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SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-SEVENTH YEAR

2350th MEETING: 3 APRIL 1982

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2350th MEETING

Held in New York on Saturday, 3 April 1982, at 11 a.m.

President: Mr. KAMANDA wa KAMANDA (Zaire).

Present: The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Provisional agenda (S/Agenda/2350)

1. Adoption of the agenda
2. Letter dated 1 April 1982 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/14942)

The meeting was called to order at 12 noon.

Adoption of the agenda

The agenda was adopted.

Letter dated 1 April 1982 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/14942)

1. The PRESIDENT (*interpretation from French*): I note with pleasure the presence at the Council table of the Minister for Foreign Affairs of Panama, Mr. Jorge Illueca. I welcome him most warmly.

2. In accordance with decisions taken at earlier meetings [2345th and 2349th meetings], I invite the representative of Argentina to take a place at the Council table; I invite the representatives of Australia, Canada and New Zealand to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Costa Méndez (Argentina) took a place at the Council table; Mr. Anderson (Australia); Mr. Pelletier (Canada) and Mr. Francis (New Zealand) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Brazil and Peru in which they request to be invited

to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Bueno (Brazil) and Mr. Calle y Calle (Peru) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT (*interpretation from French*): The first speaker is the Minister for Foreign Affairs of Argentina, Mr. Nicanor Costa Méndez. I welcome him and invite him to make his statement.

5. Mr. COSTA MENDEZ (Argentina) (*interpretation from Spanish*): Perhaps the beginning of my statement may be considered repetitive, but I consider it none the less useful to state that the reason for the calling of these meetings lies in the Malvinas Islands, which is part of Argentine territory and which was illegally occupied by Great Britain in 1833 by an act of force which deprived our country of that archipelago.

6. The British fleet, in 1833, displaced by force the Argentine population and the authorities which were exercising the legitimate rights that belonged to the Republic at that time as the heir to Spain.

7. Legally speaking, that act of force cannot give rise to any right at all, and politically the events of 1833 were one more reflection of the imperialist policy with the European States carried out in the nineteenth century at the expense of America, Africa and Asia. Hence, we can say today that this is a colonial problem in the most traditional sense of that political and economic phenomenon.

8. Since 1833, the Argentine Republic has been claiming reparation from Great Britain for the great wrong done. The Argentine Republic has never consented to that act of usurpation of its national territory, usurpation carried out by unacceptable and illegal means. All the successive Governments of Argentina, regardless of party or faction, have remained united and steadfast in their position, during those 149 years, of strongly protesting against that arbitrary occupation.

9. No one can have the slightest doubt as to the historic role of the United Nations in the decoloniza-

tion process. This is perhaps the area in which the United Nations has proved most fruitful, a task that it has carried out most effectively, one that has changed the course of international relations. Proof of this is that the original membership of 51 has increased to 157. Many of the young nations represented here in the Council have been freed from the colonial yoke, and their contribution to the organized international community is of such magnitude that I do not need to mention it, far less to emphasize it.

10. Of the 51 original Members, 20 belong to the Group of Latin American States and their decisive influence in the early days of the Organization must be recognized. That group of nations was very active in giving impetus to the decolonization process. The Latin American Group was, if we may say so, a champion of that cause, because it had suffered from the effects of colonization. We too had been colonies; we too had fought the hard struggles for national independence.

11. One of the last vestiges of colonialism on Latin American territory ended yesterday. The claims that my country has been making repeatedly since 1833 have enjoyed the support of the decisions of the world Organization and the individual assistance of these new nations just emerging from the colonial era.

12. Despite the Organization's efforts and my country's arduous and careful work, time passed and brought with it only continued frustration, resulting from the evasive tactics and time-wasting manoeuvres of the United Kingdom—and all that despite the many alternatives put forward by Argentina and despite the imagination and flexibility with which we approached negotiations. Two days ago [2346th meeting, para. 18] the representative of my country made reference here to the willingness and readiness on our part, demonstrated by the facilities offered in 1971 for communications and other concessions to the inhabitants of the islands. Those 1,800 inhabitants, as the United Kingdom representative said two days ago [2346th meeting, para. 18], would fit without difficulty into this chamber. They have been and are the subject of constant concern in Argentina, which has given them attention that I venture to say, with all due respect, they have not received from their homeland.

13. The Government of Argentina is always careful to respect individual rights and physical integrity. As the President of Argentina stated yesterday:

"The Argentine position does not represent any kind of aggression against the present inhabitants of the islands, whose rights and way of life"—and I stress this—"will be respected in the same way as those of the countries freed by our liberators. Troops will be used only when absolutely necessary and they will not in any way disturb the inhabitants of the islands: quite the contrary, they will protect

the institutions and inhabitants, since they are part of us."

14. This is a most solemn commitment by the Government of Argentina to the international community,

15. The United Kingdom has invoked the presence of the inhabitants of the Malvinas Islands as an excuse for its colonial presence in those islands. But I ask members: what, then, is the pretext for that presence in the South Georgia or South Sandwich islands? As *The Times* of London said in an editorial of 29 March last: "The only natives, according to the Foreign and Commonwealth Office, were seals, and, in the present state of international law, seals do not enjoy the right to self-determination."

16. In view of the fact that my country opened up communications, the British Government did not seem too concerned over the physical and historical isolation in which the inhabitants of the islands lived. I shall not go into details about the change in the standard of living brought about by the facilities offered by Argentina. As the President of my country has said, we are ready to guarantee all the individual rights of the inhabitants, but we cannot allow anyone to use those 1,800 persons as something enshrined in international law as a population.

17. The characteristics of that group of persons have been dealt with in previous statements, but I must say again here that, to a large extent, those persons are officials of the British Government and a large number of them are employees of the Falkland Islands Company, a typical colonial firm—a complete anachronism: a colonial corporation of those who had letters patent from the eighteenth century, the trade branch of colonialism and imperialism; history offers various examples of this.

18. Those foreigners with interests there, with no rights other than trade and colonial ones, are those who most strongly and systematically have prevented the British Government from taking action.

19. Of necessity, the recalcitrant attitude of the British Government that I have mentioned brought about tension and difficulties. More than once, peace and security in the region were threatened by the persistent colonial presence. We have already mentioned in another statement the *Shackleton* incident of 1976, an episode—and I wish to emphasize this although I am sorry to have to cite it—that supplies a fine example of the Inter-American Juridical Committee's resolution, which states that:

"The presence of foreign warships in waters adjacent to American States constitutes a threat to the peace and security of the hemisphere and a flagrant violation of international law concerning non-intervention, as do the intimidating threats of the British authorities to send more vessels."

20. It would seem that this would apply equally well today. That episode and the episode which was the immediate origin of the present situation are both covered in the statement made by the representative of my country [2345th meeting] and in his letter dated 1 April to the President of the Council [S/14940].

21. That incident was serious, but was made even more serious by the United Kingdom because it sent warships to the region in a clear attempt at intimidation, which constituted a real threat to my country and to the continent. Hence, the statement I have just read out by the Inter-American Juridical Committee about the *Shackleton* episode is still fully valid in 1982.

22. The military preparations and the dispatch of warships to the region by the United Kingdom, to which I have already referred, explain and justify the actions taken of necessity by the Government of Argentina in defence of its rights.

23. Some delegations here have stated that my Government acted hastily. I leave it to the Council to judge, but I must point out that it seems difficult to describe my country as acting hastily when, with the greatest respect for peaceful solutions, it has borne with a situation of continued usurpation of its territory by a colonial Power for 150 years.

24. Argentina has wisely, patiently and imaginatively negotiated on its long-standing claim, but the United Kingdom has not given the slightest indication of being flexible nor made a single just proposal.

25. We have also been accused in this chamber of violating Article 2, paragraphs 3 and 4, of the Charter of the United Nations. No provision of the Charter can be taken to mean the legitimization of situations which have their origin in wrongful acts, in acts carried out before the Charter was adopted and which have subsisted ever since. Today, in 1982, the purposes of the Organization cannot be invoked to justify acts carried out in the last century in flagrant violation of principles that are today embodied in international law.

26. Throughout the years we have celebrated the excellent results of the irreversible march of history typified by decolonization and at the same time, while we were celebrating and taking part in that process, our frustration was growing because of the conviction that the United Kingdom was not ready to give up the territory it had usurped from Argentina.

27. The accession of emerging peoples to international politics and the change in the international system and in international society are a result of the historic process I mentioned at the beginning of my statement. This is a real force, and this real force in the world order was reflected in the establishment of the Movement of Non-Aligned Countries, which my country joined in 1973 and in which it takes part

as an active member. That movement promotes the eradication of historical injustices, whether they be political or economic. Members of the Non-Aligned Movement, as our representative has already said, have repeatedly recognized the justice of the Argentine claim and our country's sovereignty over the Malvinas, South Georgia and Sandwich islands, and have already stated that the principle of self-determination does not apply in this case for special historical reasons that I have already explained.

28. The representative of the United Kingdom said that he had doubts about being able to arrive at an agreement with the representative of my country as to the historical vicissitudes. That is possible, but it would seem difficult for us not to agree on the facts of history which are absolutely indisputable.

29. The Government of Argentina has not invaded any foreign territory, as the United Kingdom claims. As was stated very simply by the President of my country: "Safeguarding our national honour and without rancour or bitterness, but with all the strength that comes from being in the right, we have recovered a part of our national heritage."

30. The same cannot be said of the United Kingdom Government *vis-à-vis* our country. Apart from the case which concerns us today, in 1806 and 1807 British expeditionary forces attacked and temporarily occupied the city of Buenos Aires and its suburbs, a historical fact that may not be well known to everybody. On both occasions the British forces were repelled by the Argentine people.

31. In 1840 and in 1848, the Government of Great Britain organized naval blockades against the Argentine Republic, and, to abide by historical facts, it is rather strange to notice that another colonial power, France, whose representative was so quick to rally to the colonial position yesterday [2349th meeting], was already associated in 1848 with these colonial ventures since it took part in the blockade that year.

32. All that is by way of providing the Council with the background. None the less, I want to mention something curious, which is well known to all members of the Council.

33. Yesterday, the representative of France made reference to the Malvinas Islands and even mentioned them by their English name, ignoring the General Assembly decision which provides that in referring to the islands they shall be called the Malvinas Islands and the Falkland Islands, always using both names.

34. The representative of France and all representatives of the French-speaking nations in the Organization cannot be unaware that the name Malvinas has its origin in the famous voyages made by Bougainville from St. Malo to the archipelago; it became "Malouines", which was Hispanized to "Malvinas".

35. I dare not think that there may be ideological or political subtleties underlying this historical error of language, but I mention it because it is surprising.

36. I have made reference to something of which everyone is aware: the spirit of conciliation and the firm resolution of successive Governments of Argentina to seek by peaceful means a solution to our dispute with the United Kingdom. Furthermore, everyone is aware that on several occasions our Government has had to discourage sectors of the Argentine community that considered that the total lack of response from the United Kingdom made imperative the use of other means.

37. Recent events have affirmed our presence in the islands, and we have offered every guarantee and safeguard so that the new state of peace may be maintained. We have again here told the British Government that we are ready and willing to negotiate and to hear its position. But we must make it absolutely clear in this chamber that any change or disturbance in the peace that may come about from now on in the area of the islands will be the sole responsibility of the United Kingdom.

