Islands.

65. We express our support, respect and understanding for the steps taken by the Secretary-General and we ask him to continue his important task in assisting the parties to the negotiations or in promoting them.

66. Anything else I might say would be superfluous when we are asking for the favourable vote of the Assembly on the draft resolution submitted for its consideration. My delegation, my Government and my country express deep and sincere optimism with regard to a friendly *rapprochement* of both nations.

67. Mr. ARIAS STELLA (Peru) (*interpretation from Spanish*): The Government and the people of Peru wish to express their profound grief and distress at the untimely death of Prime Minister Indira Gandhi. A violent, fanatical act has snatched from the

international community one of its outstanding figures. The void created by this death affects not only the United Nations and the Movement of Non-Aligned Countries, which she inspired for so many years with her thinking and her dynamic personality, but it has a distinct impact on the future course of international relations at a particularly delicate moment. I wish to convey my sincere condolences to the family of Mrs. Gandhi and to the people and Government of India.

68. Last year, when we took part in the consideration of what is now agenda item 26, on the question of the Malvinas Islands, my delegation made a fervent appeal, on behalf of the Peruvian Government, to Argentina and the United Kingdom to take the necessary steps to establish a suitable framework for the beginning of effective negotiations. We did so on the basis of the deep esteem the Peruvian and Argentine peoples have long had for each other, indeed since long before they became independent nations; we did so on the basis of the relations of friendship and fruitful co-operation linking us to the United Kingdom; and we did so particularly with the moral strength of a country which, as the international community knows very well, spared no effort to avert the painful events which stained with blood the southern part of the Latin American continent in 1982.

69. Since then, the General Assembly has on two occasions asked the parties to resume the interrupted dialogue, in its resolutions 37/9 and 38/12. Furthermore, the Secretary-General's mandate to carry out a mission of good offices for the purpose of getting such a dialogue started as early as possible was renewed on each occasion.

70. In his latest report, the Secretary-General expresses his regret that it has not proved possible to implement the Assembly resolutions; but he adds that he regards it as a positive sign that the two parties have "held their first direct contact since the end of the 1982 conflict" [*see A/39/589, para. 8*]. In that report, he also states that he is encouraged by the desire expressed by both Governments to resume dialogue and their commitment not to resort to force in connection with the dispute.

71. We endorse the Secretary-General's objective assessment of the situation and we believe it is the duty of the international community to encourage the well-founded hopes for a positive outcome. His good offices are continually available to the parties concerned, as is the assistance of friendly countries, which are prepared to co-operate in organizing a new and imaginative diplomatic effort to achieve the common goal. We also believe that diplomatic efforts such as those conducted at Berne in July of this year should continue.

72. It can be said that the conditions necessary for the restoration of confidence and the possibility of undertaking a process conducive to the normalization of bilateral relations, simultaneously or in parallel with the substantive treatment of the sovereignty dispute and other issues related to the Malvinas Islands, have improved significantly. There are several good reasons for that observation.

73. First, the new Government of the Argentine Republic, elected constitutionally and democratically, enjoys the unanimous support of its people in the pursuit of the goals of institutional reorganization and increased well-being which it has set itself; it also

enjoys credibility and prestige internationally. In such a delicate issue as this, the factors of stability, rationality, flexibility and legitimacy which such attributes provide cannot be disregarded, for that would mean disregarding the existence of variables and facts the value of which is crucial when a State is taking the decisions made necessary by negotiations.

74. Secondly, it is clear that the tension and hostility which followed the conflict in 1982 are now, fortunately, tending to disappear. There is no antagonism between the two Governments, and clearly it is more and more important to set aside attitudes which might needlessly exacerbate national sentiments, which, like wounds, should be allowed to heal, so that we may look towards the future.

75. Thirdly, as we said a moment ago, the channels of communication between the two Governments have been reopened, through their own initiative, and this new opportunity for dialogue remains open. This is particularly important in the case of one of the parties, which seems to be demonstrating a most commendable desire to seek common ground and a better understanding of the genuine desire for a harmonious solution which has led the international community to promote the settlement of the dispute by peaceful means and through negotiation.

76. For these reasons, we can see nothing to justify further delay in the resumption of contacts between Argentina and the United Kingdom; still less do we see any reason for an indefinite postponement of such contacts. This is particularly true in that, because of the very nature of the subject, the agenda for the contacts between the two parties must not be in any sense inflexible or restricted. Each aspect of this dispute has its own particular significance, and it is not possible to isolate any of them unilaterally or give priority to one rather than another. If all this is properly borne in mind, the way will have been paved for comprehensive and thorough negotiations which would take into account the rights of Argentina and the interests of the United Kingdom as regards the indigenous population of the Islands.

77. I wish to emphasize that draft resolution A/39/L.8, introduced by the delegation of Mexico at the 44th meeting, of which Peru is a sponsor, embodies in both the spirit and the letter the considerations which my delegation has put forward as a modest contribution on behalf of the Peruvian Government to the current discussion of the question of the Malvinas Islands.

78. As is evident, its main paragraphs set no prior conditions and are not designed to exacerbate relations between the parties. It is a well-balanced text in keeping with the purposes and principles of the Charter of the United Nations and with the resolutions of the General Assembly and of the Security Council. Its sole, legitimate purpose is to bring both Governments to the negotiating table once again, without, as I have said, setting any limitations in advance. We firmly believe that the new atmosphere that now seems to be emerging, and which is most welcome, will have a positive effect on the chances of success of the course of action proposed in the draft resolution. We therefore urge Member States to give it their firm and valuable support.

79. My delegation today reaffirms Peru's support for Argentine rights over the Malvinas Islands. We again strongly urge both parties to resume as soon as possible, in an atmosphere free from rigidity or

intransigence, a productive dialogue that will in the short term serve as a catalyst in bringing about a definitive negotiating process. This long-standing dispute must be eliminated from the American continent. Its continuance as a potential focal-point of tension and discord, which has unfortunately led to the militarization of the area, is detrimental to the dignity of the Latin American region.

80. History and experience teach us how we should face the future. We should not retreat or make a mockery of the past. I am sure the international community knows what is the best way to honour the memory of the brave young men on both sides who lost their lives in 1982.

81. Mr. DAZA (Chile) (*interpretation from Spanish*): My delegation's feelings were fully expressed this morning [44th meeting] when the Chairman of the Group of Latin American States expressed our countries' sentiments regarding the regrettable passing of Mrs. Gandhi. I should, however, like to add that my Government and my people are overwhelmed by this loss. India has suffered a cruel, irreparable blow with the loss of an individual who had already inscribed her name in the history of her people but had before her a wide horizon for her creative capabilities.

82. I should like to convey to the representative of India and his delegation the condolences of my Government, my people and my delegation, and to assure them of the deep sorrow that we share with them today.

83. The general debate at this session showed that the international community follows with deep concern the dispute in the South Atlantic, which has not yet found a solution. In the case of Chile, that concern was conveyed to the General Assembly at the 16th meeting by the Minister for Foreign Affairs of my country. This concern is understandable. The quest for peace is the main purpose of the Organization. The peaceful settlement of disputes, the non-use of force and the observance of law are the essential bases on which the Organization was conceived. My country firmly believes in those principles and, as a founding Member of the United Nations, it has always been our aim to strengthen and observe them. In the face of every conflict and every dispute, we have invoked the principles of the Charter as the irreplaceable instrument for the restoration of harmony and the promotion of the coexistence of nations.

84. The dispute in the South Atlantic, which pits against each other two peoples that are especially close to the hearts of Chileans, which has persisted for many years and casts the shadow of a tragic conflict over the continent, must be settled by those means and on the basis of those principles. No other course is logical or possible.

85. This is the sense of draft resolution A/39/L.8, sponsored by Chile, with other Latin American nations, in accordance with its commitment to law and with the importance it attaches to the settlement of disputes by peaceful means, as well as its historical support for Argentina in this dispute. In precise terms, this draft resolution reiterates the General Assembly's request to the Governments of Argentina and the United Kingdom to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute and their remaining differ-

ences relating to the question of the Malvinas Islands.

86. Since, furthermore, the draft resolution reaffirms the need for the parties to take due account of the interests of the population of the Malvinas Islands in accordance with the provisions of resolutions 2065 (XX) and 3160 (XXVIII), my delegation believes that this provides an appropriate framework within which the parties should bring their political will to bear for the peaceful settlement of the dispute.

87. The world today is unsettled and full of contradictions. The international community can face those contradictions if all nations affirm their commitment to law and if, in keeping with its norms, they are able to reconcile the interests of each nation and the higher interests of the international community, bearing in mind that every nation has the same interest in peace.

88. The draft resolution before us is aimed at bringing about conditions which would lead to what I am sure is in the common interest of Argentina and the United Kingdom—achievement of peace.

89. In this context, it is of special interest to note what was stated by President Alfonsín, in his address before this session of the Assembly, that “Argentina is firmly committed to seeking the restitution of the Malvinas Islands only through peaceful means. This my Government has stated, and it will fulfil this aim. There should be no doubt in anyone’s mind about this.” [See 5th meeting, para. 43.]

90. I have said before that my country has maintained a tradition of attachment to the principles and ideals of the United Nations. But principles and ideals do not live in and of themselves. They also have a dynamic life. They depend on the capacity of those who believe in them to give them effect.

91. I hope I do not sound presumptuous in saying that Chile and Argentina have given an example of the practical application of those principles in the fact that, with the mediating offices of His Holiness Pope John Paul II, they have formed an agreement, putting an end to the old controversy we had in the southern area, which will be the basis for a peace treaty that both countries are in the process of perfecting.

92. The peaceful settlement of that dispute connotes for the peoples of Chile and Argentina a positive reality which today we show the world with satisfaction and pride. Chile and Argentina have taken a fundamental step in overcoming old misunderstandings through a spirit and will to understand, but we have taken that step not only to solve present problems but to lay down the basis for a joint future. We are also establishing mechanisms for economic co-operation. We are reiterating our rejection of the use or threat of use of force in mutual relations and we are coming to an agreement on a permanent mechanism for the peaceful settlement of any dispute which might arise in the future between our two nations.

93. The success we have achieved has been the result of the sense of responsibility and the spirit of understanding and co-operation shown by our two Governments in overcoming a dispute which was an obstacle to our coexistence and to the need of our nations to face the future together.

94. We are encouraged by the hope that, with the same desire for peace and the same will, a similar

road may be trodden in the controversy which separates Argentina and the United Kingdom today.

95. Mr. ALBORNOZ (Ecuador) (*interpretation from Spanish*): I wish to express the condolences of the Government and people of Ecuador to the Government and people of India on the occasion of the tragic death of Mrs. Gandhi, an outstanding figure who, like a parent, contributed immeasurably to the cause and development of the developing countries. Her fearless leadership and wisdom and her historic impact will not be erased by the fanatical act of terrorism; rather they will continue to help to strengthen the principal causes of the United Nations.

96. The Government of Ecuador is one of the 20 Latin American countries sponsoring the draft resolution on the Malvinas Islands as yet another effort to urge the Governments of Argentina and the United Kingdom to resume negotiations in order to achieve as soon as possible a peaceful settlement of the dispute over the Islands.

97. It should be noted that, in the draft resolution on this subject this year, the sponsors have sought to confine the text to its essential components in order to render it even more acceptable to all members of the international community. That is why the text refers to the sovereignty dispute and the remaining differences with reference to the question of the Malvinas Islands. This is a new departure which is meant to be broadly acceptable and to take full account of the negotiating process so that that process will be resumed with the good offices of the Secretary-General.

98. In this respect, and taking duly into account the General Assembly’s resolutions, the delegation of Ecuador regrets the lack of progress in negotiations in which it is no longer possible to argue—as was once the case—the existence of an atmosphere of tension, particularly in the light of the fact that the new democratic Government of Argentina has repeatedly said that it is willing to give effect to the General Assembly’s recommendations for resumption of negotiations by the parties.