38. There is something of which members may not be so aware. The Government of Argentina, after very lengthy negotiations, all fruitless in view of the reluctance of the United Kingdom, finally proposed a written paper to institutionalize the meetings and to structure the talks so that we could move forward to a peaceful, honourable and just solution. We thus handed the British Embassy a document before a meeting that was to be held on 4 February 1982 with the express, formal and pressing request that it should be answered on the occasion of the meeting. The British delegation, always cordial in matters of form, agreed to the meeting but gave no response to our presentation despite our urgent request. We called upon the meeting to set a date for the response. No date was agreed to. We asked that it should be before the end of March. We were told that they would think about it, but that it was not possible to give any date at that time.

39. I want to tell members that Argentina felt great discouragement, sadness and frustration at hearing all that non-news. And yet, despite that recalcitrance, despite that inexplicable reluctance, the Government of Argentina offered a press release that we believed to be extremely important and that I would like read out:

"The representatives of Argentina and the United Kingdom, at a meeting in New York in February, have considered an Argentine proposal for the establishment of a system of monthly meetings with a pre-established agenda, the venue to be agreed beforehand, presided over by officials from the highest echelons. Such meetings will have the purpose of speeding up to the utmost the ongoing

negotiations so as to arrive at recognition of Argentine sovereignty over the islands and of thus obtaining substantial results within a time-limit which at this stage of the talks must of necessity be short.

"Argentina has negotiated with the United Kingdom with patience, honesty and good faith for more than 15 years, within the framework mentioned in the relevant resolutions of the United Nations, to arrive at a solution to the dispute over the sovereignty of the islands. The new system is an effective measure to arrive at a prompt solution. However, if this does not come about, if there is no response from the British side, Argentina reserves the right to put an end to the operation of such a mechanism and freely to choose the procedure it deems most fit in accordance with its interests."

40. This forewarning was given to the representative of the United Kingdom. There was not, and there has not been as yet, any reply except the presence of HMS *Endurance* in the South Georgias and a note from Lord Carrington, the terms of which I shall refrain from mentioning for various reasons.

41. I now wish to make reference to the draft resolution submitted by the United Kingdom [S/14947]. It speaks volumes that the terms of that draft are essentially the same as those put forward more than 20 years ago in this same chamber in the case of Goa, when Portugal was hanging on to its colonial power, which consumed it and gave rise to a new Portugal. The draft resolution submitted to the Council on 18 December 1961 [988th meeting, para. 97] sought to deny India its right to territorial integrity, just as an attempt is being made here to deny my country that right. That draft resolution was thrown out by the Council because it was merely a defence, an expression of continuing colonialism.

42. The United Kingdom—the only other party to this dispute—is the only sponsor of the single draft resolution before the Council. This also is strange. In trying to deny us our right to territorial integrity, the United Kingdom calls for the withdrawal of the Argentine troops which recovered the Malvinas for national sovereignty. If the United Kingdom took those islands through an illegitimate act of force, why has it not withdrawn in the last 149 years on the basis of the same principles that it is today invoking in order to avoid this conflict, which now seems to be of such deep concern to it?

43. Obviously I am at variance with the draft resolution submitted by the United Kingdom, but I wish to say that I am in agreement on one point.

44. The Argentine Republic is threatening nobody; the Argentine Republic is not carrying out hostile acts against anyone. It is of no interest to us to have any armed confrontation with anybody at all. We are ready to negotiate through diplomatic channels—I re-

peat: we are ready to negotiate through diplomatic channels—any differences we have with the United Kingdom except our sovereignty, which is not negotiable.

45. We have a clear conscience about our rights, and we shall maintain them with firmness and prudence until we arrive at a proper and peaceful settlement. It is useless to whip up emotions when there is clear justice, as in our case. Our policy, the policy of Argentina, has at all times been lofty, conciliatory and prudent, and there is no evidence to the contrary. I am sure that it will lose none of those attributes here.

46. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Brazil. I invite him to take a place at the Council table and to make his statement.

47. Mr. BUENO (Brazil) (*interpretation from Spanish*): Sir, I should like first of all to thank you and, through you, the other members of the Council for giving me this opportunity to participate, on behalf of my delegation, in the Council's debate.

48. I should also like to express my Government's satisfaction at seeing you, a worthy representative of a friendly African country, presiding over the Council. Your diplomatic qualities are well known to all, and we have no doubt that you will succeed in guiding, with your customary skill, the proceedings of the Council at this turbulent moment in history.

49. Similarly, my delegation would like to congratulate Mrs. Kirkpatrick for the impartial and excellent way in which she presided over the work of the Council during the month of March.

50. On instructions from my Government, I am making this statement before the Council on a subject which is of considerable concern to us in Brazil.

51. As everyone knows, and as the representative of the sister Argentine Republic mentioned in his statement two days ago [2345th meeting], the Government of Brazil has always supported the Argentine Government in the territorial dispute over the Malvinas Islands in which it has been engaged for more than a century with the United Kingdom. This support and the position of principle of the sister Argentine Republic dates from 1833, when our two countries had only recently freed themselves from colonial status.

52. The Government of Brazil profoundly regrets that negotiations for a peaceful solution to the dispute have not been fruitful or led to success. That had undoubtedly been the great hope of my country and, indeed, I believe of all of us.

53. The Government of Brazil is following events in the region very closely and with concern.

54. At this moment, Brazil would like to appeal to the Argentine Republic and the United Kingdom—countries with which we maintain relations of traditional friendship—to act with moderation and to refrain from any action liable further to aggravate the tension existing in the region.

55. My Government wishes to express the hope that it will be possible to bring about a reconciliation between the two countries, both of which have such close ties of friendship with Brazil.

56. Mr. NUSEIBEH (Jordan): Jordan maintains close ties of friendship with the Argentine Republic, and there are substantial numbers of Argentine citizens who hail from our own region and who are loyal Argentinians. We also maintain traditional good relations with the United Kingdom.

57. Jordan has no axe to grind, but, as a member of the Council, it is first and foremost under the solemn obligation to uphold the principles and provisions of the Charter of the United Nations, which embody the rule of law and guide relations among nations and specifically prohibit the threat or use of force in the settlement of disputes.

58. Deeply conscious of this fact, the President of the Council on Thursday, 1 April, read out a consensus statement, on behalf of the Council, urging all parties to refrain from the threat or use of force and to settle the dispute by peaceful means. The statement includes the following:

“The Security Council, mindful of its primary responsibility under the Charter of the United Nations for the maintenance of . . . peace and security, expresses its concern about the tension in the region of the Falkland Islands (Islas Malvinas). The Council accordingly calls on the Governments of Argentina and the United Kingdom to exercise the utmost restraint at this time and, in particular, to refrain from the use or threat of force in the region and to continue the search for a diplomatic solution.”
[*Ibid.*, para. 74.]

59. Regrettably, on the following day, Friday, 2 April, the sad and ominous news came that the armed forces of the friendly Argentine Republic had invaded and occupied the disputed islands in the South Atlantic.

60. In the statement by the President on behalf of the Council, the Council took note that: “The Secretary-General, who has already seen the representatives of the United Kingdom and Argentina earlier today, renews his appeal for maximum restraint on both sides” [*ibid.*].

61. We are meeting today not to pass judgement on the historical claims or counter-claims of the two parties. But it would be the height of hypocrisy and abandonment of the Charter of the United Nations

were we to fail to state categorically and without equivocation that the invasion of the islands by Argentina cannot be reconciled with the principles and purposes of the Charter, to the upholding of which we are all pledged.

62. As a member of the Movement of Non-Aligned Countries, Jordan associates itself with what that movement regards as the just, historical claims of Argentina. This was reiterated at New Delhi, Havana and Lima and at other forums. But it has always been the position of the Non-Aligned Movement that the use or threat of force is inadmissible and is a violation of the Charter of the United Nations as well as of the principles of the Non-Aligned Movement. The movement would lose its moral weight if it violated that universal Charter. There is no contradiction between support for the ends of decolonization and self-determination and positions regarding the means that can be used to achieve those ends.

63. Here I should like to refer the Council to a statement on developments in the Malvinas made by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in which he emphasized the need to desist from seeking a solution through the use or threat of force. The General Assembly, in resolution 3160 (XXVIII) of 14 December 1973, expressed its grave concern at the protracted absence of any substantial progress in the negotiations and urged the two Governments "to proceed without delay with the negotiations, in accordance with the provisions of the relevant resolutions of the General Assembly, in order to put an end to the colonial situation".

64. Such being the case and without passing any value judgement on the merits of the 150-year-old controversy, Jordan cannot but support the draft resolution presented by the United Kingdom [S/14947] in all of its provisions. It is my country's hope and prayer that the two friendly countries of Argentina and the United Kingdom will intensify their efforts to achieve a peaceful solution and restore the amity and friendship which has traditionally existed between them. It is tragic indeed that a complaint was not presented to the Council by the Foreign Minister or the representative of Argentina in order to alert the Council to the urgency of the issue so that it could have taken timely action before resort was had to armed force.

65. The Middle East is all too familiar with what Israeli invasions, in total disregard for the Charter of the United Nations, have meant. They have led to a virtual breakdown of international law, with disastrous consequences for the entire world.

66. Mr. NISIBORI (Japan): My Government has learned with grave concern of the use of force early yesterday morning by the Argentine armed forces against the Falkland Islands (Islas Malvinas). The Secretary-

General issued an appeal on 1 April [2345th meeting, para. 74] calling on both parties to exercise maximum restraint. We supported that appeal whole-heartedly. A call was also made on the same day by the President of the Council [*ibid.*], based on the unanimous wish of its members, to exercise the utmost restraint, to refrain from the use or threat of force and to continue the search for a diplomatic solution to the questions. The Argentine action was taken despite the appeals of the Secretary-General and the President of the Council. We cannot but register our deep regret upon hearing the news of such use of force.

67. My Government is seriously concerned about this incident not because of Japan's position regarding the substance of the issues pending between Argentina and the United Kingdom over certain islands in the South Atlantic, but because the very means to which one of the parties resorted is completely at variance with the fundamental views of my Government. The action of Argentina violates the principle of the non-use of force and its concomitant principle of the peaceful settlement of disputes, which are at the heart of the Charter of the United Nations.

68. As is well known, my Government regards the principle of the non-use of force as fundamental to its diplomacy. The Constitution of Japan renounces for ever the threat of force or use of force as a means for settling international disputes. We stress, as we have done in various forums, that this is not only one of the most fundamental principles of the Charter, but one of the most important norms of general international law, from which the international community permits no derogation. The principle of the non-use of force is, in other words, a peremptory norm of international law. We are therefore against any use of force undertaken anywhere in the world and for whatever purpose, in contravention of the Charter of the United Nations.

69. The military action carried out by Argentina in clear violation of this principle disturbs the peace and heightens the current tension in the South Atlantic region, thus making it more difficult to obtain a peaceful solution to the questions pending between the two countries.

70. My Government earnestly hopes that the hostilities on the islands in question will cease immediately. As a country enjoying friendly relations with both Argentina and the United Kingdom, Japan urges that the diplomatic talks between the two parties be resumed as soon as possible. The Council must first take expeditious and effective action in order to deal with the immediate situation and should subsequently consider further means of facilitating the talks between the parties so that a true, long-term settlement of the questions can be attained.

71. Mr. LICHENSTEIN (United States of America): My delegation joins you, Mr. President, in extending a warm welcome to our friends the Foreign Ministers of Argentina and Panama.

72. When the Council met on Thursday evening, 1 April [2345th meeting], to hear an urgent appeal from the representative of the United Kingdom concerning the situation in the South Atlantic, we and other members of the Council joined in expressing our concern and in calling for both Governments to exercise restraint and to continue the search for a diplomatic solution.