99. Mr. Edgar Terán Terán, Minister for Foreign Affairs of Ecuador, addressing the General Assembly earlier, said: “Ecuador has supported and will continue to support initiatives aiming at peace and understanding among peoples. This is why the Ecuadorian delegation supports the efforts to settle the differences concerning the question of the Malvinas Islands.” [13th meeting, para. 63.]

100. Ecuador regards as of fundamental importance the principle of the peaceful settlement of international disputes which is a corollary of the non-use of force or the threat of force in such relations, as enshrined in the Charter. We also advocate and respect non-intervention, respect for the sovereignty of States and their territorial integrity, and we reject any form of aggression, just as we reject the validity of territorial conquests obtained through force. At the same time, on this and other related subjects, my Government has reaffirmed the principle of *uti possidetis juris* of 1810, underlying the territorial integrity of the American countries when they became independent, a fact which needs to be emphasized in connection with islands which belong to the American continent. It is therefore clear and logical that, with all possibility of the use of force excluded, the alternative of embarking fully upon a diplomatic

phase in negotiations for a peaceful settlement of the dispute proves to be the only, indeed, the inescapable course of action.

101. In the case of the problems of Latin America in particular, we are encouraged by the example of the peaceful settlement of disputes provided by the understanding reached between Argentina and Chile in their dispute over the Beagle Channel, as they are brother countries the agreement of which is greatly welcomed by my Government.

102. That is why Ecuador supports the appeal of the rest of Latin America in an effort which shows significant regional unity and support for the principles of the Charter which we helped to draft, in order that Argentina and the United Kingdom—which are friendly countries with which we have cordial relations and which are parties to this international dispute of concern to Latin America and the whole world, besides being also democratic countries which have been committed to the Charter since the United Nations was founded—should, as soon as possible, resume negotiations in a positive response to the repeated statements of the international community in the Assembly.

103. Sir John THOMSON (United Kingdom): The assassination of Mrs. Gandhi is a tragedy. I offer, on behalf of my Government and the British people, our deepest sympathy to Mrs. Gandhi's family, to her host of friends on every continent, to the Government of India and, above all, to the people of India, for whom she lived and for whom she gave her life.

104. One of the great acts of statesmanship of her distinguished father, Jawaharlal Nehru, was his decision that India, after independence, should remain in the Commonwealth. It was fitting that last year his statesmanlike daughter should have been host to the Commonwealth Heads of Government Meeting at New Delhi. Her Majesty the Queen, as head of the Commonwealth, was present on that occasion. The Queen has sent the following message to the President of India:

“Prince Philip and I are profoundly shocked at the death of Mrs. Gandhi. The world and the Commonwealth have lost one of their most distinguished leaders, and on behalf of the British people I offer you and the people of India our deepest sympathy at this tragic moment.”

105. My Prime Minister, Mrs. Thatcher, and Mrs. Gandhi were close friends of long standing. I had the pleasure and the privilege of seeing the ripening of that friendship. I can attest that it was based on genuine respect and on a developing personal understanding of each other and of their problems. They shared something special. Mrs. Thatcher sent the following message to the Prime Minister of India:

“I was appalled to hear early this morning of the murderous attack on Mrs. Gandhi and grieved by the subsequent news of her death. India has been robbed of a leader of incomparable courage, vision and humanity, and the Commonwealth has lost one of its most formidable and vital personalities. For my part, I shall feel greatly the loss of a wise colleague and a personal friend. I always looked forward to our talks together. They had some special quality of understanding.

“The British Government and people utterly condemn this barbaric and treacherous act. It is a tragedy for India, for the Commonwealth and for the wider world. We share your deep sorrow.”

106. As I said, Mrs. Gandhi and Mrs. Thatcher shared something special. One quality that they had in common was courage. Both knew that their lives as public persons were at risk. It is only three weeks since an attempt was made to blow up Mrs. Thatcher. The explosion caused the death of several people prominent in British politics.

107. Assassination is amongst the worst of crimes. It is worse than murder. For murder takes the life of an individual person; assassination is an attempt to murder freedom in political life. It thus strikes at everybody in a democracy—indeed, it strikes at democracy itself. We must not let it affect our political life. We must carry on as usual.

108. Assassination is an international disease which we must all strive to eradicate. Let us hope that Mrs. Gandhi's death by assassination will prove to be the starting point for an international campaign against terrorism and assassination everywhere. Mrs. Gandhi was a very practical person and she would wish some great purpose to be served by her death, as many such purposes were served during her life.

109. At this point, I claim your indulgence, Mr. President, to speak as a friend of Mrs. Gandhi and her family. When I first went to India, she was Prime Minister. I kept in touch with her when she was in the opposition and in trouble. I knew her again when she returned as Prime Minister. Both in office and in opposition, she showed courage of an unusual sort. Her actions contributed greatly to the preservation and, indeed, the greater rooting of democracy in India. This, together with the preservation of the unity of India, was a great and noble achievement. For my own part, I believe that Indian democracy and Indian unity will withstand all challenges.

110. Mrs. Gandhi was greatly criticized—above all in India. My Government did not agree with her on all matters. However, two things are beyond doubt. First, Mrs. Gandhi strove for the good of all Indians. She was above divisions of religion, caste or wealth. Like her father before her, she meant something to her fellow citizens in every part of that vast country. Secondly, India and Indians have a higher standard of living and in general are better off at the end of her career than they were when she took office—and that is no mean achievement.

111. Mrs. Gandhi was often described as cold and even ruthless in politics. But the Indira Gandhi I knew was a warm, vibrant person, and she took trouble with people. Despite the cares of office, she tried, with a good deal of success, to lead a family life. She was a woman who had a sense of style. I remember how at those Sunday evening family suppers it would just happen that her sari and the table linen would match. She had a sense of style, too, in the arts. Her knowledge of sculpture and painting and of the techniques that went into them was remarkable. I have encountered this in no other Prime Minister, and not in many other people.

112. Finally, I recall a conversation with her in which we discussed what it was that the ordinary people of India wanted. We agreed that land and wealth, and such things, were uppermost in their minds. But she added that, to her, the most important thing was clean drinking water. That is some slight indication of her good sense, her public spirit and her great practical caring for her people.

113. It is hard for me on this day to turn my mind to the subject of this debate. How I wish that the



agreement some of us appeared at one time to have reached—to keep it short, to a very few speeches and in a low key—had held. The reason for this debate is that there is a dispute between my Government and the Government of Argentina. It is not only a dispute between our Governments; it engages also our people and, above all, the people of the Falkland Islands. They are the ones who matter.

114. The saddest thing about this sad dispute is that all the parties concerned have much in common. The most important common element is that Britain and Argentina are now, once again, both members of the great family of democracies. The British Government and people welcomed the result of the free and fair elections in Argentina last October and want to see democracy take root and flourish there. Anglo-Argentine links have been close from the beginning of the Republic. They flourished throughout the nineteenth and most of the twentieth centuries. We would like to see them flourish again.

115. It was entirely consistent with this approach to relations between Britain and Argentina that, shortly after the inauguration of President Alfonsín, the British Government initiated a series of exchanges through the Swiss and Brazilian Protecting Powers. I should like to take this opportunity to express gratitude for the constructive role played by the Swiss Government in the exchanges between London and Buenos Aires and for its hospitality in providing Berne as the venue for talks. The Brazilian Government, as Argentina's Protecting Power, was also helpfully involved.

116. Our aim was clear. We believed that with the return of democracy to Argentina both Governments should work towards a restoration of normal relations between them and a rebuilding of mutual confidence. We made it clear from the outset that we were not prepared to discuss the future of the Falkland Islands over the heads of the islanders and against their clear wishes. We realized that, if the talks between officials from both Governments were not to founder at the outset on the issue of sovereignty, there needed to be some arrangement to take account of the positions of both sides.

117. After a series of very detailed exchanges, it was agreed that, after a single statement on this subject by each side, discussion would move straight on to practical issues of concern to each side and would continue on those subjects. This arrangement was plainly agreed and clearly understood by the Argentine Government. The British Government believed that this approach was both positive and realistic. In the event, the Argentine representatives at the talks held at Berne on 18 and 19 July were not prepared to continue on the basis which had been agreed in advance. The abortive meeting in Berne represented an opportunity missed.

118. The position adopted by Argentina at the talks and reaffirmed subsequently has not made it easier to find a constructive way forward. But, despite this setback, my Government remains ready to work for better relations between Britain and Argentina. It was in recognition of the need to restore those more normal relations that my Government proposed talks on such matters as the normalization of commercial relations, the restoration of the bilateral air-service agreement between the United Kingdom and Argentina, the fostering of cultural and sporting contacts and the upgrading of official relations.

119. My Government was frankly disappointed by what President Alfonsín said about the Falklands and relations with Britain in his statement to the current session of the General Assembly [*5th meeting*] and his remarks at his subsequent press conference. The President made no reference to the events of 1982, even though he had had the courage to criticize the invasion at the time, and he did not mention the people of the Falklands, the most immediate victims of the aggression, which violated the most fundamental principles of the Charter of the United Nations.

120. Speaking to the Assembly, President Alfonsín insisted that friendly relations with Britain could not be achieved without the certainty that a mechanism would be established to allow negotiation on the sovereignty dispute. And in his subsequent remarks to the press he made it clear that the only acceptable outcome of such negotiations would be the transfer of sovereignty to Argentina within a very short time—he suggested three years or five years.

121. It is in the light of these statements, as well as other uncompromising indications of Argentina's true ambitions, that we must read the draft resolution before us. The preambular paragraphs may differ in some respects from those contained in General Assembly resolution 38/12, but these changes are essentially cosmetic and the operative paragraphs are virtually identical.

122. My delegation will vote against this draft resolution. We shall do so for several reasons. A preambular paragraph notes with concern that, notwithstanding the time elapsed since the adoption of resolution 2065 (XX), that prolonged dispute has not yet been settled. But this passage of time was not neutral. It included an Argentine attack on the Falklands that was completely contrary to the Charter. The absence in the draft resolution of any reference to the events of 1982 seeks to give the impression that nothing out of the ordinary happened to cause the breakdown of the talks which were taking place between Britain and Argentina early in 1982 about their difference over the Falkland Islands. It ignores the fact that, one month after talks which were characterized as having been held in a cordial and positive spirit, Argentina launched its invasion of the Falkland Islands.

123. As I have remarked, President Alfonsín was critical of that invasion perpetrated by his military predecessors. But his Government does not appear to have recognized that the events of 1982 have had a profound effect on attitudes in Britain, as well as in the Falkland Islands, and that they cannot be swept aside. After all, we live in a democracy.

124. I acknowledge with gratitude the many kind things that Latin American representatives have said today about my country, and especially about the character and achievements of British democracy. But to insist on tackling the issue of sovereignty instead of engaging in—to borrow the Secretary-General's words—"dialogue and confidence-building measures" is to pursue an unrealistic and sterile policy.

125. Here I am compelled to interrupt the prepared text of my speech and comment on a subject I had hoped to avoid. I had hoped to avoid it, not because I am afraid of it, but because it is irrelevant, unfounded and likely to lead to acrimony. The subject is, of course, the militarization of the South Atlantic.

126. I welcome the stress that the Minister for Foreign Affairs of Argentina laid on a solution to the dispute by peaceful means. But he linked those passages about peace with innuendos that we meant war. For example, he said his peaceful attitude was

“in stark contrast to an argument repeatedly voiced by British sources in justification of their refusal to resume negotiations over sovereignty, an argument that holds that, whatever the circumstances, my country ‘must live with the consequences of the 1982 conflict’.

“I prefer not to speculate on the implications of that warning, but in this case the Assembly must ask itself quite legitimately whether the British intent is truly to overcome the consequences of that war . . . ” [see 44th meeting, paras. 80 and 81].