73. Unfortunately, despite appeals by the Secretary-General and by my President as well, the situation has now deteriorated. As we have stated on many occasions in the Council and repeat once again with respect to the action by Argentina, we feel that the use of force to solve problems is deeply regrettable and will not produce a just and lasting settlement of the dispute.

74. We therefore intend to vote in favour of draft resolution S/14947. The United States Government is especially interested in finding a solution to this dispute since both Governments involved are close and valued friends. My Government stands ready to support any constructive approach to the solution of this problem and urges a return to negotiations as soon as possible. We have, of course, made clear to both sides that we are ready to help in any capacity to bring the parties together at an early date and to contribute to a peaceful settlement of this dispute.

75. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received a letter from the representative of Bolivia in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Ortiz Sanz (Bolivia) took the place reserved for him at the side of the Council chamber.

76. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Bolivia. I invite him to take a place at the Council table and to make his statement.

77. Mr. ORTIZ SANZ (Bolivia) (*interpretation from Spanish*): Mr. President, thank you, first of all, for this opportunity to address the Council in order to explain Bolivia's position on the events which have brought about this debate.

78. Those events have brought to a head an international controversy which has been going on, threatening and without solution, for 150 years.

79. That dispute originates in the armed occupation carried out by Great Britain in January 1833

of the Malvinas Islands, a legitimate and irrefutable part of the territory and heritage of the Argentine Republic. For the ensuing 150 years, Argentina has continuously demanded the return of the islands.

80. We make reference to this in a world body devoted above all to the maintenance of peace and, for this or any other conflict, we would call for peaceful and negotiated solutions. On some occasions, however, the willingness of nations to negotiate is foiled and thus an anomalous situation is perpetuated, one which affects the sovereignty of States and is detrimental to their most legitimate interests.

81. It is unfortunate to have to admit that, in the case of the Malvinas Islands and in the long and legitimate attempt made by Argentina to obtain its return, international frustration of this nature has been produced.

82. For many years, Bolivia has been emphatically stating in all forums its firm support of the Argentine claim, agreeing in this with the almost unanimous position of Latin America and the third world, which are opposed on principle to certain persistent and anachronistic forms of unacceptable colonialism. Bolivia reiterates that support and, while we hope that moderation and good sense will prevail, we must mention that the line of principle followed by the Argentine Government throughout the negotiations is beyond reproach, just as is the duty of the international community to contribute by all proper means to the re-establishment of Argentine sovereignty over the Malvinas Islands.

83. That is the true way to maintain peace in the South Atlantic.

84. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Peru. I invite him to take a place at the Council table and to make his statement.

85. Mr. CALLE y CALLE (Peru) (*interpretation from Spanish*): The delegation of Peru thanks the members of the Council for this opportunity to take part in the discussion of the item on the agenda.

86. First of all, Mr. President, may I congratulate you on behalf of my delegation on your accession to the presidency of the Council for this month. We have every confidence in your intelligence and good judgement in conducting the debate in the Council on this delicate matter that has brought us together here today.

87. The delegation of Peru is speaking today to reaffirm the full support that Peru has given in the United Nations and in the Movement of Non-Aligned Countries to Argentina's just claim of sovereignty over the Malvinas Islands.

88. It must be borne in mind that the basis and origin of this problem lies in usurpation and plunder

and the establishment of a population in a territory under foreign sovereignty. The question of these Argentine island territories, which have been laid claim to constantly by the legitimate sovereign country, has remained unresolved for a century and a half. To our mind, this is essentially a colonial situation, which ought to have been resolved some time ago in accordance with the spirit and the letter of the various resolutions on decolonization adopted by the United Nations, in particular General Assembly resolutions 1514 (XV), 2065 (XX) and 3160 (XXVIII), and especially in the spirit of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, adopted by the General Assembly on 24 October 1970 [resolution 2625 (XXV)].

89. Further, Peru, consistent with the unified and concerted action characteristic of the Movement of Non-Aligned Countries, one of whose basic principles is respect for the territorial integrity of States, has recognized the just claims of Argentina and its unquestionable right to the return of the territories in question to its sovereignty. That support of the non-aligned countries, indeed, had its beginnings in the capital of Peru, at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Lima in August 1975. It has been constantly reiterated, by: the Political Declaration adopted at the Fifth Conference of Heads of State or Government of Non-Aligned Countries, held at Colombo in August 1976; the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Belgrade in July 1978; again at the Sixth Conference of Heads of State or Government of Non-Aligned Countries, held at Havana in September 1979; and most recently at the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at New Delhi in February 1981.

90. Peru is proud to maintain traditional ties of friendship and co-operation with the Governments of the United Kingdom and Argentina, and it appeals to them to turn to dialogue and understanding in order to come to a final and just solution of this question in accordance with the interests of both parties, and in particular the legitimate rights of Argentina.

91. Our delegation considers that the present unjust situation in the Malvinas Islands is a cause of deep pain to the Americas, whose peoples have been part of a broad and heroic anti-colonial trend from the time of the independence of the 13 North American colonies to that of the recent independence of Belize.

92. I should like to close by reading out the following communiqué issued by the Ministry for Foreign Affairs of Peru this morning:

“With regard to the events which have come about between the Argentine Republic and Great

Britain, the Foreign Ministry of Peru states the following:

“First, Peru has on several occasions stated, and it reiterates today, its support for the claim of the Argentine Republic to the Malvinas Islands, in the context of the decolonization process enshrined in United Nations resolutions:

“Secondly, Peru unswervingly maintains its position of principle that international disputes should be resolved peacefully, through the mechanisms provided for in the treaties in force:

“Thirdly, the Government of Peru trusts that the dispute between the Argentine Republic and Great Britain will be resolved as soon as possible, with full restoration of peace between those two countries, which are friends of Peru.”

93. Mr. ILLUECA (Panama) (*interpretation from Spanish*): I should like to convey to you, Sir, my congratulations on your assumption of the presidency of the Council. You belong to an African member country of the Organization of African Unity and thus of the Movement of Non-Aligned Countries, a country with an anti-colonialist tradition; we are therefore gratified that it is you who are presiding over today's meeting at which a colonial situation must be considered.

94. I should also like to express my delegation's gratitude to Mrs. Kirkpatrick, of the United States, for her conduct of the work of the Council last month: she acted with the dedication and skill which are characteristic of her.

95. Panama has something to say on a matter which has such enormous importance for the future of Latin America. The question of the Malvinas Islands, which has been presented so brilliantly by the Minister for Foreign Affairs of the Argentine Republic, Mr. Costa Méndez, is essentially a colonial problem in which a traditionally colonial Power from outside the continent has maintained a presence alien to the American continent and also to its convictions, beliefs and life-style.

96. We must examine this matter keeping clearly in sight the objective of the Organization when it adopted, at San Francisco, the Charter of the United Nations, which, we know, was to establish a system of international peace and security based on respect for the right of peoples to control their destiny, their right to respect for their integrity, without outside interference, and ultimately a peace and security based on justice.

97. On the question of the Malvinas Islands, if we try to fix on a clear and exact perspective, we must stand by the Charter and place that matter—in the judgement of the States Members of the United Na-

tions, and especially those which were born to independent life after having been colonies—in its proper context, that of the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly in resolution 1514 (XV). In that Declaration it is recognized that the peoples of the world ardently desire the end of colonialism in all its manifestations. In the preamble to the Declaration, a statement is made which is of extraordinary value for the maintenance of peace and harmony among peoples: in a historic proclamation, perhaps the most important of this century, the General Assembly stated that it was convinced

“That the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace”.

In paragraph 6, the Declaration makes a pronouncement which is part of the life of our peoples. It states that:

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

98. Are the Malvinas Islands an integral part of the territory of the Argentine nation or are they not? We all know the answer. The Malvinas Islands and their dependencies, the South Georgia and South Sandwich islands, have traditionally and historically been Argentine territory. That is a historical reality, a geographical, physical and juridical fact which cannot be disregarded, and that territorial integrity must be respected within the spirit of the times. We in Panama have always invoked, in defence of our own rights, this spirit of the times, these clear-cut principles which have been proclaimed here in the United Nations and which relate directly to the Magna Carta of decolonization, contained in General Assembly resolution 1514 (XV), in the declaration on permanent sovereignty of peoples and nations over their natural wealth and resources contained in Assembly resolution 1803 (XVII) and in the Declaration on the Establishment of a New International Economic Order [*General Assembly resolution 3201 (S-VI)*].

99. If we talk about the principles of those three historic declarations, we must conclude that it is precisely part of the destiny of Argentina, of its self-determination, to be able, through the exercise of its sovereignty and of its full jurisdiction of the Malvinas Islands—the whole complex of those islands—to exploit their natural resources for the benefit of their people and the region and to contribute to this new international economic order, which calls for more just economic relations between the poor and the rich countries.

100. Latin America has taken a stand on the question of the Malvinas Islands, as indeed have the non-aligned countries. I should like to refer here to this Latin American position of support. And here I am speaking on behalf of my country and on behalf of all the Latin American countries which have expressed throughout history their strong support of and solidarity with the sister Argentine Republic.

101. The Malvinas Islands were occupied by force, as Foreign Minister Costa Méndez has said, by Great Britain in 1833, at a time when our countries, which had recently gained independence, were fighting to consolidate and strengthen that independence. A short time before, on 22 June 1826, the Amphictyonic Congress had taken place in Panama on the initiative of Simón Bolívar, at which a principle of fundamental importance for the peoples of the America was proclaimed, as well as the need for a treaty of union or confederation which would establish the bases for the defence of our territories and the protection of the Latin American countries against any attempt at domination or foreign control, that is to say, a pronouncement of an anti-colonial nature aimed at establishing the juridical and institutional machinery that would give Latin America a structure of unity and integration. The history is well known, but the principles were not applied and Latin America has had to fight for that unity and that integration.

102. But when a Latin American country—and this is the doctrine of Bolívar, the doctrine of Panama, whether it be in Central America, Mexico, the Caribbean or the southern cone—any Latin American country, is under the threat of foreign intervention or the threat of colonial domination, the other Latin American countries have given their support. And when I say countries I am talking about peoples, about the constant values of these Latin American peoples, which go well beyond the transitory presence of given Governments and which are above ideologies, because these are feelings which lie very deep in the hearts and minds of the Latin American peoples.

103. Therefore, if problems have arisen in Central America, a totally united Latin America has to be concerned at those problems, just as we are concerned at this problem which has now arisen in the southern cone, and we want to express our full identity and solidarity with and support for Argentina, a solidarity which is not arbitrary but which is based on right, on juridical and moral considerations.

104. And when I say that Latin America has taken a stand in favour of Argentina it is precisely because the resolution of the General Assembly [*resolution 2065 (XX)*] which established the way in which decolonization of the Malvinas Islands should be undertaken calls on the United Kingdom to negotiate with Argentina on the means for achieving the decolonization of the islands, and hence to respect and restore Argentine sovereignty over those islands. That resolution is the product of Latin American support.

105. When the situation was considered by the General Assembly in 1965, 15 Latin American countries sponsored the draft resolution that became resolution 2065 (XX). Those countries were: Bolivia, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, Uruguay and Venezuela. But apart from those 15 countries, members have heard at these meetings statements from such important countries as Brazil, expressing their support for the restoration of Argentine sovereignty over the Malvinas Islands.

106. It has been suggested here on a previous occasion that Argentina is invading the Malvinas Islands. That is not true. A State cannot invade its own territory. The Malvinas Islands are Argentine territory. Thus this situation cannot be presented as one of invasion; rather, it is a situation in which Argentina is exercising its sovereign rights.

107. In this case—and I should like to pursue this aspect of the negotiations—I wish to make historical reference to the situation which arose in 1833. I should like to refer to the Congress of Panama and also to a doctrine which has been the subject of considerable debate in various historical circumstances. I am referring to the Monroe Doctrine, which was proclaimed by President Monroe in 1823.

108. We share the same geographical space with the United States and we are in favour of harmonious and cordial relations with it. But we believe also that the United States and the United Kingdom and France, as well as other European Powers that had colonial empires—that is not the case with the United States, which was a colony and became independent of England, and was imbued with all the liberal thinking manifested in Europe, particularly in France at that time—should respond in the spirit of the times.

109. If in 1823 Monroe said that the territories of America were not susceptible to future colonization by European Powers, can this be deciphered to mean that the United Kingdom could introduce itself into a territory adjacent to—in fact, in the same continental shelf with—Argentina and that that should be regarded as a tolerable situation? We understand the world-wide interests in this matter; but we in Latin America call for respect of our aspirations and interests. Therefore, we have to reconcile these situations.

110. The Bolivar doctrine was defined at the Panama Congress, to the effect that the territories of the Americas, particularly Latin America, are not susceptible to colonization, past, present or future. In this particular case, there is the circumstance that the occupation of the Malvinas Islands took place 10 years after the proclamation of the Monroe Doctrine, a unilateral doctrine which has been invoked with much respect as one born in a noble way to contribute to ensuring that countries of the former Spanish America, and Latin America in general, would not have their independence and territorial integrity disturbed.

111. In 1974, the Latin American countries celebrated the one hundred and fiftieth anniversary of the Battle of Ayacucho. We reaffirmed the will to be free, to exercise our right to control our own destiny. We also affirmed the need for the end of colonial presences in Latin America. These colonial presences are anachronistic; they are absurd; they have no point.

112. I believe that if anyone is at fault it is not Argentina. Argentina is exercising its legitimate rights, its legitimate aspirations, and we are solidly behind it in this. Nearly 17 years have elapsed since the adoption of General Assembly resolution 2065 (XX), and I think Argentina is doing a great service to Latin America. I invite the leaders of Latin American countries to understand that this act of vindicating Argentina's claim is telling the world that there are now mature peoples who are saying to the world: "No more colonization!"

113. We have to tell our brothers in Africa who are here, and our brothers in Asia too, of the great responsibilities of that feeling. There can be no more colonization; no more colonization in Namibia. We agree with them on that, but here again there must be no imposition of a European Power seeking to maintain a colonial enclave on another's territory, a territory that belongs to Argentina.

114. This matter is of an importance much greater than some journalists seem to feel. They question whether this is a matter of great importance. To have that question in one's mind is simply to ignore the true dimensions, the true stature, of Latin America. I have mentioned Africa and Asia. But I should like to mention our Arab brothers too, as well as our Latin American brothers. And I do so in a certain order because I think it is necessary to ventilate this matter in depth, so that the world can realize that more than two decades after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the twentieth anniversary of which we observed in 1980, it is really incredible that there could still exist a United Kingdom colonial presence that wishes to perpetuate itself on Argentine territory.

115. I do not want to refer to any other Latin American problems right now, because I want us to focus on the Argentine problem. The great colonial Powers want to maintain the international economic order and we have not yet been able to overcome their resistance to the launching of global negotiations for a new international strategy for development. Those former colonial Powers and the great economic Powers consider it heresy whenever the Latin American countries demand their rights.

116. What were we told when Mexico in 1938, exercising its sovereign attributes, nationalized oil companies and installations? All sorts of accusations were levelled at Mexico. But in 1938 there were more of these kinds of unreal manifestations which, to a

certain extent, were also responsible for the catastrophe of the Second World War.

117. In 1961 in Asia—and this has already been mentioned here—in the face of the unreal and absurd aspiration to maintain a Portuguese colonial empire, India, its patience also exhausted by its years-long search for a solution to that problem, exercised its sovereign rights in the Territory of Goa. In that case, India, too, received support and respect from Latin American public opinion and that of other countries and continents.

118. Panama is against the use of force as a means of solution, but such force is illegitimate only when it is exercised against the rights of a people. When a country, in its own territory, decides to put the symbols of its sovereignty into effect and make them real, that cannot be considered as being an illegitimate use of its resources.

119. But we do not have only the case of Goa. I should like to refer also to what happened in 1956 with regard to our Arab brothers. In 1956, Gamal Abdel Nasser, the President of Egypt, decided to occupy and nationalize the Suez Canal. Of course, it could have been said that he was using force. But he was simply asserting Egypt's claim to sovereignty over its territory.

120. And what happened when the forces of Britain, France and Israel invaded Egypt? Then it was indeed an invasion. It is one of those cases in which history has shown that the United Nations can work and can put into effect machinery for the maintenance of international peace and security. In the case of the Suez Canal, our Arab brothers will recall, as we all do, that the United States and the Soviet Union showed themselves to be in agreement that the invasion of Egypt was unacceptable and anachronistic, as was the adoption of colonial-type measures which were common in the nineteenth century but which in the twentieth century are totally anachronistic. Thus the Soviet Union and the United States, taking the Security Council very much into account, proposed measures to the effect that Britain, France and Israel should withdraw their troops from Egyptian territory.

121. I mention these cases because the question of the Malvinas Islands is a colonial situation that cannot be permitted to go on since it has no place in our times.

122. I shall refer now to the draft resolution presented by the United Kingdom [S/14947]. The draft contains references, including geographical nomenclature, that are unacceptable. In its first and last preambular paragraphs and in operative paragraph 2, the term "Falkland Islands" is used. This is not an acceptable term. It is offensive historically, after we have listened to the representative of Argentina and to other Latin American speakers, to come here to the

Council and give this name to a part of territory that its sovereign Power calls something else, namely, the Malvinas Islands.

123. The second preambular paragraph of the draft resolution mentions "an invasion on 2 April 1982 by armed forces of Argentina". I think that there must be a typographical error here. Fundamentally, one cannot speak of an invasion by armed forces of Argentina of its own territory.

124. The final preambular paragraph of the draft resolution mentions "a breach of the peace in the region of the Falkland Islands". I repeat that this is a wrong term. What breach of the peace can there be in the region? We know that there is an exercise there on the part of Argentina of its sovereign rights over its own territory. I do not mean by this that an abnormal or irregular situation does not exist there, because of the attempt to maintain that territory indefinitely under a sovereignty alien to the true and rightful owner, namely, Argentina. But as far as we know, up to now there have been no hostilities there. The fact is that there does not exist a breach of the peace in the region, despite what the draft resolution states.

125. But it will exist within a few days, because today we have heard that the British Government has decided to send a war flotilla with the purpose of attacking Argentina. I think it would be simply puerile, even absurd and ridiculous, to adopt a draft resolution on a supposed Argentine aggression or invasion in a place where peace now reigns. But in the time it takes the aircraft carrier *Invincible* and other British naval units mentioned in the newspapers to arrive there, a situation may be produced that is so serious and so grave that it may very well cause a tremendous convulsion in the American continent and in the world that will lead—I think it is desirable to think about this—to bitter situations for citizens of various countries. I say bitter situations because these are events that cannot be controlled but which may provoke reactions among all Latin American peoples and doubtless among other peoples in other parts of the world if, in the middle of the twentieth century, the United Kingdom presents itself in this way in this area, an area of security that, when one looks at the maps, is included in the Inter-American Treaty of Reciprocal Assistance. This is one of the major problems, because the United States, which has often mentioned that treaty, should take it into account with regard to the current situation, a situation which cannot be resolved simply by issuing appeals for moderation and peace. What we have to do here is to call for the termination of an aggressive situation against Argentina for exercising its sovereign rights over its territory. That is the situation that is going to arise.

126. Out of respect for the Council itself, we cannot adopt this draft resolution which speaks of "a breach of the peace" imputable to Argentina. We think that within a short time we are going to have

there a British war fleet, as has been publicly announced, led by the aircraft carrier *Invincible*, and if we think about this, the draft resolution presented for our consideration is completely out of order.

127. How can the Council call for the withdrawal of Argentine forces from the Malvinas Islands if these are its own territory? I believe that the Council should call on the United Kingdom to negotiate with Argentina on an honourable withdrawal and friendly formulations of co-operation. We want that. We have good relations and friendship with Britain, but we have a historic association with Argentina as a sister republic of Latin America, and we think that there should be peace in the world. We think that there should be an end to colonialism, in Namibia, in Latin America and everywhere in the world where there could be colonial situations.

128. I shall conclude by proposing a draft resolution which I think is better in keeping with realities, I think it contains some very important ideas that have been expressed in this debate, particularly by Latin American representatives. The draft resolution that it is my honour to present to the Council reads as follows:

"The Security Council,

"Having heard the complaint by the United Kingdom of Great Britain and Northern Ireland concerning actions recently taken by the Argentine Republic in the region of the Malvinas Islands,

"Having taken note of the letter dated 1 April 1982 from the Permanent Representative of the Argentine Republic [S/14940],

"Having heard the statement by the Minister for External Relations and Worship of the Argentine Republic to the effect that the situation which has arisen stems from the existence of a problem of a colonial nature,

"Considering that the intention of the United Kingdom to perpetuate its illegal occupation and colonial domination of the Malvinas Islands, South Georgia and the South Sandwich Islands affects the territorial integrity of the Argentine Republic and constitutes a threat to international peace and security,

"Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973 and 31/49 of 1 December 1976,

"Bearing in mind the paragraphs relating to the question of the Malvinas Islands contained in the Political Declaration adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held in Lima from 25 to 30 August 1975; the Political Declaration adopted by the Fifth Confer-

ence of Heads of State or Government of Non-Aligned Countries held in Colombo from 16 to 19 August 1976; the Political Declaration adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held in Belgrade from 25 to 30 July 1978; the Political Declaration adopted by the Sixth Conference of Heads of State or Government of Non-Aligned Countries held in Havana from 3 to 9 September 1979; and the Political Declaration adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held in New Delhi from 9 to 13 February 1981,

"1. Urgently calls upon the United Kingdom of Great Britain and Northern Ireland to cease its hostile conduct, refrain from any threat or use of force and co-operate with the Argentine Republic in the decolonization of the Malvinas Islands, South Georgia and the South Sandwich Islands;

"2. Requests both the Governments to carry out negotiations immediately in order to put an end to the present situation of tension, duly respecting Argentine sovereignty over those territories and the interests of their inhabitants." [S/14950].

129. That is the text of the draft resolution, which should be translated into all the working languages of the Council and should be the subject of study and consideration. It is in keeping with the situation I have described and the developments that have been taking place. Sizeable units of the British war fleet are now in the Atlantic. We are going to face a situation that will compromise the whole of Latin America and convulse the region, even more than has been the case in Central America. There has to be a series of definitions of the positions of the countries that form part of the Inter-American System. In the final analysis, the situation is contrary to the spirit of the times. After having approved the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, there is no longer any reason for the persistence of such colonial problems.

130. If there is any area of concern in this matter it is about delays and prolongation of these negotiations, brought about by those countries that think they are in positions of strength.

131. In the contemporary world things have changed. Our peoples now have very clear-cut aspirations and awareness of their destinies. I can assure the Council that in Latin America that transcends all considerations on the part of any Government. Any attack against the Argentine Republic is the subject of immediate explosive solidarity on the part of all Latin American countries. From the Rio Grande to the frontier with Mexico, in the Caribbean, in Central America, in the whole Amazon region and the Andean region, Latin America will respond to any act of aggression against the Argentine Republic.