A moment later he spoke of the militarization of the South Atlantic, and asked:

“What is the aim of the construction of a powerful air and naval base with over 4,000 military personnel, together with submarines, warships and fighter aircraft having a capacity clearly exceeding the imaginary needs of defence against my country? Is it really true that the Malvinas are to be incorporated in a global strategic plan?” [ibid., para. 82].

127. I will give the answers to those questions. British military dispositions on the Falkland Islands are no more than the minimum necessary to prevent a repetition of the events of 1982, when an Argentine army of about 10,000 men overwhelmed a token British presence. Although it was the military junta that perpetrated the invasion, the present Government of Argentina is not prepared to declare a formal cessation of hostilities.

128. Let me say once more for the record that the construction of a new airfield on the Falkland Islands meets two needs. One is the maintenance of an adequate defence posture, including an enhanced capability of rapid reinforcement. As my Secretary of State for Defence has said, when the new airfield is fully operational it should be possible to reduce the level of forces permanently stationed on the Islands. At the same time, we have, from the first, intended the airfield to have an important role in the economic development of the Islands. Both of Lord Shackleton’s economic studies of the Falkland Islands, in 1976 and 1982, called for better communications between the Islands and the outside world. Mount Pleasant airport will provide them. We hope that in due course the function of the airport will be primarily civilian.

129. I need say little about the ridiculous claim that we are establishing a strategic base in the Falklands, particularly since I covered this canard at length in my statement at the thirty-eighth session [9th meeting]. In brief, the notion that we have strategic designs in the South Atlantic is pure fantasy—nothing more, nothing less.

130. Hints about the introduction of nuclear weapons come oddly from a country that has not ratified the Treaty of Tlatelolco.<sup>2</sup> May I remind the Assembly that we in the United Kingdom have ratified the two Additional Protocols of the Treaty. We have scrupulously observed our obligations under those Protocols, first, in not deploying nuclear weapons in the territories in which we are internationally responsible within the Treaty’s zone of application and, secondly,

in not deploying such weapons in the territories for which the Treaty is in force.

131. While I am on this subject, I might as well deal with the innuendo thrown out at the 44th meeting by the representative of Mexico, when he talked about a link between racist South Africa and Latin America. He may, of course, have had in mind Argentine rugby teams, but more likely he was thinking of reports of the use of Cape Town as a staging post. To the extent that Cape Town is used at all, it is entirely a private, commercial arrangement by the civilian contractors. The Cape Town route applies only to the civilian work force, and there is no intention to purchase construction materials in South Africa or to transport them to the Falkland Islands via Cape Town. All construction materials are being transported direct from Britain by sea.

132. As I have said, I had not intended to go into this apparently emotive question of alleged militarization. I regret that it has been raised in the debate; we had hoped to keep the temperature down. But I have to say that if there has been militarization in the South Atlantic it is the direct result of actions by Argentina. Who put a force of 10,000 men on to the Falkland Islands against the will of the population? The Argentine soldiers far outnumbered the population and made them prisoners in their own homes. That is the origin of militarization in the South Atlantic. It is to prevent that happening again that we have had to spend large sums of money and station more forces than we would have wished in that part of the world. If there had been no invasion, I imagine our garrison would still be as it was previously—of the order of 40 to 50 men.

133. It is perhaps worth recalling that the Falkland Islanders had lived in peace for nearly 150 years. They had no designs on anyone and they harmed no one. The essence of British policy is to return that peace to them.

134. Another irrelevancy by the Minister for Foreign Affairs of Argentina was his reference to South Georgia and the South Sandwich Islands. He spoke as if they were part and parcel of this agenda item. They are not. The two dependencies are geographically, legally and historically distinct from the Falkland Islands, and the arguments on which Argentina bases its claims to sovereignty over the Falklands have no application to them. Argentina made no claim to South Georgia until 1927 and no specific claim to the South Sandwich Islands until 1948. Those islands are simply administered from the Falklands for administrative convenience.

135. Yet another misleading thought was propagated in the Minister’s speech. He said that “the conflict over the Malvinas Islands began with a British act of force whereby the Argentine population living in the Islands was evicted” [see 44th meeting, para. 79]. The truth is that there was no settled Argentine population in the Falkland Islands in 1833. Indeed, the Islands were practically deserted, apart from a few settlers of various nationalities, when British occupation was effected peacefully, without a shot being fired. Except for the Argentine invasion, Britain has remained in open, continuous, effective and peaceful possession, occupation and administration of the Falkland Islands.

136. Having dealt with those unjustified attacks on us, I come back to the real subject of this debate—that is, Argentina’s insistence on sovereignty and its

omission of self-determination. My Government opposes draft resolution A/39/L.8 because, *inter alia*, while it would seek to give the impression of neutrality on the question of sovereignty, the Argentine Government has repeatedly made it absolutely clear that only one outcome could be acceptable to it: the transfer of sovereignty over the Falkland Islands to Argentina, irrespective of the wishes of the inhabitants.

137. Argentina does not envisage any dispassionate discussion of the merits of the British case, but only discussion of the mechanism for the absorption of the Islands by Argentina. Delegations wishing to adopt a genuinely neutral and even-handed approach should refrain from lending their support to this draft resolution.

138. The draft resolution is objectionable to us also because it fails to pay any heed to something we are obliged by the Charter of the United Nations to protect, namely, the fundamental rights of the Falkland Islanders. We are all familiar with the Charter doctrine about self-determination; indeed, by our count, no fewer than 101 of the 145 speeches in the general debate this year referred directly to self-determination. It is a principle which the great majority of Governments regularly invoke. We say with conviction that the people of the Falkland Islands have the same right to self-determination. Moreover, the Islanders' right to self-determination is no less inalienable than that of other peoples. No one can take it away from them.

139. So, one of the biggest difficulties of the Argentine draft resolution for us is that it does not accept the principle of self-determination for the Falkland Islanders. Why should these people not live under a Government of their own choosing? Why should they be made to give up the Government they have already in favour of one they do not want?

140. At this point, when I am speaking about self-determination, I must refer to another neat piece of obfuscation put forward in the speech by the Minister for Foreign Affairs of Argentina. In stressing his devotion to peace, he said:

“For here we have the opportunity to establish genuinely whether the Member States of the United Nations are willing, in a specific, concrete case, to support the purposes and principles of Article 1 of the Charter signed at San Francisco. That is precisely the Article that gives meaning and purpose to the United Nations, to its very nature” [*ibid.*, para. 88].

141. It is ironic that Argentina should attempt to appropriate the theme of peace. It is a pity it did not do so two years ago. However, we welcome it today. But the Minister refers to Article 1 selectively. I imagine he did this on purpose in order to be able to insinuate later that he was having regard for the principle of the equal rights and self-determination of peoples, which, of course, figures in Article 1. If only he had said that he supported that principle, how much better things would be. But instead he talks only about peace in a pious way, as if it were the British who had broken it, and avoids mentioning that part of Article 1 which he does not like. If I may use his own words again, “here we have the opportunity to establish genuinely whether the Member States of the United Nations are willing . . . to support the purposes and principles of Article 1 of the Charter”.

142. Does Argentina accept that the principle of the equal rights and self-determination of peoples applies to the Falklanders, as to other peoples?

143. If any delegation had harboured any doubts about the central issue at stake in the dispute over the Falkland Islands, it need only have attended the 12th meeting of the Fourth Committee, held yesterday morning, at which representatives of the Falkland Islands government made statements, together with two Falklanders now living in Argentina. One of the representatives of the people of the Falkland Islands, a duly elected Councillor, Mr. Cheek, made it quite clear that they were “a people with a common culture, a common way of life and common political ambitions of their own”.<sup>3</sup>

144. It is not the case, as some have argued, that the Falklanders are a recently arrived population. Mr. Cheek himself is of the fifth generation of his family to have lived in the Islands. There are many people in the New World whose families have been there a shorter time. The people of Argentina comprise many of European descent who have been Argentines for far less time than many Falkland Islanders have been Falkland Islanders. There is no getting away from the facts of the situation. Mr. Cheek also said that, while there were certainly problems to be overcome in the Falkland Islands, the overwhelming majority of the Islanders wished to maintain their links with Britain, and did not want to become part of Argentina.

145. This occasion in the Fourth Committee was significant because the Falkland Islanders told the world what their wishes are. It struck me, as I am sure it struck members of other delegations, that the other two petitioners, who did not live in the Falkland Islands, were silent on this whole question of what the local inhabitants wanted. Rather, they argued for negotiations about sovereignty, as demanded by Argentina. Yet they admitted that, unlike the Falkland Islands Councillors, they could claim to speak only for themselves. They conceded that the Falkland Islanders had the right to express their views to the Fourth Committee, but, interestingly, were unable to offer any reply to the question of whether the wishes of the Falkland Islanders were relevant to the future of the Islands. What a significant silence!

146. Whom are we to believe in this case? The democratically elected representatives of the Falkland Islands government, who can justifiably claim to speak on behalf of the Falkland Islanders as a whole, or two former residents of the Falkland Islands who have chosen—as, of course, they were free to do—to pursue their careers in Argentina? The latter supported Argentina's call for negotiations on sovereignty without reference to the wishes of the Islanders, whereas the Falkland Islanders themselves said, “No”; they wanted to exercise self-determination.

147. I was also struck by the fact that three Latin American delegations—those of Argentina, Bolivia and Venezuela—at that same meeting expressed concern for the life-styles and well-being of the Falkland Islanders. But one wonders as to the sincerity of these protestations when, simultaneously, these delegations support negotiations the central purpose of which is the transfer of sovereignty over the Falkland Islands to Argentina against the freely expressed will of the local people.

148. Of course, we heard that Argentina would provide guarantees for the status of the inhabitants. But such guarantees would self-evidently be unnecessary if the principle of self-determination was accorded to the Falkland Islanders. The notion of guarantees presupposes that it is for others to decide where the interests of the Falkland Islanders lie.

149. Surely there is no people which is prepared, towards the end of the twentieth century, to agree that its interests should be determined by foreigners. One wonders as to the propriety of this argument, especially in the Fourth Committee, which so frequently adopts resolutions on Non-Self-Governing Territories reaffirming the inalienable right to self-determination and independence of non-self-governing peoples. One wonders also as to the propriety of an argument that holds that inalienable rights can be given or, still more, taken away. Yet this is precisely what the representative of Venezuela sought to do at yesterday morning's meeting of the Fourth Committee. Referring to a statement that had been delivered in that Committee on behalf of 20 Latin America countries in 1982, she made it quite clear that in her view the Falkland Islands belong to Argentina and that the Falkland Islanders could not legitimately exercise the right of self-determination.

150. In case there are any lingering doubts as to what is at stake in this debate, I commend yesterday's statement in the Fourth Committee by Venezuela as a classic and succinct summation of Argentina's position *vis-à-vis* the Falkland Islands. The representative said:

"My delegation, on behalf of 20 Latin American countries, Argentina, Bolivia, Brazil, Chile . . .

"Thirdly, it follows that the current inhabitants of the Malvinas Islands do not have the necessary relationship with the Territory to be able legitimately to exercise the right to self-determination. Latin American countries have always zealously defended that right, but in the special and particular case of the Malvinas Islands consider that the current residents of the Territory, including the petitioners, do not fulfil the conditions established by the United Nations for the exercise of that right."<sup>4</sup>

How strange!

151. The question of the Falkland Islands is really extremely simple. It is perhaps in the nature of our debates in the Assembly that very straightforward issues tend to be obfuscated by territorial arguments going back to the eighteenth and nineteenth centuries. In fact, what we have in the Falklands is a settled and self-sustaining community that has been there for over 150 years and wishes only the right to determine its own future.

152. This is a right that we accord willingly to the people of Afghanistan, the people of Palestine, the people of New Caledonia, the people of South Africa. Why should the Falkland Islanders be treated differently?