132. I would request consideration of the draft resolution I have presented on behalf of my Government. I repeat that it is in keeping with points of view and positions expressed by Latin American countries that have spoken here.

133. It is our desire that wisdom and common sense should prevail among the leaders of the United Kingdom so that, along with the leaders of the Argentine Republic, which I am sure are quite aware of their responsibilities, they can find a formula to resolve this situation in the proper way, that is, by finding means of restoring Argentine sovereignty in such a manner as to avoid hostilities, loss of blood or economic disruption.

134. Given the importance of the draft resolution I have presented, I would request that the debate now be suspended so that the Secretariat may translate the document into all the working languages and circulate it, following which the Council could meet again at a suitable time.

135. The PRESIDENT (*interpretation from French*): The Minister for Foreign Affairs of Panama has made a motion to suspend the meeting. In accordance with rule 33 of the provisional rules of procedure—I call on the representative of the United Kingdom.

136. Sir Anthony PARSONS (United Kingdom): Some time ago I asked to address the Council as the last speaker in the present debate both to respond to certain observations made by the Minister for Foreign Affairs of the Argentine Republic and to make a proposal.

137. I should be very deeply appreciative if the Council would accord me that privilege before we consider the proposal of the Foreign Minister of Panama.

138. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): I merely wished to draw attention to rule 33 of the provisional rules of procedure, which says that: "Any motion for the suspension . . . of the meeting shall be decided without debate."

139. The PRESIDENT (*interpretation from French*): There are still a number of names on the list of speakers, including that of the Minister for Foreign Affairs of the United Kingdom. But the motion to suspend has been put forward by the Minister for Foreign Affairs of Panama, and, in accordance with rule 33 of the provisional rules of procedure, this motion has priority and must immediately be put to the vote.

140. In the light of the request made by the representative of the United Kingdom, if the Council feels that the motion for suspension is in order, I shall then put it to the vote.

141. Mr. DORR (Ireland): I have asked to speak simply on a point of order and clarification. I should like to know, before we are asked to vote, what we are voting on. Am I to understand that we have a motion to suspend the meeting? And is it for a definite time or is it for the practical purpose of preparing a draft resolution? In the latter case, we would have a time-limit, in the sense that when the draft was completed we would resume the meeting and hear other speakers, including, of course, the representative of the United Kingdom.

142. My point, therefore, is one of order and clarification, as to what precisely we are voting on before we do so.

143. The PRESIDENT (*interpretation from French*): My understanding is that the representative of Panama has put forward a draft resolution and wishes it to be translated into the official and working languages of the Council so that it can be made available to all members and a decision can be taken on it. It is therefore purely for practical reasons that the motion for suspension of the meeting has been made. If the Council wishes to suspend the meeting, we would continue the debate after the suspension and hear the remaining speakers. We would then proceed to the vote on the texts that have been submitted, if that is the wish of the Council.

144. Mr. de PINIES (Spain) (*interpretation from Spanish*): I should like to know how much time the Secretariat needs to translate the draft resolution. Will it be a two-hour suspension, as is usual in these cases? I think knowing that would be of benefit to us all.

145. The PRESIDENT (*interpretation from French*): I think that the Secretariat may need two hours to prepare all the documents. Having said that, I should like to revert to the provisional rules of procedure, which say that a motion for suspension must be decided immediately. If there is no objection, I shall put to the vote the motion to suspend the meeting.

A vote was taken by show of hands.

In favour: China, Ireland, Japan, Panama, Poland, Spain, Union of Soviet Socialist Republics

Against: France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Guyana, Jordan, Togo, Zaire

The result of the vote was 7 in favour, 3 against, with 4 abstentions.

The motion was not adopted, having failed to obtain the affirmative vote of nine members.

One member (Uganda) did not participate in the voting.

146. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received a letter from the representative of Paraguay in which he requests to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite him to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. González Arias (Paraguay) took the place reserved for him at the side of the Council chamber.

147. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Paraguay. I invite him to take a place at the Council table and to make his statement.

148. Mr. GONZALEZ ARIAS (Paraguay) (*interpretation from Spanish*): Mr. President, I thank you and the other members of the Council for giving me this opportunity to participate in the discussion on this item. Your skill and wisdom guarantee the proper guidance of our business.

149. I wish briefly to express my delegation's views on this issue.

150. First of all, I wish to stress the fact that we have a long-standing friendship with the Argentine Republic, a brother country adjacent to my own. We are also linked to the United Kingdom by ties of friendship and co-operation. We have always maintained and we continue to maintain that international disputes must be resolved by peaceful means and that any use of force should be avoided. None the less, the long-standing complaint by Argentina with regard to this colonial situation has not led to a solution, despite the attempts and endeavours made to that end by Argentina. As I said, the Argentine Republic made every effort to arrive at a peaceful solution, but all these endeavours met with no success, because one of the parties to the dispute, the United Kingdom, did not respond.

151. As everyone is aware, the Malvinas are part of Argentine territory, and British occupation of these islands was perpetuating an unacceptable colonial situation.

152. In view of this fact, and as has been so well explained by the Minister for Foreign Affairs of Argentina, Mr. Costa Méndez, Argentina has not invaded foreign territory but merely rightfully recovered a usurped part of its national territory.

153. My country has a peace-loving tradition and its pacific disposition has caused it to lose territories in two international wars. None the less, settlement of these disputes was arrived at by peaceful means.

154. We have also heard that the Government of Argentina is ready to seek by peaceful means solutions which would put an end once and for all to the colonial situation that has prevailed in the Malvinas. Argentine sovereignty over that territory is unquestionable. Hence, in expressing our position of concurrence on this issue, we also call for a peaceful settlement of the dispute, one which would be conducive to a proper, honourable and peaceful agreement that would make possible the full recovery of Argentina's sovereignty over this part of its territory.

155. The PRESIDENT (*interpretation from French*): The representative of the United Kingdom has asked to speak in exercise of the right of reply and I call on him.

156. Sir Anthony PARSONS (United Kingdom): I have no intention of speaking polemically *vis-à-vis* the representative of Argentina any more than he did so in his own statement, and any more than my Government has any intention or desire of disturbing the peace in the South Atlantic. I should simply like to make a number of points at this stage in the discussion.

157. First, I should like to go back to the reason why I called for an immediate meeting of the Council two days ago. This was not—I repeat: not—in any sense to discuss the rights or wrongs of the very long-standing issue between the United Kingdom and the Argentine Republic over the islands in the South Atlantic. This was not in any sense my intention. I was summoned two or three days ago by the Secretary-General, acting on his own initiative and on press reports that had come to his notice, and he extended to me a call for my Government to exercise restraint in what appeared to him to be an incipiently serious situation. Shortly after my conversation with the Secretary-General, I received information from my Government that an armed attack by Argentina on the Falkland Islands was imminent. I therefore took the step—exceptional for the British Government—of asking the President of the Security Council for an immediate meeting. My only intention in calling for a meeting of the Council was that the Council should act in such a way as to pre-empt, to deter, any threat of armed force and to conduct itself in its finest role: defusing a growingly dangerous situation. That was my only objective in calling for a meeting of the Council.

158. As has been said many times round this table, you, Mr. President, issued an appeal on behalf of the same Council the same evening [2345th meeting, *para.* 74], unanimously, calling on both sides to exercise restraint and to refrain from the threat or use of force.

159. The following morning my delegation learned, to its very great distress, that that appeal had not been heeded by one party and that Argentine armed forces had invaded the Falkland Islands.

160. My object in calling for a second meeting of the Council again had nothing whatsoever to do with the rights or wrongs of the long-standing issue between my country and the Argentine Republic. It was not in any sense concerned with the merits; it was entirely in response to this armed invasion. That is why I called for a second meeting of the Council.

161. I should like to go on to make one or two observations on certain points which the Minister for Foreign Affairs of Argentina raised in his statement.

162. I think I am right in saying that he suggested that the immediate origin of the present crisis was the incident which had taken place in South Georgia some days, or even two or three weeks, previously.

163. I find that contention impossible to accept. This was an incident of relative triviality. It was a question of the resolution of what we, the United Kingdom Government, considered to be the illegal presence of 10 scrap-metal dealers on the island of South Georgia. We had no intention of resolving that incident by the use of force. It would have been bizarre, ludicrous, for the Government of the United Kingdom to bring an incident of that dimension to the Security Council. We had no doubt that we would be able to resolve it peacefully with the Government of Argentina. And I cannot see how this very small dispute could conceivably justify the armed invasion of a group of inhabited islands located 800 miles away from the point at which the 10 scrap-metal dealers were located.

164. The Foreign Minister of Argentina also stated that his Government had not acted hastily in using force to assert its claim over the Falkland Islands and he referred to the state of negotiations between his Government and mine. Earlier in his statement, he referred to our manoeuvres, our evasive tactics, our procrastination over the years. Of course, I cannot accept these charges.

165. At the risk of wearying the Council, I wish to give our side of the state of negotiations as they were before this very grave crisis exploded.

166. There was a meeting in New York, at ministerial level, between the British and Argentine Governments in late February this year, at which were present also elected representatives of the people of the Falkland Islands. At the end of that meeting, a joint communiqué was agreed between the two Ministers who were conducting the negotiations. The communiqué read as follows:

"The British and Argentine Governments held a meeting at ministerial level in New York on 26 and 27 February 1982 to discuss the Falkland Islands question within the negotiating framework referred to in the relevant resolutions of the United Nations General Assembly. The British and Argentine

delegations were led respectively by Mr. Richard Luce, Member of Parliament, Minister of State at the Foreign and Commonwealth Office in London, and Ambassador Enrique Ross, Under-Secretary of State at the Ministry of Foreign Affairs and Worship in Buenos Aires. The meeting took place in a cordial and positive spirit. The two sides reaffirmed their resolve to find a solution to the sovereignty dispute and considered in detail an Argentine proposal for procedures to make better progress in this sense. They agreed to inform their Governments accordingly."

167. The next thing that happened was that the Government of Argentina unilaterally published the statement to which the Foreign Minister referred and which, indeed, he quoted *in extenso* in his statement.

168. That statement by the Government of Argentina differed from the joint communiqué which we thought had been agreed at ministerial level in New York. It contained a final sentence quoted by the Foreign Minister of Argentina, which read as follows:

"However, if this does not come about"—that is, the early solution of the dispute—"... Argentina reserves the right to put an end to the operation of such a mechanism and freely to choose the procedure it deems most fit in accordance with its interests."

169. The fact that the Government of Argentina unilaterally published its own statement when we believed that there would be a joint publication of an agreed communiqué, and the presence in the statement of that final sentence, caused great alarm to the people of the Falkland Islands and, indeed, it caused a certain controversy within the British Parliament and apprehension in the British Government.

170. We have since been trying to reconcile this issue and to get back to an agreed statement which would enable a negotiating process to begin. Unfortunately, we now find ourselves in the situation which we are today debating.

171. I would like to refer to another proposition which, if the interpretation was correct, I understood the Foreign Minister of Argentina to include in his statement. I understood him to say that the principles in the Charter of the United Nations relating to the settlement of international disputes by peaceful means—I refer, of course, to Article 2, paragraphs 3 and 4—were not necessarily applicable to situations which arose before the Charter was adopted.

172. If my understanding of the Foreign Minister's meaning is correct, I submit to the members of the Council that this is an extremely dangerous doctrine. The world is distressingly full of crisis situations, which have from time to time exploded into hostility in every continent on the globe. A large number of those situa-

tions have their origins years, decades, centuries before the Charter of the United Nations was adopted in 1945. If the proposition were to be accepted that the use of force was valid for situations which originated before the Charter was adopted, by heaven I believe the world would be an infinitely more dangerous and flammable place than it already is.

173. I said at the outset of my statement that I had not come here to enter into the rights and wrongs of the problem of sovereignty between the Argentine Republic and my own country. It has been very widely aired by other speakers this morning, and I would just like to say one or two words which relate to it.

174. The Foreign Minister of Argentina argued that the people of the Falkland Islands are not a population in international law. Those 1,800 or 1,900 people are not recent arrivals in the Islands. The vast majority of them were born there to families which had been settled there for four, five, six generations since the first half of the nineteenth century. In the judgement of my Government, whether they are 1,800 or 18,000 or 18 million, they are still entitled to the protection of international law and they are entitled to have their freely expressed wishes respected.

175. These have been the only objectives of my Government in that area for a very long time. I cannot believe that the international community takes the view that the United Kingdom in the 1980s has a "colonialist" or "imperialist" ambition in the South Atlantic. The proposition is self-evidently ludicrous. We threaten nobody: we have simply concerned ourselves with the protection of the interests and respect for the wishes of the small population of the Islands.

176. Finally, it has also been argued that this was not an invasion because the Islands belong to Argentina, a proposition which of course my Government contests. But the fact is that the United Kingdom has been accepted by the United Nations—by the General Assembly, by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples—as the Administering Authority. It therefore flies in the face of the facts and in the face of reason to suggest that this was not an armed invasion.

177. The Council has before it draft resolution S/14947, which was circulated to Council members yesterday. In a response to a suggestion by the Foreign Minister of Panama, I have asked the Secretariat to prepare a revised version of the text with the words "Islas Malvinas" in parentheses following the words "Falkland Islands" wherever they occur—this being, I think, the standard United Nations practice in these matters, a practice which, indeed, was followed in the recent statement by you, Mr. President.

178. Having said that, I must affirm very strongly that my delegation wishes to have a vote on this draft resolution today. I do not want to sound self-congratulatory, but I think that my delegation has from the outset behaved with propriety. I responded to the first appeal of the Secretary-General. I responded to the appeal of the President. When I circulated the draft resolution yesterday, my Government would have wished me to have had a vote the same evening in the light of the gravity and urgency of the problem.

179. When I was told that the Minister for Foreign Affairs of Argentina was on his way here and wishes to present his Government's case, and since I had not given Council delegations the conventional 24 hours' grace before being asked to vote on a draft resolution, I willingly acceded, as all members of the Council know, to the request of the President to postpone the vote until today.

180. So there we are. But I must ask very firmly that, once the revised version of my text is circulated, we hold an immediate vote on draft resolution S/14947. We can thereafter consider the draft resolution presented by the Foreign Minister of Panama. If there were to be a general desire to vote on his draft resolution after the completion of the Council's business on mine, then I for one would be prepared to waive the 24-hour rule and vote on it today.

181. The PRESIDENT (*interpretation from French*): The representative of the United Kingdom has asked that the Council vote on draft resolution S/14947, but the Minister for Foreign Affairs of Argentina wishes to make a statement, and, if members of the Council have no objection, I shall call on him to do so.

182. Mr. COSTA MENDEZ (Argentina) (*interpretation from Spanish*): I wish first of all to thank the representative of the United Kingdom for making it possible for me to make a statement in the Council today and for not pressing for a vote before my arrival. For that, I say: many thanks.

183. I do not want to enter into any polemics with the representative of the United Kingdom, but merely to make one very important statement of fact. The truth is that since 27 February, regardless of any arguments that may have been put forward within the United Kingdom, there has been no response to Argentina's clear and frank statement of its position.

184. Mr. ILLUECA (Panama) (*interpretation from Spanish*): The representative of the United Kingdom has asked that, once the draft resolution sponsored by his delegation has been distributed in amended form, we should proceed to a vote. I should like the Council to heed what the representative of the United Kingdom has said, for the Council cannot proceed to a vote in accordance with rule 31 of its provisional rules of procedure until the draft resolution has been distributed, in writing, in its final form.

185. Sir Anthony PARSONS (United Kingdom): I wish to act correctly in this matter. I think it would be theoretically possible for me to ask that the addition I have suggested be regarded as an oral amendment, but I am perfectly happy to wait until the revised text, with that addition, has been distributed. I would have no objection to suspension of the meeting pending the completion of that procedure.

186. The PRESIDENT (*interpretation from French*): I propose that, if the Council has no objection, the meeting be suspended while we await the distribution of the revised draft resolution sponsored by the United Kingdom.

The meeting was suspended at 2.35 p.m. and resumed at 3.40 p.m.

187. The PRESIDENT (*interpretation from French*): The members of the Council have before them document S/14947/Rev.1, containing the revised text of the draft resolution submitted by the United Kingdom. I understand that the Council is prepared to vote on it.

188. I call on the Minister for Foreign Affairs of Panama on a point of order.

189. Mr. ILLUECA (Panama) (*interpretation from Spanish*): I think that it is essential that the President make a ruling on whether draft resolution S/14947/Rev.1 falls under Chapter VI of the Charter of the United Nations, relating to the pacific settlement of disputes, or under Chapter VII, relating to action with respect to threats to the peace, breaches of the peace and acts of aggression. I say this because the question is of great importance. Operative paragraph 3 of the draft resolution submitted by the United Kingdom

"Calls on the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to seek a diplomatic solution to their differences and to respect fully the purposes and principles of the Charter of the United Nations."

In fact, it would appear here that the problem has been reduced to a matter of pacific settlement under the Charter, whereas what we should actually be calling for is compliance with United Nations resolutions, resolutions which stipulate that this question should be settled by negotiation, as indicated in General Assembly resolution 2065 (XX).

190. My point of order is the following. If this is a draft resolution submitted under Chapter VI of the Charter, then the delegation of the United Kingdom cannot participate in the voting. Article 27 of the Charter provides that:

"1. Each member of the Security Council shall have one vote.

"2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of nine members."

However, paragraph 3 of that Article provides that:

"3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members"—which, of course, includes the United Kingdom. But there is an exception. Paragraph 3 goes on to say:

"provided that, in decision under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute"—in this case, the United Kingdom—"shall abstain from voting."

191. Mr. President, I would ask you to make a ruling on this matter so that it will be clear whether the United Kingdom may or may not vote on the draft resolution that is being put to the vote. This is essential, in view of the gravity of this matter. If the draft resolution is not submitted under Chapter VI of the Charter, that is a different story. However, everything in the text suggests it is submitted under Chapter VI, and in that case the United Kingdom would not be entitled to vote.

192. The PRESIDENT (*interpretation from French*): I call on the representative of the United Kingdom.

193. Sir Anthony PARSONS (United Kingdom): I had hoped that I would not have to intervene again before the vote.

194. My colleague, the Foreign Minister of Panama, has argued that we as a party might have to abstain from voting on this draft resolution because of Article 27, paragraph 3, of the Charter.

195. My delegation cannot accept this argument in this case. That proviso relates clearly to decisions under Chapter VI and under Article 52, paragraph 3.

196. The present draft resolution relates to a breach of the peace and has been proposed with Article 40 of the Charter in mind. That Article states the following:

"In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures."

197. This Article clearly matches the needs of the present situation, and we ask the Council to call upon Argentina to comply with the measures in the draft resolution—if it is adopted—for which the United Kingdom will vote in accordance with both the Charter and the consistent practice of the Security Council in such matters.

198. The PRESIDENT (*interpretation from French*): The members of the Council have heard the point of order raised by the Minister for Foreign Affairs of Panama. I feel that it is up to the members of the Council as a whole to take a decision as to whether or not the situation before the Council falls under Chapter VI of the Charter.

199. Hence, if the members of the Council have no objection, I shall invite them to take that decision.

200. Mr. de PINIES (Spain) (*interpretation from Spanish*): I believe that the statement just made by the representative of the United Kingdom shows clearly and eloquently that we are dealing with a matter under Chapter VII of the Charter. If I am mistaken, I should like to be corrected by the President.

201. It is my understanding that the minister for Foreign Affairs of Panama has raised a very clear point of order. He wanted to know whether we were dealing with a matter under Chapter VI or Chapter VII of the Charter. I do not believe that he himself ventured any opinion in this respect. I believe that all he did was to point out that if we are dealing with a matter under Chapter VI, the United Kingdom should abstain from voting. But I believe that the explanation given us now by the representative of the United Kingdom suffices for us to determine that we are dealing with a matter under Chapter VII. Accordingly, I think he does have a perfectly legitimate right to vote. I beg to be corrected if I am mistaken; but this point should be clarified for the purposes of the vote. Perhaps the representative of the United Kingdom could offer us further explanations, if that appears necessary.

202. The PRESIDENT (*interpretation from French*): If the members of the Council feel that the explanation given by the representative of the United Kingdom, which indicates that the matter before us falls under Chapter VII of the Charter, sufficiently answers the request made by the representative of Panama, and if there are no further comments, the Council will now go on to the voting procedure on the draft resolution submitted by the United Kingdom.

203. Mr. de PINIES (Spain) (*interpretation from Spanish*): For my delegation and my Government what we are dealing with here is an extremely painful matter. I should therefore like to read out to the Council a statement on the question of the Malvinas Islands—the Falkland Islands to the British—made

by my Government yesterday at the conclusion of a meeting of its Council of Ministers. It reads as follows:

“The Council of Ministers has examined with concern the information reaching it relating to the situation that has arisen in the Malvinas Islands and it feels it necessary publicly to express its view in the following terms.

“First, the Spanish Government has a well-known and constant position as regards the substantive problem of the archipelago of the Malvinas, namely, that its decolonization should be carried out by restoring Argentine territorial integrity and safeguarding the interests and well-being of the population.”—I repeat: “safeguarding the interests and well-being of the population”—“through a peaceful process of negotiation.

“Secondly, the prolongation of these colonial situations without any real solution, situations which run counter to the territorial integrity of countries, is a source of tensions which may even lead to conflicts such as the present one.

“Thirdly, the Spanish Government has also constantly maintained before the United Nations its position of opposition to the use of force as a means of settlement of disputes among countries and has advocated negotiation and the peaceful settlement of international disputes.

“Fourthly, in view of the situation that has been created, the Spanish Government believes that avenues towards a peaceful solution of this conflict should be kept open and that diplomatic channels should continue to be used so that the United Nations and its Secretary-General may also have a relevant role to play in the peaceful solution of this conflict.”

204. In accordance with that statement by my Government, I have instructions to bring to the attention of the Security Council our view that neither of the draft resolutions submitted thus far satisfies all the requirements that need to be satisfied if this dispute is to be settled.

205. Among other things, in the draft resolution of the United Kingdom [S/14947/Rev.1], my delegation feels that there is a problem concerning operative paragraph 3, which calls on the Governments of Argentina and the United Kingdom to seek a diplomatic solution to their differences but does not point out that such a solution should be in conformity with the relevant resolutions of the United Nations with respect to the decolonization of the Malvinas Islands.

206. On the other hand, in the draft resolution read out to us by the Minister for Foreign Affairs of Panama [S/14950], we find that that aspect which is neglected in the United Kingdom draft is emphasized. How-

ever, the Panamanian draft neglects the aspect of the violent action that has been resorted to in order to resolve a conflict which, in Spain's view, should be resolved by peaceful means.