153. The message from the Fourth Committee was therefore clear: the representatives of the Falkland Islanders had said only that they wanted to be left alone, to live under a Government of their own choosing and to pursue a unique and individualistic life-style. That is all they want. One wonders whether it is asking too much of the General Assembly to support them.

154. In conclusion, my Government opposes calls to negotiate on sovereignty, the more so when one party makes no secret of its insistence that such negotiations must have a predetermined outcome which it knows to be unacceptable to the other. We do not oppose calls to talk with the Government of Argentina about other things; indeed, it was a British initiative to seek such talks. We agree with the Secretary-General that the way ahead must lie through dialogue and confidence-building measures. But confidence cannot be built, nor can tension in the South Atlantic be reduced, if one question which is at issue between the Government of Argentina and the Government of the United Kingdom is made an obstacle to progress on any other front.

155. It pleases me to repeat my welcome of some friendly comments made today by certain Latin American delegations. Many of them expressed a wish to see friendly and closer relations develop between Britain and Argentina. I hope that all who expressed that wish, which is indeed the ardent wish of my own Government, will recognize that this objective will not be helped by insisting on negotiations on sovereignty or by encouraging the Government of Argentina to set unattainable objectives and to live on false hopes. We believe that the Government of Argentina, itself now happily a democracy, will recognize that democracy is not just a form of government, but also an expression of fundamental principles. Surely it is natural for a people, including the Falkland Islanders, to want the freedom to exercise their right to choose the Government under which they live—that right so recently and well exercised by the people of Argentina themselves.

156. This is the essence of the matter and the reason why my delegation must vote against the draft resolution.

157. Mr. PETROVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): It was with a feeling of profound grief that the delegation of the Soviet Union learned of the death of the Prime Minister of India, Mrs. Indira Gandhi. This heinous assassination took the life of a distinguished daughter of the great Indian people, an outstanding statesman and public figure, a champion of the rights of peoples and a firm friend of the Soviet Union. Indira Gandhi enjoyed well-deserved authority and deep respect in the international arena. Her personal contribution to the consolidation of world peace and the development of co-operation among all countries and peoples was particularly great, as were her merits in consolidating the unity and international authority of the Movement of Non-Aligned Countries. We particularly wish to single out the tireless efforts of Mrs. Gandhi in the development and consolidation of Soviet-Indian relations, on the basis of the Treaty of peace, friendship and co-operation between the Soviet Union and India, which substantially serves the interests of both countries and the cause of peace in Asia and throughout the world. As is emphasized in the telegramme of condolences from the General Secretary of the Central Committee of the Communist Party of the Soviet Union, President of the Presidium of the Supreme Soviet, Mr. Konstantin Ustinovich Chernenko, "at this time of grief the leaders of the Soviet Union wish to confirm the constant desire of the Soviet Union to strengthen friendly relations with the Republic of India."

158. While expressing our condolences to the people, Government and delegation of India on this

occasion, we firmly hope that the shining memory of Indira Gandhi will prove an impressive example, inspiring all countries to unite their efforts to eliminate the threat of nuclear war, consolidate peace and security and contribute to the attainment of the lofty objectives of the Organization.

159. For the third year in a row now, the General Assembly has debated the question of the Falkland Islands (Malvinas) in plenary meeting. Developments in the South Atlantic meanwhile continue to be a source of international tension. The continuing unresolved colonial conflict there and the danger of the militarization of that region are a source of serious alarm to the Latin American countries and other peace-loving States. Almost a quarter of a century ago, the United Nations adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples [*resolution 1514 (XV)*], one of the major accomplishments of the Organization in its 40-year history. In that historic document emphasis is laid on the direct link between the decolonization process and the strengthening of international peace and security.

*Mr. Wasiuddin (Bangladesh), Vice-President, took the Chair.*

160. The problem we are now discussing clearly confirms the validity of that aspect of the Declaration. For many years, the General Assembly has repeatedly advocated the prompt cessation of the colonial status of the Falkland Islands (Malvinas), which from the very beginning were included in the list of Territories covered by the Declaration on the Granting of Independence to Colonial Countries and Peoples. General Assembly resolution 2065 (XX) of 16 December 1965 emphasized the need to put an end to colonialism, *inter alia* with regard to the Falkland Islands (Malvinas). The Assembly also noted the existence of a dispute between Argentina and the United Kingdom with regard to sovereignty over the Territory and called upon the Governments of the two States to proceed immediately to negotiations in order to find a peaceful solution of the problem, duly taking into account the purposes and principles of the Charter of the United Nations and of the Declaration, as well as the interests of the population of the Islands. Since then, the United Nations has repeatedly called for the early conduct of such negotiations.

161. However, the decisions of the United Nations concerning the decolonization of the Falkland Islands (Malvinas) have for many years remained unfulfilled because of the stubborn resistance of the United Kingdom and its refusal to take into account the irreversible process of the elimination of colonialism in the world. During a critical situation in connection with that Territory, it relied on brute military force and brought about a real war in order to hold on to its colonial rule. Facts that have recently come to light show convincingly that throughout the conflict the British Government has never had the slightest desire to put an end to the dispute or to make use of opportunities for a peaceful settlement. Such a policy brought about numerous casualties, great destruction and a dangerous worsening of the international situation. Facts show more and more clearly that in its actions London relied on the military and political support and, indeed, the direct logistic and technical support of the United States and the solidarity of the entire North Atlantic Treaty Organization [*NATO*] bloc. It was supplied

with armaments, munitions and fuel, it was given the necessary intelligence information, and it was allowed to use warships belonging to the NATO military structure. At the same time, a great deal was said about special relationships with the Latin American countries, and a smokescreen was spread in the form of efforts for negotiation and mediation; but now there can be no doubt in anyone's mind that all Washington's actions in that situation were prompted by considerations of solidarity among members of the bloc and the desire to teach a harsh lesson to all developing countries.

162. In the support given by the Pentagon to the British colonial operation against Argentina, it is possible to see quite clearly the aggressive nature of United States imperialism, with which the Latin American countries are all too familiar. In order to protect its own interests, that imperialism is ready at any moment to unleash against the developing countries the full might of its armaments.

163. The approach to the problem of the Falkland Islands (Malvinas) is just one of the links in the whole chain of imperialism in world affairs and its policy of interference and *diktat*. There are plenty of examples of this. The imperialists engaged in open aggression against tiny Grenada, trampled its independence under foot and established there an occupation régime. They have been waging an undeclared war against Nicaragua, bringing political, economic and military pressure to bear on the Government of that country and trying to alter its policies to suit themselves. One might speak with good reason about the resurrection of the big-stick policy of Theodore Roosevelt, who has now clearly become one of the most revered idols of official Washington.

164. The imperialist approach to the fate of the Falkland Islands (Malvinas) still continues. In resolution 38/12, the General Assembly again requested the Governments of Argentina and the United Kingdom to resume negotiations in order as soon as possible to find a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas). It also requested the Secretary-General to continue his mission of good offices, in order to assist the parties in complying with that request. However, the clearly expressed willingness of Argentina to solve the problem of the Falkland Islands (Malvinas) by exclusively peaceful means has once again met with the absolute refusal of the United Kingdom to conduct any serious negotiations whatsoever on the problem. The United Kingdom does not feel like engaging in negotiations on the fate of that colonial Territory at a time when it is fully occupied with the construction of a major military base there. According to facts cited in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, there are now on the Islands more than 4,000 military personnel and aircraft capable of carrying nuclear weapons, and nuclear submarines are patrolling, together with other warships, in nearby waters. An airport has been built that is capable of handling long-range bombers, two powerful radar stations are being built, and launching facilities for multiple-targeted missiles have been constructed. Western military and political specialists, proceeding on the assumption that Soviet satellites reach their perigees over the south Atlantic, feel that in the near future the United States

will be able to raise the matter of using the Islands for F-15 bombers which carry anti-satellite missiles.

165. The Falklands fortress, as they like to call it in London, because so many millions have been spent on its construction and because of the nature of the facilities and equipment there, clearly has a strategic design. It is being built by the British, and the contractors and suppliers are from the entire NATO bloc, primarily the United States. The measures to militarize the Falkland Islands (Malvinas) and to establish a major military base there are a direct result of the policy of the United States and its allies to pursue an unbridled arms race, to expand the geographical sphere of NATO and build up in various parts of the world rapid deployment forces and support points for them, intended for use against developing States. Plans for the militarization of the South Atlantic in various forms—by the use of existing blocs or by the formation of new ones—have long been in preparation in Washington.

166. At the present stage, the Falkland Islands (Malvinas) are being used directly for these purposes. The military beach-head under construction there is not only a threat to the countries of neighbouring continents but a danger to world peace and has brought tension to yet another region of our world. Quite naturally, this has aroused concern in many States.

167. In the Final Communiqué adopted at the Meeting of Ministers and Heads of Delegations of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, emphasis is laid on the fact that “the massive British military and naval presence in the area of the Malvinas, South Georgia and South Sandwich Islands and the construction of a permanent and strategic base in the Malvinas Islands are causes for grave concern to the countries of the Latin American region and adversely effect stability in the area” [see A/39/560, annex, para. 95]. The preservation and intensification of the militarization of that colonial Territory is thus leading directly to a serious threat to the security of a wide region and the aggravation of the already tense international situation.

168. The Government of Argentina has demonstrated a constructive and flexible approach designed to resolve the question by means of a political settlement and has repeatedly expressed its willingness to hold negotiations with the United Kingdom in pursuance of General Assembly resolution 38/12. The Argentine President, Mr. Alfonsín, addressing the Assembly at this session, emphasized that his country is “firmly committed to seeking the restitution of the Malvinas Islands only through peaceful means” [see 5th meeting, para. 43]. Mr. Caputo, Minister for Foreign Affairs of Argentina, this morning [44th meeting] repeated that position, which meets with the understanding of those who seek to consolidate international security by solving international disputes by peaceful means.

169. The rigid, intractable hard-line position of the United Kingdom is the real reason why the repeated appeals of the General Assembly for the resumption of negotiations to find a peaceful settlement of the sovereignty dispute have not yet been answered. This can be seen in the United Kingdom's stubborn refusal even to discuss the problem of sovereignty over the Falkland Islands (Malvinas).

170. Disquiet over the failure to reach a solution of the problem of the Falkland Islands (Malvinas) has been repeatedly expressed by many States of the world, particularly the countries of Latin America, and various international forums. At the recent Meeting of Ministers and Heads of Delegations of the Non-Aligned Countries their position was reaffirmed. It is one of resolute support for the right of the Argentine Republic to recover its sovereignty over the Malvinas Islands by means of negotiations. The non-aligned States expressed their satisfaction at the readiness of the Argentine Government to resume the negotiations requested by the General Assembly, and have urged the Government of the United Kingdom also to agree to the resumption of those negotiations.

171. The Soviet Union views with understanding the position of the members of the Movement of Non-Aligned Countries on the problem of the Falkland Islands (Malvinas), including their declaration of support for Argentina's right to recover its sovereignty over the Islands through negotiations.

172. The Soviet delegation regards it as its duty to emphasize yet again that Britain's refusal to undertake the negotiations advocated by the United Nations and its continuation, jointly with the United States and NATO as a whole, of the policy of establishing a strategic military base in the Islands and militarizing the adjacent region are part of the plan to bolster the colonial status of the Territory, and constitute a serious threat to international peace and security.

173. The Soviet Union views the problem of the Islands primarily as a colonial problem and condemns the United Kingdom's efforts to preserve by military force the colonial status of the Territory. It consistently advocates the elimination of all military bases in colonial territories and the prompt completion of the process of decolonization.

174. The Soviet Union's position, which is based on principle, is that contentious issues should be settled by peaceful means. We resolutely call for immediate efforts, within the United Nations, *inter alia*, to solve the problem in the South Atlantic through negotiations on the basis of United Nations decisions.