207. It is painful to my delegation to have to face a situation like this in which we shall have to abstain on both draft resolutions. I believe, however, that with patience and, perhaps, with sufficient knowledge of the situations that come before the Council, it might have been possible to combine the two draft resolutions into a single, optimum text. That has not been done and, in those circumstances, my delegation will have to abstain on both draft resolutions.

208. Mr. OTUNNU (Uganda): Mr. President, may I inquire if we are now at the stage of explanations before the vote?

209. The PRESIDENT (*interpretation from French*): Yes, we have entered the voting procedure and we are now hearing explanations of vote before the voting.

210. Mr. OTUNNU (Uganda): Mr. President, the delegation of Uganda is very proud to see you, a distinguished son of Zaire and of Africa, presiding over the Council. I extend to you our warmest congratulations. We know that the Council is in very good hands under your brilliant and dynamic leadership.

211. I also take this opportunity to offer our appreciation to Mrs. Kirkpatrick, your predecessor, for having led the Council with great ability during the difficult month of March.

212. Uganda is an active and committed member of the Movement of Non-Aligned Countries. Let me therefore begin by referring, from the outset, to the position of that movement concerning the dispute between the Argentine Republic and the United Kingdom on the issue of the Malvinas Islands.

213. The position of the Non-Aligned Movement can be divided into two aspects. One concerns the substance of the dispute; the other refers to the means to be used in resolving the dispute. With regard to the substance of the dispute, the Movement of Non-Aligned Countries has consistently recognized, in the special and particular case of the Malvinas Islands, the just claim of the Argentine Republic without prejudice to the general principle of self-determination. Concerning the means by which that just claim should be realized, the Movement of Non-Aligned Countries has, equally consistently, urged continued and active negotiations, between the Argentine Republic and the United Kingdom.

214. As a member of the Movement of Non-Aligned Countries, Uganda subscribes fully to both aspects of the position of the Movement on the issue of the Mal-

vinas Islands. It is a matter of particular regret that the process of negotiations has been slow and has so far not produced the desired results.

215. While we reiterate the just claim of the Argentine Republic, the delegation of Uganda deeply regrets the method which Argentina has employed in this matter since 2 April. We are very saddened by this latest turn of events for the following reasons. First, the use of force is an unfortunate departure from the method of negotiation which has been consistently encouraged by the Movement of Non-Aligned Countries with regard to this issue. Secondly, the use of force is contrary to the provision of Article 2, paragraph 3, of the Charter of the United Nations, which requires Member States to settle their disputes by peaceful means. Thirdly, we regret that there has been resort to force in spite of the urgent appeals for utmost restraint and non-use of force issued by the Security Council and the Secretary-General on 1 April [2345th meeting, para. 74]. Finally, the delegation of Uganda regrets this latest development because we are conscious of the fact that there are similar, though not identical, disputes in other parts of the world. It would be a dangerous precedent if the impression were to be given that the use of force is acceptable as a method of settling those disputes.

216. For the reasons I have given, the delegation of Uganda will vote in favour of draft resolution S/14947/Rev.1. We take this opportunity to reiterate once again our recognition of the just claim of Argentina over the Malvinas Islands. We urge the Argentine Republic and the United Kingdom to resume negotiations immediately and work for a speedy resolution of this dispute.

217. Mr. ADJOYI (Togo) (*interpretation from French*): Since this is the first time I have spoken since you assumed the presidency of the Council for the month of April, Sir, I take special pleasure in hailing the worthy son of Africa that you are, the talented representative of a country with which my country has deep relations of friendship. Your gifts as a skilful negotiator, your objectivity and your political sense are a certain guarantee of a fortunate outcome to the work of the Council.

218. My congratulations also go to Mrs. Kirkpatrick for the skill and wisdom with which she led our work during the past month.

219. Within the framework of the consideration of the question before the Council, my delegation would like to reiterate the determination of my country to assume fully its commitment to the international community as a member of the Security Council—a Security Council whose major responsibility is the maintenance of international peace and security. It is in that perspective that my delegation joined in the statement made by the President of the Council [*ibid.*]—your statement, Sir—to express the Council's con-

cern about the tension prevailing in the area of the Malvinas (Falkland) Islands and to ask the parties involved to show restraint and, more particularly, to refrain from the threat or use of force in the region.

220. One of the parties has defied the appeal made by the Council, preferring the use of force to the peaceful settlement of disputes. My country is deeply concerned at the turn of events in the region.

221. Togo, a country wedded to peace and dialogue, cannot agree to violence being elevated to a political system in relations among nations. Relations among States should be based on principles of good-neighbourliness, the non-use of force and the peaceful settlement of disputes, principles which are contained in the Charter of the United Nations. By signing the Charter, or becoming a party to it, all States, whatever they may be, have undertaken the commitment to respect those principles. The violation of those principles deprives the Organization of all its credibility and its entire reason for being, and my country could not resign itself to such a situation.

222. The violation of Article 2, paragraph 4, of the Charter, which stipulates that the States Members of the United Nations "shall refrain in their international relations from the threat or use of force", will always be condemned by my Government, whatever country commits that violation.

223. That is why my country deplores the invasion by the Argentine Government. That is why my delegation will vote in favour of draft resolution S/14947/Rev.1, calling on the Governments of Argentina and the United Kingdom to seek a diplomatic solution to their differences and fully to respect the purposes and principles of the Charter.

224. This position of principle taken by my country does not in any way prejudice the attitude of the Togolese Government on the substance of the question of the Malvinas (Falkland) Islands. My Government firmly hopes that a peaceful solution to that issue will quickly be found by the two Governments concerned.

225. Mr. TROYANOVSKY (Union of Soviet Socialist Republics) (*interpretation from Russian*): First of all, Sir, may I congratulate you on your assumption of the lofty post of President of the Council for this month and wish you success in carrying out your duties.

226. We should also like to mention the work that was done by the representative of the United States in that post last month.

227. The Soviet delegation welcomes the participation in the Council of the Minister for Foreign Affairs of Argentina, Mr. Costa Méndez, as well as that of the Minister for Foreign Affairs of Panama, Mr. Illueca.

228. The issue of the Falkland-Malvinas Islands forms a part of the problem of the decolonization of a wide range of territories which were at one time seized by colonial Powers in various parts of the world. Now, when the colonial and imperial empires have collapsed, the existence of this problem is an anachronism and is in contravention of the basic documents of the United Nations.

229. The clear position of the United Nations in favour of an unconditional end to the colonial status of these islands has been reflected in the fact that this Territory was included by the General Assembly in the list of Territories whose colonial régimes should be quickly ended.

230. As is well known, the Soviet Union has always supported that position, and it continues to do so now. It will support it in the future as well. Furthermore, the United Kingdom, as the administering Power, has over many years stubbornly refused to comply with the requirements of the United Nations with regard to the decolonization of this Territory. It has been delaying the holding of negotiations with Argentina, as called for by the relevant decisions of the General Assembly, thereby virtually sabotaging those decisions.

231. On the basis of what I have said, the Soviet Union will not support the draft resolution submitted by the United Kingdom [S/14947/Rev.1] inasmuch as it is one-sided and fully disregards this aspect of the problem.

232. Mr. DORR (Ireland): Like others who have spoken, I should like to join in welcoming to this table the two distinguished Foreign Ministers who have joined us and taken part in our discussions.

233. When I spoke in the Council last night [2349th meeting], I made it quite clear that we were not concerned here with the merits of the long-standing dispute over the Falkland Islands—or Islas Malvinas. That issue has been debated in the past in the General Assembly and we have no wish to take a position here in regard to it.

234. Our concern is a much simpler one: the use of force by one party to a dispute in direct contravention of a unanimous call by the Council issued only hours before [2345th meeting, para. 74]. That call by the Council was addressed to both sides. It directed them to refrain from the use of force and it called on them to settle the issue by negotiations. That call still remains valid and it applies to both sides.

235. It was because Argentina ignored that call and took armed action, and not because of our support for either party on the underlying issue, that my delegation expressed its grave concern in speaking here yesterday. Let me state again clearly now that there are two major reasons for this concern.

236. First, the armed action by Argentina was action, as I said, in direct contravention of an authoritative and unanimous statement by the Security Council, which is the body charged with primary responsibility for the maintenance of international peace and security. As I said last night, the attempt over generations to create a rule of law rather than force among nations has taken great effort. What has been achieved is too important to all of us, and in particular to small countries like my own, to be cast lightly aside or to be ignored in particular cases. The Security Council, under the Charter of the United Nations, is the primary instrument for ensuring peace and security based on law among nations, and its authority simply must be upheld. Ireland feels it a particular duty to do so during the two years of its membership of the Council.

237. But apart from the principle of the Council's authority, we have a second reason for concern—that is, our fear that the use of force at this stage by one party could lead to a further use of force by the other, and thus to conflict between them. There are already reports that British naval vessels are heading towards the area. This must raise a serious danger of confrontation, and perhaps even of a larger conflict between the two countries. Some may think that a dispute over small islands is itself a relatively small matter, but the use of armed force in any dispute is serious. Force can lead to retaliation, and conflict can quickly escalate. Wars in the past have started for less.

238. It is a major purpose of the very existence of the United Nations to avert such conflict. It is because the United Nations exists today that we have the right to insist, on behalf of the whole international community, that conflict, once started, must be halted and that disputes must be settled not by force but by peaceful means in accordance with the Charter.

239. As a member of the Council at this moment, Ireland urges most strongly—and indeed, we insist—that both countries avoid force and that they negotiate. I believe that the various procedures evolved by the United Nations for peace-keeping and peace-making would be available to help them if they so wished.

240. I repeat that my country has no wish here to enter into the merits of the underlying issue. What concerns us at this moment is simply what has happened over the past three days since the Council issued its last statement, and did so unanimously.

241. Ireland has good relations with both countries. Our relationship with our nearest neighbour, Great Britain, is well known. As to Argentina, we have of course good relations, and I might add that an Irishman, indeed a fellow townsman of my own, Admiral Brown, is credited with founding the Argentine Navy, and certainly Irishmen have played an important part in that country's struggle for independence.

242. But here, as a member of the Council for two years, Ireland feels that it has an overriding responsibility to uphold the Charter and the principle of the peaceful settlement of disputes.

243. Because we believe that that is our duty, we will vote for draft resolution S/14947/Rev.1. The draft does not condemn either side. It simply asks for a cessation of hostilities, an immediate withdrawal by Argentine forces and a diplomatic solution.

244. Its effect, in other words, would be simply to return to the position as it existed on Thursday last when the Council issued its unanimous call. That is what we support, and it would be without prejudice to the position of either party. Therefore, my delegation will support the draft resolution now before us.

245. The PRESIDENT (*interpretation from French*): I shall now make a statement as the representative of ZAIRE.

246. The Republic of Zaire maintains excellent relations of friendship and co-operation with both Argentina and the United Kingdom. We have before us a clear dispute between those two friendly countries with regard to the Falkland Islands (Islas Malvinas), one which has persisted for many years. It has been before the United Nations, which has called in numerous resolutions for a negotiated settlement.

247. We understand the reasons that led the United Kingdom to call for a meeting of the Council and to submit the draft resolution now before the Council.