175. Draft resolution A/39/L.8, which has been submitted by the Latin American countries, in our opinion is correctly aimed at the achievement of a peaceful, just solution of the question of the Falkland Islands (Malvinas) on an anti-colonial basis. It clearly provides for the prompt, peaceful settlement of the problem in accordance with the principles of the Charter and United Nations decisions on the decolonization of the Territory through the resumption of negotiations between the British and Argentine Governments.

176. The Soviet delegation therefore intends to vote in favour of that draft resolution.

177. Mr. KAM (Panama) (*interpretation from Spanish*): It is an especial pleasure, Sir, for me to speak at a time when the Assembly is presided over by you, a distinguished friend of Panama who, in addition, is the Ambassador of Bangladesh to my country.

178. I wish to express the deep shock and sincere grief of my delegation at the death of the Prime Minister of India, Shrimati Indira Gandhi. Her passing is a loss for all mankind, which had in her one of the most brilliant statesmen of our time. But it

is above all an irreparable loss for the people of the third world, since in her we had one of the most outstanding and devoted advocates of our causes.

179. Panama was one of the 15 Latin American countries which in 1965 sponsored resolution 2065 (XX), the first resolution to be adopted by the General Assembly on the question of the Malvinas. Ever since then, we have consistently reaffirmed at the United Nations, as well as in other international forums, our unswerving support for the claim of the Argentine nation to the Malvinas Islands.

180. My country's support for the just cause of Argentina is rooted and based on the very anti-colonialist stand of the Panamanian people, formed throughout our historic struggle for the affirmation and full exercise of Panama's sovereignty over all of its territory, eliminating the colonial enclave which was known as the "Canal Zone."

181. This continuous endeavour by many Panamanian generations, which General Omar Torrijos defined as "generational climbing," had the virtue of creating in us a particularly keen sensitivity to the colonial injustices suffered by other countries and peoples.

182. On the basis of our own experience, we Panamanians know that colonial situations, such as that in the Malvinas, are obsolete phenomena which offend the ideals of dignity, justice and freedom of the Latin American peoples.

183. The long and tenacious struggle by Panama for the effective restoration of its territorial integrity and the perfecting of its national independence, the solution to which was found in 1977 through the Torrijos-Carter Treaties,<sup>5</sup> also had the merit of confirming the certain conviction of Panamanians that negotiations are the best means of resolving international disputes in a just, honourable and lasting way.

184. This has led my country to place the principle of the peaceful settlement of international disputes among the fundamental principles of its foreign policy.

185. We act in keeping with this principle in our relations with other States, and we encourage all States to act in conformity to this principle which, furthermore, is a legal obligation of all States which have signed the Charter of the United Nations, and principally a moral obligation of the permanent members of the Security Council. There can be no exceptions, nor can any country decide selectively in which cases to apply them and in which cases not to do so.

186. That is why we have systematically supported all resolutions and consensuses of the Assembly which have called upon the Governments of Argentina and the United Kingdom to negotiate in order to find a peaceful solution to the sovereignty dispute over the Malvinas Islands.

187. The five resolutions and the four consensuses of the General Assembly on this question constitute an important heritage of the international community, favouring a negotiated solution of the Malvinas question. This fact cannot be ignored, nor can this appeal of the General Assembly continue to be disregarded by the Government of the United Kingdom, nor can there be any more pretexts or rhetoric used for not negotiating seriously. No position of arrogance exempts from this commitment.

188. We record with special satisfaction the fact that the present Government of Argentina, which has clean democratic credentials, has expressed and reiterated unequivocally its will and readiness to negotiate with the Government of the United Kingdom to arrive at a peaceful settlement of the sovereignty dispute and the remaining differences with regard to the question of the Malvinas.

189. The Government of President Alfonsín has given the international community reliable proof of his good faith and his firm purpose to find negotiated solutions to his international disputes and to work for peace.

190. Such is the example given in the recently concluded agreement with Chile to put a peaceful end to the age-old controversy of the Beagle Channel.

191. This is an encouraging fact, as is the political will expressed by the Central American States to resolve their differences peacefully through the signing of the Contadora Act on Peace and Co-operation in Central America [A/39/562, annex], but we must insist that international conflicts which still remain should be resolved exclusively through peaceful means.

192. That is the deepest sense of draft resolution A/39/L.8, which we have submitted along with 19 other Latin American countries. We have done so in the sincere conviction that we are not promoting confrontation, but rather we are opening up political and diplomatic spaces in which to make strides towards a negotiated solution to the Malvinas question. It would be truly regrettable if the United Kingdom were not to heed this warning and continue to disregard the decisions of the General Assembly.

193. We do not hesitate to affirm that this draft resolution will enjoy the majority support of the Assembly, since it is in harmony with the Charter adopted at San Francisco which all of us have committed ourselves to respect and apply.

194. Finally, we consider that our own international experience, embodied in the signing and entry into operation of the Panama Canal Treaties of 1977,<sup>5</sup> offers a constructive example of peaceful settlement of disputes. Just as Panama, a small country, and the United States, a world Power, were able to find an equitable solution by means of negotiations, we are certain that other conflicts, too, may be settled satisfactorily through peaceful means.

195. This encourages us to urge the United Kingdom without delay or excuses to sit at the negotiating table with Argentina to seek just and lasting solutions which alone can stem from negotiations governed by good faith.

196. In 1965, that is what the Assembly called for; today, 19 years later, the international community demands it.

197. Mr. CAÑETE (Paraguay) (*interpretation from Spanish*): It is with profound and understandable horror that the people and Government of Paraguay today heard the news of the tragic death of Mrs. Indira Gandhi, Prime Minister of India. Mrs. Gandhi's personality went beyond national frontiers and she became one of the leading figures of our times. In our shock, we convey our feelings of profound grief to the people and Government of India.

198. In keeping with the purposes and principles which govern the Organization, my delegation is

fulfilling its duty to participate in the debate on the item under discussion.

199. My country has an unbroken historical tradition of solidarity with friendly nations. Thus we wish to contribute to the process of the lasting solution of the controversy that exists between two countries with which we are linked by bonds of friendship and co-operation in a framework of harmonious and fruitful relations.

200. On this question, Paraguay's position has always been, and continues to be, based fully on considerations of principle, and it is therefore unchangeable.

201. As reiterated by the Minister for Foreign Affairs of my country in his statement at the current session during the general debate, we

“support all initiatives with a view to achieving a negotiated solution, based on international law, to the dispute concerning sovereignty over the Malvinas Islands. Paraguay would be glad to see a resumption of bilateral negotiations between the Argentine Republic and the United Kingdom and to see the Secretary-General use his good offices for that purpose.” [15th meeting, para. 309.]

202. We consider that the nature of the problem—a sovereignty dispute—has been correctly identified and that nothing can alter its essence or have a bearing on its outcome.

203. On the basis of these criteria, my delegation is a sponsor of draft resolution A/39/L.8, since it takes into account the reasonable interests of both parties and provides a good framework within which they can negotiate on all aspects of their bilateral relations.

204. We wish in particular to mention, as an encouraging sign, the first contacts that have taken place at Berne, which offer proof that the Argentine Republic and the United Kingdom are prepared to normalize their relations.

205. We wish also to highlight the effective steps taken by the Secretary-General in compliance with the mandate given him by the General Assembly.

206. My delegation shares the fervent hope of the Spanish-American nations that at this time the expression of the General Assembly's position, as the majority expression of the Governments and peoples of the world, will not become a dead letter but, on the contrary, will meet with a favourable response from the parties concerned, which will thus justify their well-deserved prestige as nations which cherish peace and harmonious coexistence.

207. Mr. FAJARDO-MALDONADO (Guatemala) (*interpretation from Spanish*): My delegation would like to begin by expressing its deepest concern and sympathy to the people and Government of India on the tragic death of their Prime Minister, Mrs. Indira Gandhi, undisputed leader of the developing world and, at the time of her death, Chairman of the Movement of Non-Aligned Countries. On behalf of the people and Government of Guatemala, we wish to convey to the people and Government of India the expression of our deepest sorrow and understanding, which we extend also to all member countries of the Non-Aligned Movement.

208. In its resolution 38/12, the General Assembly decided to continue consideration of the question of the Malvinas Islands at the present session. In that resolution, the Assembly reiterated its request to the

Governments of Argentina and the United Kingdom to resume negotiations in order to find, as soon as possible, a peaceful solution to the dispute relating to the Malvinas Islands. Unfortunately, this has not proved possible despite the constant efforts of the current Argentine Government to find a peaceful, just and honourable solution to the continuing dispute with the United Kingdom.

209. My country views this situation with concern, first of all because it is a problem that directly affects Latin America and the international community in general; and, secondly, because of the reluctance of one side to respond to the appeal by the United Nations for the resumption of negotiations and its refusal to accept the opportunities offered by the Argentine Republic on many occasions. The bilateral contacts under the auspices of Switzerland and Brazil, which resulted in the recent meeting at Berne, showed once again the goodwill of the Argentine Government and the intention of the United Kingdom to thwart indefinitely the desire of the international community, expressed through the General Assembly, that the parties should sit down at the negotiating table as soon as possible. This attitude not only constitutes a violation of the principles of the Charter of the United Nations but also reveals the essential contradictions in the British position. The United Kingdom rejects dialogue and negotiation as an instrument for settling international disputes, thus affirming that, for it, force is the most appropriate means of settling disputes.

210. This attitude is deplorable and must be carefully considered by the General Assembly, for we must not forget that the initiatives of the Argentine Republic in trying to bring about a resumption of negotiations come from a Government that is fundamentally democratic in nature and enjoys not only the support of its people but also credibility, respect and admiration within the international community.

211. The Charter of the United Nations imposes on Member States the obligation to settle their disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered. Guatemala endorses and adheres to this overriding principle and for this reason unconditionally supports the efforts of the Argentine Government to initiate negotiations with the United Kingdom that will make possible the restoration of the Malvinas Islands to Argentine territorial patrimony, by peaceful means.

212. My delegation takes this opportunity to appeal to the United Kingdom to accept without delay the Argentine proposals for negotiations, which are in keeping with the desire expressed by the General Assembly in its resolution 38/12. Negotiation is the only possible course; there is no other way to settle this dispute. The use of force in international relations is proscribed, above all as a means of resolving disputes among States. We urge all delegations to support these initiatives and those of the Secretary-General in the framework of his mission of good offices in the efforts to find a peaceful, just and lasting solution to the dispute concerning sovereignty over the Malvinas Islands.

213. In reaffirming its adherence to the Charter and the need for the United Kingdom to accept the resumption of negotiations with Argentina, my country is convinced that draft resolution A/39/L.8, introduced by the representative of Mexico at the



44th meeting, will meet our aspirations and help to strengthen efforts to bring about the resumption of negotiations between the parties.

214. We are pleased to join in sponsoring this draft resolution and hope that all delegations will support it unreservedly.

215. Mr. ICAZA GALLARD (Nicaragua) (*interpretation from Spanish*): First, I should like to convey to the delegation of India our deepest condolences on the irreparable and tragic loss of their Prime Minister, Mrs. Indira Gandhi, Chairman of the Movement of Non-Aligned Countries. As the Co-ordinator of the Junta of National Reconstruction stated in his message to President Zail Singh, of India:

“The loss of the Prime Minister of India and Chairman of the Movement of Non-Aligned Countries is a most painful event which will leave a gulf not only in the life of India but also in that of mankind in general.

“In homage and tribute to her tireless efforts for national independence, for the self-determination of peoples and for universal peace, my Government has decreed three days of national mourning.”

216. Approximately one year ago, the Assembly adopted resolution 38/12 with the support of most Member States of the Organization, many of which in their own experience had suffered the consequences of colonialism.

217. That resolution, among other things, reiterated the Assembly's concern to the Argentine Republic and the United Kingdom that they should resume negotiations with a view to finding a peaceful solution to the sovereignty dispute over the Malvinas Islands and requested the Secretary-General to continue his mission of good offices in order to find a way to meet those needs.

218. The Secretary-General, in his report [A/39/589], informs us of the reactions of the two Governments concerned to his offer of assistance in finding a peaceful solution to the question.

219. My Government attaches first importance to finding a peaceful, negotiated settlement to those problems. Thus we have seen with great satisfaction that Argentina has been prepared to co-operate with the Secretary-General within the framework established by General Assembly resolution 38/12.

220. The international community can hardly feel very encouraged by the results of the mission of good offices undertaken by the Secretary-General when we read in his report that:

“The position of the United Kingdom Government conveyed to me in the course of these exchanges of views, is that while it believes that it would be desirable to improve bilateral relations with Argentina and to engage in a dialogue to this effect, it is not prepared to enter into negotiations on the issue of sovereignty over the Islands as called for in General Assembly resolution 38/12.” [*Ibid.*, para. 5.]

221. We must now give fresh impetus to the implementation of the resolutions emanating from the principal organs of the United Nations. All Member States of the Organization without exception, but most particularly those having the greatest responsibility because they are permanent members of the Security Council, must demonstrate their willingness to replace the use of force by dialogue and

negotiation. We believe that at this point in history the United Kingdom has no pretext for not sitting down at the negotiating table to discuss this dispute and other outstanding disputes that it has with the Government of the Argentine Republic, a Government which is struggling to lay the basis for democracy in its country and for its efforts enjoys the greatest respect, support and admiration of the entire international community.

222. The international community has witnessed with great satisfaction the way in which the Argentine Republic has shown signs of great openness and interest in a political solution by taking part in a meeting of high-level officials with the Government of the United Kingdom, under the auspices of the Governments of Brazil and Switzerland, earlier this year at Berne. However, on that occasion, as on others, that open willingness was met with the British Government's intransigent positions.

223. We view with concern not only those United Kingdom attitudes rejecting a peaceful, negotiated settlement, but also that at the same time that Government is embarking on an accelerated militarization of the South Atlantic region by the establishment of a powerful air and naval base with more than 4,000 military personnel and sophisticated submarines and aircraft equipped for war.

224. In spite of Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9 and 38/12, which seek a peaceful settlement to this dispute, such has not come about. The implementation of the principle of non-intervention is not applicable, for Assembly resolution 1514 (XV) provides for self-determination and the restoration of a State's sovereignty in order to end colonial status. In the specific case of the Malvinas Islands, we face two incontrovertible facts: first, there was an illegal invasion and, from 1983, occupation of the Territory by the United Kingdom; secondly, there is a population made up almost entirely of settlers who are citizens of the occupying Power, including a significant number of employees of companies of British origin.

225. The non-applicability of the principle of self-determination has not precluded the international community's interest in the well-being of the local residents, as has been given concrete form in the various resolutions adopted by the Assembly—most recently resolutions 37/9 and 38/12.

226. It is significant that the Government of the Argentine Republic, on the occasion of the commemoration last January of 151 years of illegal occupation of the Malvinas Islands, issued a press release, which was published as an official document of the General Assembly, which states:

“The Argentine Government also wishes to stress once again the importance it attaches to the interests of the islanders. Those interests will be duly served and secured by the national Constitution, by the democratic principles, rights and guarantees applicable in the Argentine Republic and by the special terms of any guarantees and safeguards which may be agreed in due course.” [*See A/39/72 and Corr. 1, annex.*]

227. Nicaragua, in its adherence to the principles of the Charter of the United Nations, has always given and will continue to give its militant support to the principles of sovereignty, territorial integrity of States and the peaceful settlement of disputes. As a member of the Movement of Non-Aligned Countries

and of the Latin American community, we are in solidarity with the just cause of the Argentine Republic to recover part of its territory, which is also part of the soil of Latin America we share with that people.

228. Hence, our Government, in the most resolute way, together with the other Latin American countries, has sponsored draft resolution A/39/L.8; we trust that it will win the broadest support from the international community, since it merely reiterates in this specific case before us the purposes and principles of the Charter, with which we are all, without exception, bound to comply.

229. Mr. GUMUCIO GRANIER (Bolivia) (*interpretation from Spanish*): First, may I express the sorrow of my Government and my delegation at the news of the tragic death of Mrs. Indira Gandhi, Prime Minister of India and Chairman of the Movement of Non-Aligned Countries. We wish to express our indignation and total condemnation of the despicable use of terrorism which seeks to destroy a democratic system by reprehensible means.

230. The historic contribution of Indira Gandhi transcends her work in India and lights the path of the Movement of Non-Aligned Countries. A year ago, at the thirty-eighth session, Mrs. Gandhi reaffirmed the abiding faith of the Movement of Non-Aligned Countries in the United Nations. She said: "The United Nations is, or ought to be, a forum for solving disputes" [9th meeting, para. 5]. She added that the objective of the Movement of Non-Aligned Countries was "to maintain peace by removing the sources of tension and to bring out the humanity in human beings" [*ibid.*].

231. Today's debate should fall precisely within the framework outlined by Mrs. Gandhi. The question of the Malvinas Islands is a Latin American cause; it is also a cause espoused by the Movement of Non-Aligned Countries, as was reiterated in the Final Communiqué of the Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, held from 1 to 5 October [see A/39/560, paras. 93 and 94].

232. The people and the Government of Bolivia have for the past century loyally supported the Argentine cause on the question of the Malvinas Islands. This support stems not only from solidarity between two brother peoples linked by geography and history, but also because both States share juridical principles of international law, in particular the non-recognition of the acquisition of territory by force of arms.

233. My delegation would like to convey its gratitude to the Secretary-General for his efforts in pursuance of resolution 38/12; it regrets the fact that thus far it has not been possible to bring about a resumption of negotiations, as stated in his report [A/39/589]. We also note that the Secretary-General is heartened by the desire expressed by both sides to seek a way to resume their dialogue.

234. Bolivia, with other Latin American countries, is a sponsor of draft resolution A/39/L.8, calling on the Governments of Argentina and the United Kingdom to resume negotiations in order to find a peaceful settlement to the sovereignty dispute relating to the question of the Malvinas Islands and requesting the Secretary-General to continue his mission of good offices in order to assist the parties to resume negotiations.

235. The draft resolution conforms closely to the Charter of the United Nations, in particular Article 33, the first paragraph of which establishes a mandate for the parties to a conflict to seek a peaceful solution by negotiation or other peaceful means of their choice. This principle was reiterated eloquently by the Member States of the Organization when they adopted the Manila Declaration on the Peaceful Settlement of International Disputes [resolution 37/10, annex], and it is so specified in paragraph 5 of part I of the Declaration.

236. On this occasion, I could hardly overlook the contribution of the United Kingdom to the cause of the United Nations, its principles and machinery for the peaceful settlement of disputes. At the San Francisco Conference, in an analysis of the Dumbarton Oaks proposals, the Foreign Secretary of the United Kingdom, Mr. Anthony Eden, said that our countries "together should work to find means to base our relations on justice and equity". He added that the world Organization was our last chance to achieve peace and underlined the need to establish appropriate international machinery to settle disputes. At the same meeting, he said: "The greater the power of a State, the greater that State's responsibility to exercise that power by taking into account the interests of others and acting with constraint with regard to its own".

237. The great statesman, Winston Churchill, on many occasions reiterated the full support of the United Kingdom for the United Nations, and said on one occasion in New York three decades ago: "I am sure that, if we continue to work together calmly and resolutely to defend those ideals and principles enshrined in the Charter of the United Nations, we shall encounter overwhelming support from all peoples of the world".

238. Similarly, various other British leaders later supported the principles of the Charter; hence, we urge the United Kingdom to maintain its commitment to the United Nations by heeding the repeated appeals of the international community in the General Assembly to resume negotiations on the Malvinas question as soon as possible.

239. This question has been inherited from the nineteenth century, and present generations in the United Kingdom and Argentina must resolve it in order to ensure that both peoples may, with Latin America, engage in future in renewed and fruitful *rapprochement*. The international press reported a month ago that the United Kingdom and China had reached an agreement to resolve the question of Hong Kong. This case also has its roots in the last century; here the parties have shown the imagination and flexibility needed to face the twenty-first century appropriately.

240. Bolivia associates itself with the nations of Latin America in urging the United Kingdom to show the same imagination and flexibility in terms of the Malvinas question. Four hundred million Latin Americans and more than 20 States in the region all desire the United Kingdom to come together with our peoples and talk with us in the same spirit of justice and freedom as brought Bolívar and Byron together in the past.

241. Bolivia would like once again to stress its solidarity with the Government of the Argentine Republic, which has demonstrated its total commitment to the democratic tradition and to the princi-

ples of international law. That is why the question of the Malvinas Islands must be settled in a satisfactory manner. This would enable the peoples of the United Kingdom and of Argentina to contribute jointly to making our planet a "temple of peace", as was once envisaged by Winston Churchill.

242. Mr. KNIPPING VICTORIA (Dominican Republic) (*interpretation from Spanish*): Before I turn to the agenda item now before us, I should like, on behalf of the Government and people of the Dominican Republic, to express our dismay and most sincere sorrow at the tragic death of Indira Gandhi, that dedicated, tireless champion of the cause of world peace. Her death not only casts her people, for whom she exerted her greatest efforts, into mourning, but represents a great loss for the whole of the international community.

243. I ask the representative of India to convey to his Government, to the members of the family of the Prime Minister and to the people of India the expression of the deep sympathy of the Government and people of the Dominican Republic on this tragic occasion.

244. Article 2, paragraph 3, of the Charter of the United Nations provides that

"All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered."

This provision is merely the reaffirmation and solemn endorsement of a common or general principle of international law previously recognized and accepted by States as one of the elements governing the peaceful, civilized coexistence of nations.

245. Thus, we must constantly bear in mind the spirit and the letter of this constitutional provision of the Organization, for it inspires and informs the very essence of draft resolution A/39/L.8 on the question of the Malvinas Islands, which 20 countries of Latin America, including my own, have submitted for the consideration of the General Assembly.

246. Having made this brief comment by way of preamble, let us now examine the issue before us. First, we should like to make it quite clear that until the Malvinas situation is resolved justly and by peaceful means it will continue to be a constant cause of concern for the whole of the Latin American region because of its grave implications and possible serious repercussions. If it persists, apart from exacerbating the climate of international relations it will represent a potential source of disturbance and danger for world peace and security.

247. In view of the danger of the situation that I have just outlined, it is understandable that there should exist a genuine interest on the part of the international community in seeing the parties directly involved, the Argentine Republic and the United Kingdom, come together and resolve all their differences in accordance with the principles of peace and friendship among peoples promoted by the United Nations.

248. We take this opportunity to make an urgent appeal to the Governments of Argentina and the United Kingdom to resume negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute and the other issues relating to the question of the Malvinas Islands.

249. We reaffirm our steadfast belief that negotiation, dialogue and the political will to reach an understanding are the ideal instruments in the quest for peace. We also reiterate our view that there is no dispute to which a just solution cannot be found by the peaceful means provided for by international law and the Charter.

250. We hope that, in the light of the noble purposes that inspire and underlie it, draft resolution A/39/L.8 will enjoy the widest support of Member States.

251. We share the view of the Secretary-General that the direct contact between the two parties which took place at Berne, irrespective of the result of the talks, is a positive sign. This reveals that both parties are aware of the need to resort again to dialogue and negotiation as the civilized means of settling the conflict. In spite of the fact that at this session of the Assembly one of the parties has displayed an attitude which may be an obstacle to negotiation and the establishment of a climate of fruitful understanding, we hope that the present debate will convince it of the need to sit down at the negotiating table as soon as possible.