248. The military occupation of the Falkland Islands (Islas Malvinas) by Argentina, motivated by what Argentina interpreted as the determination of the United Kingdom to break off or put an end to negotiations, is not likely to create conditions propitious to a negotiated settlement and runs counter to the principle of non-recourse to the threat or use of force in international relations. It is to be regretted that Argentina, a friendly country, did not heed the appeal of the Secretary-General and that of the President of the Council [*ibid.*] to exercise the greatest restraint about the use of force.

249. The adoption by the Council of a resolution whose terms would unambiguously prejudice the substance of the dispute would not be conducive to the search for a negotiated settlement. We wish to believe that the assurances expressed by the representative of the United Kingdom would henceforth rule out that possibility.

250. In these circumstances, we should like to address an appeal to the two parties to endeavour to create conditions propitious to a negotiated settlement of the problem and to refrain from anything that may lead to an escalation of tension and confrontation in the area.

251. The delegation of Zaire takes note of the formal assurances of Argentina that it will engage in negotiations and of its commitment to examine with an open mind the rights and interests of the inhabitants of the Falkland Islands (Islas Malvinas) and the rights and interests of the United Kingdom in that area.

252. As a non-aligned country, we have supported and continue to support the legitimate claims of Argentina within the framework of a decolonization problem. But at the same time, we believe that it would be a dangerous precedent and harmful to international relations to attempt to settle, by resorting to force, a problem on which negotiations are under way.

253. Accordingly, by giving our support to draft resolution S/14947/Rev.1, we wish to emphasize that, for us, the adoption of that draft resolution would in no way prejudice the substance of the problem and that the demand for the immediate withdrawal of all Argentine forces from the Falkland Islands (Islas Malvinas) does not imply and could not imply that the claims of Argentina over the Falkland Islands (Islas Malvinas) are affected or rejected by the Council; rather, this demand emerges only from a desire to create conditions propitious to the peaceful settlement of this problem and to lead the two parties concerned to the negotiating table.

254. I now resume my functions as PRESIDENT.

255. The Council will now vote on draft resolution S/14947/Rev.1.

A vote was taken by show of hands.

In favour: France, Guyana, Ireland, Japan, Jordan, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire

Against: Panama

Abstaining: China, Poland, Spain, Union of Soviet Socialist Republics

The draft resolution was adopted by 10 votes to 1, with 4 abstentions (resolution 502 (1982)).

256. The PRESIDENT (*interpretation from French*): I shall now call on those representatives who wish to make statements after the voting.

257. Mr. KARRAN (Guyana): The issue before us has serious implications for the settlement of disputes between States and also for the question of the respect of States for the authority of the Security Council.

258. The Council met on 1 April, two days ago [2345th meeting], at the urgent request of the representative of the United Kingdom. The Council heard at that time statements by the representatives of both the United Kingdom and Argentina. With the con-

sensus of the Council, you, Mr. President, issued an appeal on behalf of the Council for the exercise of the utmost restraint in view of the then existing situation of tension in the region of the Falkland Islands (Islas Malvinas) in the South Atlantic and enjoined the concerned Governments to refrain from the use or threat of use of force and to continue the search for a diplomatic solution.

259. My delegation wishes to express its profound concern that the Council's appeal, as issued by you, Mr. President [*ibid.*, para. 74], has not been heeded.

260. Moreover, Guyana is gravely concerned at the armed invasion of the Falkland Islands (Islas Malvinas). That unilateral resort to military action is a clear violation of the fundamental principles of the Charter of the United Nations, including those regarding the use or threat of use of force and the peaceful settlement of disputes.

261. In the circumstances, Guyana voted in favour of draft resolution S/14947/Rev.1, which seeks an immediate cessation of hostilities and an immediate withdrawal of all Argentine forces from the Falkland Islands (Islas Malvinas), on the one hand, and, on the other, appeals to both parties to seek a diplomatic solution of their differences and to respect fully the purposes and principles of the Charter.

262. However, my delegation would like to underscore the point that in casting its vote in favour of the draft resolution, it does not in any way attempt to prejudice the outcome of the substantive problem to be solved between the parties concerned, a problem which must be settled peacefully by a process of negotiation and dialogue between them.

263. Mr. WYZNER (Poland): Mr. President, recently, following consultations among the members of the Council, after hearing the statements made by the representatives of the United Kingdom and Argentina, my delegation joined you and all other members of the Council in calling on the two Governments to exercise the utmost restraint and, in particular, to refrain from the use or threat of the use of force in the region and to continue the search for a diplomatic solution. We thus once again confirmed our adherence to the purposes and principles of the Charter of the United Nations.

264. Today we have listened carefully to the statements made by the Ministers for Foreign Affairs of Argentina and Panama, stressing in particular the decolonization aspect of the current dispute concerning the Falkland Islands (Malvinas). My delegation takes into account that, as long ago as 16 December 1965, the General Assembly, in resolution 2065 (XX), recognized that the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in resolution 1514 (XV), "was prompted by the cherished aim of bringing to an end everywhere colo-

nialism in all its forms, one of which governs the case of the Falkland Islands (Malvinas)".

265. Since that time, the matter has been considered by the General Assembly and by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. This fact is also reflected in the report of the Special Committee submitted to the thirty-sixth session of the General Assembly.¹ Unfortunately, that aspect is totally missing from the draft resolution submitted by the United Kingdom and adopted by the Council a few moments ago.

266. My delegation still believes in the peaceful settlement of the dispute between the two parties concerned and expresses the hope that it can be solved through the process of diplomatic negotiations.

267. For those reasons, my delegation could not support draft resolution S/14947/Rev.1.

268. Mr. LING Qing (China) (*interpretation from Chinese*): First of all, the Chinese delegation wishes warmly to congratulate you, Sir, on your assumption of the presidency of the Council for this month, and to thank Mrs. Kirkpatrick, of the United States, for guiding the Council to a successful conclusion of its tasks in the month of March.

269. The Chinese delegation wishes to take this opportunity to welcome the Foreign Ministers of Argentina and Panama to the Council.

270. The Chinese Government is concerned about the present tension in the Malvinas (Falkland) Islands area. The question of the Malvinas (Falkland) Islands between Argentina and the United Kingdom is a legacy of history. The Movement of Non-Aligned Countries has at numerous sessions pronounced itself on the sovereignty of the Malvinas (Falkland) Islands and called on the two sides to seek a peaceful solution through negotiations. We have taken note of that position of the non-aligned countries.

271. The Chinese delegation hopes that Argentina and the United Kingdom will continue their negotiations in search of a peaceful and reasonable settlement.

272. In view of this, the Chinese delegation could not support draft resolution S/14947/Rev.1

273. Mr. ILLUECA (Panama) (*interpretation from Spanish*): Panama voted against draft resolution S/14947/Rev.1 because it is our view that that text—which has now become resolution 502 (1982)—contains elements likely to aggravate the conflict rather than resolve it. First, the resolution demands an immediate cessation of hostilities which do not exist. Secondly, it demands an immediate withdrawal of all

Argentine forces from its own territory, the Malvinas Islands.

274. There are no hostilities. Argentina has no reason to withdraw from its territory. What will happen is that, when the aircraft carrier *Invincible* and other units of the British Navy reach Argentine waters, then we will have hostilities. And what the Council is doing here today is simply setting up a framework for hostilities, which do not now exist.

275. We have invoked United Nations decisions and declarations relating to decolonization. We are facing a colonial problem. The Argentine Government and people, with the support of Latin American public opinion, is telling the United Nations and the world that there is a problem. In order to solve problems, they have to be faced as such, as the Argentine Government, nation and people have done with—I repeat—the support of Latin American public opinion, of the peoples of that continent.

276. That is why my delegation voted against the draft resolution submitted by one of the parties, a text which does not contain the elements of a solution. We believe that history will bear us out, because when the British naval units reach Argentine territorial waters, then we will have a regrettable situation; and we, the peoples of Latin America and, indeed, the peoples of the world—and I include the African peoples, the Asian peoples, the European peoples—will see that there are still colonial situations in which the United Kingdom is involved.

277. This is thus a situation which is of deep concern to us. I think it will serve, historically speaking, to draw up a number of definitions. I think the Latin American peoples will now have to rally together and ensure that the great Powers, the former colonial Powers and also countries in our hemisphere which were colonies, define their position and take a stand: otherwise, colonial situations, repugnant anachronistic situations which have no further meaning in our time in history and which should be condemned, will continue to exist.

278. I do not wish to speak at length in this second statement. Hence, I shall conclude by saying that Panama will not request that the draft resolution submitted by it be put to a vote. We will not do so because we reserve the right to submit the same draft—or a version strengthened by other elements—when this problem, which has not been solved today by the Council, comes before us again, in 5, 10 or 15 days. Then we will have a much more serious, a much graver situation to face, a situation involving the peace of the western hemisphere, one which will have to be faced in the framework of the system that exists in this hemisphere and which will require us to take definite positions so that we can realize who we are what our future will be.

279. The PRESIDENT (*interpretation from French*): I call now on the Minister for Foreign Affairs of Argentina.

280. Mr. COSTA MENDEZ (Argentina) (*interpretation from Spanish*): Argentina deeply regrets the vote just taken by the Council. We regret it because, after many years during which the Council has maintained a constant position in favour of the liquidation of colonialism and all its vestiges, the Council has now taken this decision which, in a sense, lends support to an obsolete colonial situation born in a period when America, Africa and Asia were a field in which imperialist Powers, without any respect, infringed upon the sovereignty and freedom of weaker peoples.

281. The Argentine Republic is firmly convinced of its rights to the Malvinas Islands. We shall not stop affirming our rights and seeking an appropriate solution on the bases that I have already had occasion to set forth in my previous statement, bases which are just, honourable and acceptable to all the parties.

282. The Argentine delegation wishes to express its thanks to those members of the Council which supported us, or abstained in the vote, for the understanding they have shown, as well as to the members which, although they voted in favour of the draft resolution, emphasized very clearly Argentina's right.

283. I especially thank my colleague, the Minister for Foreign Affairs of Panama, not only for his statement but also for the clarity with which he has demonstrated to the Council and to the world the magnitude and strength of Latin American solidarity.

284. We call upon all who are acting here in good faith and free of any prejudices, prejudices which today have become archaic, to lend us their co-operation so that we may find a just solution, reflecting the lofty principles of sovereignty, non-intervention, territorial integrity, principles that are today at stake.

285. Sir Anthony PARSONS (United Kingdom): I should like to thank all those delegations which voted

in favour of the draft resolution just adopted as resolution 502 (1982).

286. Article 25 of the Charter of the United Nations states that: "The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter." It is our earnest hope and wish that the Argentine Government will act accordingly and enable both of us, the United Kingdom and Argentina, to resume the path of peaceful negotiation towards the settlement of our differences.

287. Mr. ILLUECA (Panama) (*interpretation from Spanish*): I wish to state that resolution 502 (1982) in no way authorizes the United Kingdom to resort to force through its naval units or war fleet. It should be made quite clear that the Council has not empowered the United Kingdom to undertake military operations such as the one under way in the Atlantic, in which units are now moving towards the Argentine territory of the Malvinas Islands.

288. The PRESIDENT (*interpretation from French*): The Council has before it draft resolution S/14950, submitted by Panama. Panama, however, has not insisted on a vote on that draft resolution. The Council also has before it document S/14949, which contains the text of a letter dated 3 April from the representative of Belgium to the President of the Council.

289. As there are no further speakers, the Council has concluded this stage of its consideration of the item. It remains seized of the question.

The meeting rose at 4.45 p.m.

NOTE

¹ *Official Records of the General Assembly, Thirty-sixth Session, Supplement No. 23 (A/36/23/Rev.1), chap. XXIV.*

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