252. Mr. ORAMAS OLIVA (Cuba) (*interpretation from Spanish*): We have heard today the very disturbing news of the tragic and cruel death by assassination of Mrs. Indira Gandhi, the Prime Minister of India and Chairman of the Movement of Non-Aligned Countries. Cuba shares the pain of the Indian people at the irreparable loss of a person who had guided the Movement of Non-Aligned Countries with such skill, wisdom and dignity. Mrs. Indira Gandhi and India have made a most valuable contribution to the struggle against colonialism and imperialism and for independence, development and peace. I express our deepest condolences to our beloved colleagues of the Indian delegation and to the people and Government of India.

253. The united voice of the peoples of our America, as Bolívar, San Martín, Juárez, Hostos and Martí all dreamed, has been heard in the Assembly, insisting yet again that a portion of its territory, the Malvinas, still occupied by the United Kingdom, must be restored to Argentina.

254. Colonialism is a part of the past, and an attempt to thwart the conclusion of the historical process can lead only to fratricidal confrontations and struggles. The facts are irrefutable. The peoples will always be victorious in these struggles; indeed, they already have been, as is demonstrated by the ever-growing membership of the Organization.

255. Since the United Nations has been considering the Malvinas question, Cuba has made its position quite clear with respect to the indisputable sovereignty of the Argentine Republic over that Territory, in the light of international law and General Assembly resolution 1514 (XV); it has taken every opportunity to reaffirm that the United Kingdom must take the necessary steps to restore sovereign rights over that Territory to the Argentine Republic.

256. Just as there can be no room for doubt about the legitimacy of Argentina's claims, so there can be no mistake about its unambiguous position that a negotiated solution to this question must be achieved by peaceful means, in conformity with the principles of international law and justice. This position taken by Argentina, which is consonant with the aspirations of the international community must be

matched by the United Kingdom—and the sooner the better—so that, around the negotiating table, ways and means may be sought to make a substantial contribution to international peace and security.

257. In all parts of the world, there is a growing urgency to the feeling that a genuine process of negotiation with regard to the Malvinas Islands must be given concrete form. This insistence is not merely an echo of the feeling expressed in Latin America; in other latitudes, also, the idea that Argentina's sovereignty must be restored has been constantly reiterated.

258. Latin America is resolute and patient in its trust that its united voice will be heard. And this is the voice of all of Bolívar's peoples, saying: "Bolívar still has something to contribute to America".

259. Mr. MAYE ELA (Equatorial Guinea) (*interpretation from Spanish*): I wish to begin by expressing our deepest sorrow and dismay at the tragic death of Mrs. Indira Gandhi, Prime Minister of India and current Chairman of the Movement of Non-Aligned Countries. The death of a statesman of Mrs. Gandhi's calibre must urge the people of India and all third world countries to demonstrate the fortitude and the moral courage to receive with honour and preserve with dignity, valour and pride the heritage of peace and patriotism of which Indira Gandhi will forever be the quintessential embodiment. We ask the delegation of India to convey our deepest condolences to the people and Government of India, and in particular to the bereaved family of the late Mrs. Gandhi.

260. Despite the appeals of the international community that a peaceful, equitable, just and lasting solution be found, the question of the Malvinas Islands remains on the agenda of the General Assembly. And it is not there merely to enable us to take note with satisfaction of some progress made within the framework of the guidelines recommended in resolutions 37/9 and 38/12, or within the framework of Security Council resolutions 502 (1982) and 505 (1982); rather, it is there to give us an opportunity once again to take note of the total absence of true political will on the part of the Governments of certain States Members of the Organization to undertake the work of preserving the fundamental principles and implementing the objectives enshrined in the Charter.

261. Equatorial Guinea's adherence to the ideals of freedom, peace and justice; the importance that we attach to the concepts of independence, national sovereignty and territorial integrity; our full and unswerving support for the principles of the peaceful settlement of disputes and the non-use of force in international relations: all this amply justifies our contribution, however modest, to the quest for a just and equitable solution to the Malvinas problem.

262. Equatorial Guinea's participation has indeed become imperative, because we believe that what is involved is the correction of one of the errors of the past, which were the product of archaic treaties, usually signed in the capitals of the colonial Powers without the slightest consideration being given to the realities, rights and interests of the indigenous populations concerned, because they were based solely on the logic of the law of the strongest. The present situation in the Malvinas Islands, Argentine territory, is one of the very tragic errors which finally caused

the armed conflict of 1982 and the consequent loss of innocent human life and great material destruction.

263. The imbalance, on all levels and in all respects, which continues to be evident in the spectrum of international relations, still results in the position that might makes right. The weakness and poverty of small countries continue to be the raw material for the arrogance of the great and powerful countries. It is owing to that imbalance, weakness and poverty that the Argentine Republic finds itself alone at the negotiating table, unable to accept the conditions set by the other side, a Power, and claiming for recognition of what is due it, namely, sovereignty over the Malvinas Islands.

264. The international community has unhesitatingly given its verdict on the so-called sovereignty dispute over the Malvinas Islands between Argentina and the United Kingdom. Indeed, where Argentina is concerned, the Heads of State or Government of the Movement of Non-Aligned Countries, at their Seventh Conference, held at New Delhi in March 1983, reiterated "their firm support for the Republic of Argentina's right to have its sovereignty over the Malvinas Islands restituted through negotiations [with] . . . the United Kingdom . . . with the participation and good offices of the United Nations Secretary-General".<sup>6</sup>

265. As the Minister of State for Foreign Affairs and Co-operation of my Government stated here [*31st meeting*] during the general debate that has just been concluded, that position is fully shared and endorsed by Equatorial Guinea. Thus, at the same time that we reiterate and reaffirm our support for and solidarity with the people and Government of Argentina because their claims are just and legitimate, we once again urge the British and Argentine Governments to reopen negotiations, without prior conditions, with a view to finding urgently a peaceful, just and lasting solution to the dispute over sovereignty and the other differences between them with regard to the question of the Malvinas Islands, within the framework of the pertinent resolutions of the General Assembly and of the Security Council, having recourse to the good offices of the Secretary-General and of other countries with a sincere interest in reaching a just solution and in ensuring that peace and tranquillity prevail in that area of the South Atlantic.

266. Within that context, we believe that in order to engage in peaceful negotiations the behaviour of all parties concerned must also be peaceful.

267. Mr. BUCCI (Italy): This morning we learned the tragic news of Prime Minister Indira Gandhi's death. We feel deeply shocked. We share the loss of the Indian nation; we share, as well, the loss suffered by the countries members of the Non-Aligned Movement, of which Mrs. Gandhi was such an outstanding leader.

268. Allow me to convey through you, Mr. President, our feelings of sorrow and our sincere condolences to the Indian delegation.

269. In 1982, a dramatic and unnecessary conflict caused by an irresponsible military régime placed in opposition Argentina and the United Kingdom, two countries to which Italy feels strongly bound by manifold ties. The consequences of this conflict continue to have a negative effect upon the international scene.

270. It is, I believe, our common duty at least to try to limit the fall-out of the situation, in accordance with the principles of the Charter of the United Nations, which point to negotiations as the only way to reach a settlement.

271. Changes of a very relevant political nature have taken place since last year. Through free elections, Argentina has regained a democratic Government, led by a President chosen by the people. President Alfonsín is a man of great wisdom and prestige who calls upon his people to cope with a seriously compromised situation in a better way.

272. We welcome the firm manner in which the new leadership in Buenos Aires is defending and strengthening democracy. We also welcome the new leadership's commitment to Argentina's responsibilities.

273. The Government of Argentina is giving evidence of its renewed authority, in confronting with courage and dignity difficulties it has inherited in both the economic and financial fields. In its external relations, Argentina consistently agreed to the settlement—as was favoured by the Holy See—of a century-old dispute with Chile on the matter of the Beagle Channel.

274. We expressed those feelings during the recent visit of President Alfonsín to Rome. We are determined to support the new democracy, so that it may grow and spread in a country which, as our Minister for Foreign Affairs stated here a few weeks ago, "is now playing a new role not only on the continent but also on the international scene" [16th meeting, para. 123]. In the same spirit, we believe that the European Community should commit itself to rebuilding friendship and co-operation with Argentina.

275. With regard to the question of the Falkland Islands (Malvinas), the progress we had hoped for last year is unfortunately not yet in sight. The parties remain divided. Their wounds are still too recent. We have followed closely the resumption of a dialogue between Argentina and the United Kingdom. In recent months, we welcomed with anticipation the beginning of the talks at Berne. Unfortunately, results are still lacking, and yet, as the Secretary-General stated in his report [A/39/589], we see in those talks the sign of a mutual wish to resume the dialogue and to ban the use of force in any settlement of the conflict.

276. As I have said, a durable solution to the Anglo-Argentine question can indeed be found only through peaceful negotiations.

277. Italy will abstain in the voting on draft resolution A/39/L.8. It will do so because of the relations which my country enjoys with both parties concerned, but our abstention is also based on our wish for the re-establishment of a meaningful dialogue. For that dialogue to be effective, a necessary preliminary must be objectivity. We look forward to negotiations covering the elements of the case without any negative positions.

278. When we abstained in the voting on this question at the thirty-eighth session, we were looking forward to a balanced position and, even more, to the re-establishment of an open and sincere dialogue aimed at normalizing relations between the two countries. A stagnation of this controversy is both risky and unacceptable.

279. The resumption of a dialogue capable of influencing the future of the entire Latin American

continent and Latin American relations with Europe depends very much upon the attitude of both Argentina and the United Kingdom. We are all committed to that achievement.

280. With that primary end in mind, we ask the two countries once again to make every possible effort, within the framework of the United Nations and by availing themselves of the good offices of the Secretary-General, which might lead to a resumption of their dialogue. It is only through friendly relations that real peace and development can be assured to the inhabitants of the islands.

281. Mr. LIANG Yufan (China) (*interpretation from Chinese*): The Chinese delegation was shocked to learn the sad news of the assassination of Mrs. Indira Gandhi, Prime Minister of India, and extends its deep condolences. Mrs. Gandhi was an outstanding Indian statesman and the Chairman of the Movement of Non-Aligned Countries. Her leadership was marked by achievements in India's construction and development. Mrs. Gandhi made positive contributions to the safeguarding of world peace, the promotion of international co-operation and the strengthening of the role of the Non-Aligned Movement in international affairs. On behalf of the Chinese Government and people, I wish to extend heartfelt sympathy to the Indian Government and people and to the bereaved family.

282. At its thirty-eighth session, the General Assembly adopted resolution 38/12, in which it decided to continue consideration of the question of the Falkland Islands (Malvinas) at its current session. The Chinese delegation wishes to make the following observations with regard to this question.

283. Since the beginning of this year, the Argentine and British Governments have engaged in a series of diplomatic contacts and have both expressed their willingness to seek a certain solution to the dispute. This is a positive development. However, resolution 38/12, in which the Assembly requested the British and Argentine Governments to resume negotiations for a peaceful settlement of the sovereignty dispute over the Falkland Islands (Malvinas), has not yet been implemented. The controversy remains a general concern of the international community.

284. The safeguarding of State sovereignty and the peaceful settlement of international disputes are basic principles of the Charter of the United Nations. We are of the view that the dispute over the Malvinas Islands must be settled in a peaceful and reasonable way in compliance with these principles. The Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, in the Final Communiqué, "reiterated their firm support for the [Argentine Republic's] right to have its sovereignty over the Malvinas Islands restituted through negotiations" and "reaffirmed the need for the parties to take due account of the interests of the population of the Islands" [see A/39/560, annex, para. 93]. Importance should be attached to this call, which reflects the aspirations of the third world countries.

285. The Chinese Government and people have consistently and firmly supported the other third world countries and peoples in their just struggle to safeguard State sovereignty and territorial integrity. We maintain that Argentina's claim to sovereignty over the Malvinas Islands should be respected. We support the Secretary-General's mission of good

offices in this regard. We sincerely hope that, in the interests of the peoples of Argentina and the United Kingdom and in order to reach a settlement of this dispute between them, which is a relic of the past, and to live up to the earnest expectations of the international community, the two sides will act in consonance with the relevant United Nations resolutions and resume negotiations as soon as possible on the sovereignty dispute over the Malvinas Islands, so that a just and reasonable solution to this problem can be found through peaceful negotiations.

286. The PRESIDENT: I shall now call on those representatives who wish to speak in exercise of the right of reply.

287. Mr. CLARK (United States of America): The United States rejects the assertions and allegations regarding the policies of my Government made by the representative of the Soviet Union during the debate today. Such statements are malicious mischief, designed, as is all too often the case, to exacerbate problems and conflicts. We very much hope that the Soviet Union will abandon this jejune approach and join with us and the vast majority of the members of the Assembly in seeking to resolve conflicts.

288. Mr. MUÑIZ (Argentina) (*interpretation from Spanish*): We have listened to the words and arguments of the representative of the United Kingdom, which failed to answer the fundamental questions, because—as Stendahl said—words serve to hide thoughts. The whole Assembly can bear witness to the fact that the United Kingdom's thought is not to negotiate.

289. However, we must analyse the words spoken; they reveal sophistry that must be exposed.

290. The Minister of Foreign Affairs for my country today [44th meeting] speculated whether the United Kingdom sought to aggravate or to diminish the consequences of the confrontation. We have all just heard the British reply. There can be no doubt about the British Government's intention: it is not only not prepared to accede to the request of 20 Latin American countries expressed in draft resolution A/39/L.8, but has openly defied the will of the General Assembly as repeatedly expressed over the years. That was confirmed when the representative of the United Kingdom said that these objectives were unattainable and that we were living on false hopes.

291. We do not want to rake over the past, but obviously the United Kingdom is insisting on it. Shall we go back over the whole of the United Kingdom's past? Does the United Kingdom want that? That is the country that is associated more than any other with colonialism and the subjugation of peoples throughout the world. It is worth recalling that, in fact, acceptance of the principle of self-determination resulted from the struggle of peoples subject, above all, to British domination. Perhaps the representative of the United Kingdom forgets that Mahatma Gandhi was held in his country's prisons.

292. But we need not go back into the past. Would the United Kingdom be ready to accept the principle of self-determination for, say, Diego García? Would the representative of the United Kingdom be prepared to ask the representatives of the former colonies of the British Empire who are present here today about the history of the United Kingdom as regards the principle of self-determination? Does the United Kingdom really want to look back to the past?

293. Let us turn to the specific case of the principle of self-determination as applied to the question of the Malvinas Islands. First of all, there is an essential difference here, because all the inhabitants are full British citizens. Secondly, this is not a people subject to foreign domination, which is the case in which the principle of self-determination applies. It is, rather, a population settled in a Territory occupied by force at the expense of those who have a genuine right to it, a Territory in which, notwithstanding what the British representative has said, there was an Argentine presence and, indeed, a Government presence.

294. Argentina—as compared with the behaviour of the United Kingdom over the years—has never discriminated against sectors of its population on grounds of origin or race. As proof of this, many more British subjects live in our territory, retaining their nationality and exercising their rights, than live in the Islands themselves.

295. All of this is true, but it is not the important point at this stage. What is important is that, in contrast to what the representative of the United Kingdom has claimed, we seek not to recall offences or adopt arrogant attitudes, but rather to find a peaceful solution to a problem.

296. What is wrong with sitting around a table to discuss this question? Naturally, we are convinced of our rights, of the logic of our case, and of our determination that no human beings shall suffer. And once again we ask why the British Government does not want to resume a dialogue based on reason and law. What has it to fear from civilized dialogue?

297. We believe in our rights; we believe in defending them by means of the peaceful method of dialogue, the method advocated by the international community. That, in the final analysis, is the meaning of the draft resolution before the Assembly. Nations which also believe in that method cannot fail to support it.

298. Mr. PETROVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): The representative of the United States just tried, without any foundation whatsoever—and I stress this—to refute the hard facts adduced in our statement, facts which testify to the United States policy of open interference in the internal affairs of the countries of Latin America. However, I think that everyone is fully aware of the fact that the clearest manifestation of a policy is not verbal statements but, rather, concrete actions. Unfortunately, the concrete actions of the United States testify to its clear desire to make use of the Malvinas Islands in its militaristic plans. That, in turn, is part of the broader strategic design of a policy of large-scale imperialism, open interference in the internal affairs of States in other parts of the world, diktat and violence.

299. Sir John THOMSON (United Kingdom): The representative of Argentina has said that in my speech I failed to answer fundamental questions. I answered those questions which were raised by his Minister for Foreign Affairs this morning. I realize that I made a long speech, and it may have been difficult without a text, and especially as it was in a foreign language, for the representative of Argentina to grasp it all. I shall have a copy of my text delivered to him tomorrow morning.

300. But he raised some more questions. He asked, for example, whether the United Kingdom was ready to ask its former colonies what they thought about

British standards, or words to that effect; there was some reference to self-determination. I cannot really answer for the 40 or so Members of the United Nations which were formerly British colonies, but the fact that they are Members shows that they have exercised self-determination, and the fact that we have a happy family in the Commonwealth says something about British standards.

301. I was particularly interested to note the reference to the imprisonment of Mahatma Gandhi. That reference, coming on this day, is particularly poignant to me. Mahatma Gandhi was one of the great men of this century. He was put in prison by the British authorities—so, incidentally, as we heard at one point, was Mrs. Indira Gandhi. Both of them, I may say, had the greatest respect for British justice, and said so publicly. We disagreed politically, but India has preserved the heritage of the common law. It is not the only country in the Commonwealth to have done that. Mahatma Gandhi was the man who, perhaps more than any other, preached non-violence and welcomed reconciliation between Britain and independent India. Non-violence is an important principle and not least in the dispute we are talking about today.

302. Another question that the representative of Argentina has just raised is the question of Diego García. That is one of many, many questions that might be raised. We have heard already this question of former British colonies, but this colony is a rather peculiar one, and it is appropriate that he mentioned it in this context, because it has certain similarities with the Falklands, namely, it had no indigenous population. Therefore I do not follow the point he is making. Maybe he is unconsciously making my point.

303. Then the representative of Argentina said that all the inhabitants of the Falkland Islands are full British citizens. I am not quite sure that the word "all" is totally correct, but he is substantially correct and it is worth repeating what one of those British citizens who is an elected representative of the Falkland Islanders, elected to their Legislative Council, said in the Fourth Committee yesterday. He said:

"Our people want peace, the right to live their lives in their own way and to develop our Islands for the benefit of all. We have seen nothing to convince us that Argentina has more to offer us than Britain and while the Government of Argentina continues its belligerent attitude towards us, making it plain that there is no way it would recognize our right to our Islands even if we were to apply to this Organization to recognize our independence, our attitudes are likely to become more hostile, not more accommodating."

304. The population of the Falklands is small. The population of Argentina is large. It is easy to see why the Falkland Islanders are frightened and why, in their exercise of self-determination so far, they prefer to remain British.

305. Finally, I would like to refer to the thought that the representative of Argentina mentioned that there is some degree of special intransigence on the part of my Government. That is not so. It is true that in any dispute each side sets out its own positions and we respect the Argentines' right to do so. It is true that in the joint communiqué which was issued at the end of the Berne talks [A/39/364, appendix] it is stated: "The United Kingdom side reaffirmed that

Her Majesty's Government was not prepared to enter into discussion of the question of sovereignty." Two sentences further on it states: "The Argentine side stated in that connection that it was not prepared to go into the substance of those points so long as the manner in which the question of sovereignty was to be taken up could not be examined."

306. There is, as I have said, a fundamental position on each side, but it is not a question of intransigence on one side. The words "not prepared" are, in this joint communiqué, connected with both Governments.

307. And, finally, I have not yet received a reply to the question I asked earlier, which was: Is the Government of Argentina prepared to recognize that the principle of equal rights and self-determination of peoples applies to the Falkland Islanders as to other peoples?

308. Mr. CLARK (United States of America): We can only hope that in time the representative of the Soviet Union will have a change of heart and work towards encouraging better understanding and not against it.

309. Mr. MUÑIZ (Argentina) (*interpretation from Spanish*): Almost all the questions once again raised by the representative of Great Britain have been fully answered in the statement made at the 44th meeting by the Minister for Foreign Affairs of Argentina and in repeated statements made by the Argentine delegation in the General Assembly. There is one fundamental point, an essential point, that has received no reply from the British delegation. This fundamental point is that of compliance with the resolutions of the United Nations, which represent the expressed will of the international community. Those resolutions form the framework within which the problem must be tackled. The question now is to have the political will to abide by the resolutions of the Organization. Argentina very clearly expressed this today through its Minister for Foreign Affairs—we have this political will and we resolutely reaffirm that.

310. I am not going to insist—I have said so before—on going back to the past. We could say many things; we could say that the self-determination of many subjugated peoples was not the product of a freely granted concession, but of a long, intense struggle involving huge sacrifice. We could say many other things, but that is not our purpose. We have come here in a spirit of conciliation; we wish to negotiate; we intend to reach peaceful, final solutions. This is our intention; this is our objective; this is the objective of the 20 Latin American countries that have submitted draft resolution A/39/L.8.

311. Sir John THOMSON (United Kingdom): I welcome some of the comments just made by the representative of Argentina, especially his reference to his Government having the political will. We, too, would like to resume the happy relations that we had with Argentina and, indeed, with all Latin American countries for so long.

312. The representative of Argentina said that he had had no reply to a question, which, as a matter of fact, he had not really asked before then. It was a question about the compliance of the United Kingdom with the United Nations resolutions.

313. My Government has set out its position again and again on all these matters we are discussing today. We have done our best within the principles of the Charter of the United Nations. It was not we who

neglected and violated a mandatory resolution of the Security Council in April 1982—and Security Council resolution 502 (1982) was mandatory.

314. I conclude by observing that the question I have asked twice this afternoon has still not been answered.

315. Mr. PETROVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): In regard to the statement by the representative of the United States, I should like to note that the policy of the Soviet Union remains true to itself. We have always opposed and always will oppose colonialism in all its guises and manifestations. We shall always oppose militarism, and we shall always be in favour of the peaceful settlement of disputes. The Soviet Union is prepared to co-operate with all countries which truly have the same aspirations. We hope that the day will come when among those countries we shall be able to number the United States, which 200 years ago gave a clear example of a fight against colonialism and for national independence.

*The meeting rose at 7.35 p.m.*

## NOTES

<sup>1</sup>See *Asian-African Conference, April 18–24, 1955* (New Delhi, Government of India Press, 1955).

<sup>2</sup>Treaty for the Prohibition of Nuclear Weapons in Latin America (United Nations, *Treaty Series*, vol. 634, No. 9068).

<sup>3</sup>This statement was made at the 12th meeting of the Fourth Committee, the official record of which is published in summary form. See *Official Records of the General Assembly, Thirty-ninth Session, Fourth Committee*, 12th meeting, paras. 6–9.

<sup>4</sup>*Idem*, paras. 3 and 4.

<sup>5</sup>Panama Canal Treaty and Treaty concerning the Permanent Neutrality and Operation of the Panama Canal, signed in Washington on 7 September 1977 (*The Department of State Bulletin*, vol. LXXVII. Washington, D.C., Government Printing Office, 1977).

<sup>6</sup>See A/38/132 and Corr.1 and 2, Annex, chap. I, para. 156.

<sup>7</sup>This statement was made at the 12th meeting of the Fourth Committee, the official record of which is published in summary form. See *Official Records of the General Assembly, Thirty-ninth Session, Fourth Committee*, 12th meeting, paras. 10–15.