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 FM SECSTATE WASHDC
 TO AMEMBASSY BUENOS AIRES FLASH
 INFO WHITE HOUSE IMMEDIATE

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 DECAPTIONED

E.O. 12065: RDS-3 4/27/12 (ENDERS, THOMAS O.)
 TAGS: PBOR, MILI, US, AR, UK
 SUBJECT: ANNOTATION OF MEMORANDUM OF AGREEMENT

1. [REDACTED] - ENTIRE TEXT.
2. THIS IS HE ANNOTATION OF MEMORANDUM OF AGREEMENT PROMISED REPTEL. IT MAY BE PASSED AS A NON-PAPER TO GOA (A COPY IS BEING GIVEN TO COSTA MENDEZ, AS WELL).
3. BEGIN ANNOTATIONS (KEYED TO PARA;RAPH NUMBERS OF MEMORANDUM): QUOTE

PARAGRAPH 1:

-- PROVIDES IMMEDIATE CESSATION OF HOSTILITIES.

PARAGRAPH 2:

-- THIS IS BASED ON THE BUENOS AIRES LANGUAGE, AND

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YOUR OWN CONCEPT THAT NEITHER SIDE SHOULD BE AT AN ADVANTAGE IN TERMS OF THE TIME NEEDED FOR REIN-
 SERTION OF FORCES.

-- THE STAND-OFF DISTANCE FOR THE BRITISH FLEET AFTER SEVEN DAYS IS ACTUALLY BEYOND ARGENTINE DEMAND (2100 NM VERSUS 2000 NM).

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-- PROVIDES FOR US VERIFICATION (IS POLITICAL PRESENCE--NOT JUST TECHNICAL ROLE).

PARAGRAPH 3:

-- KEEPS LANGUAGE ON REMOVAL OF SANCTIONS ESSENTIALLY AS DISCUSSED IN BUENOS AIRES.

PARAGRAPH 4:

-- TECHNICAL AMENDMENTS AND COMMISSIONER STAFF CEILING SHOULD BE NON-CONTROVERSIAL.

PARAGRAPH 5:

-- WHILE UK OBJECTED TO BUENOS AIRES TEXT, THIS TEXT PROVIDES IMPORTANT ARGENTINE OFFICIAL INVOLVEMENT IN LOCAL ADMINISTRATION, ADDITIONAL TO GOA ROLE IN SPECIAL INTERIM AUTHORITY.

-- ARGENTINE PRESENCE IN LOCAL COUNCILS AND PARTICULARLY OFFICIAL ROLE IN EXECUTIVE COUNCIL REPRESENT MAJOR UK CONCESSION.

-- UK COULD CONFIRM THAT IT WOULD NOT APPOINT A GOVERNOR (POSSIBLY IN A SIDE LETTER).

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-- PARAGRAPH 5.2 PROVIDES ESSENTIAL ASSURANCE UK WILL NOT TRY TO UNDERMINE EFFECT OF 5.1.

PARAGRAPH 6:

-- RETAINS THE IMPORTANT UK COMMITMENT TO FACILITATION AND PROMOTION OF CONTACTS BETWEEN THE ISLANDS AND THE MAINLAND.

-- PRESENTATIONALLY VERY DIFFICULT FOR UK.

-- ROLE OF SPECIAL INTERIM AUTHORITY AS CATALYST OF DEVELOPMENTS IS CLEARLY MAINTAINED.

-- PROTECTION OF EXISTING RIGHTS OF ISLANDERS, AS WE DISCUSSED, AS AN OFFSET TO IMPACT OF 6.1.

PARAGRAPH 7:

-- WE HAD ENORMOUS PROBLEMS WITH UK--AND WITH OUR

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OWN PRINCIPLES--PREJUDGING THE OUTCOME OF NEGOTIATIONS.

-- LANGUAGE IS NOW ADMITTEDLY MORE NEUTRAL THAN WHAT WE TOOK FROM BUENOS AIRES.

-- BUT IT RETAINS THE ESSENTIAL:

- IMMEDIATE NEGOTIATIONS ON REMOVAL OF THE ISLANDS FROM THE LIST OF NON-SELF-GOVERNING TERRITORIES.

- THUS, CLEAR REFERENCE TO DECOLONIALIZATION.

- REQUIREMENT OF MUTUALLY AGREED CONDITIONS, WHICH PROTECTS AGAINST OUTCOMES UNACCEPTABLE TO ARGENTINA.

- REFERENCE TO PRINCIPLE OF TERRITORIAL INTEGRITY.

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- REFERENCE TO RELEVANT UN RESOLUTIONS.

PARAGRAPH 8:

-- SPECIAL INTERIM AUTHORITY (I.E., US) ROLE IN OVERCOMING STERILITY OF PREVIOUS NEGOTIATIONS BY PROVIDING NEW IDEAS AND INITIATIVES.

-- ENSURES ARGENTINA WILL HAVE VOICE--VIA THE SPECIAL INTERIM AUTHORITY--ON THE QUESTION OF TAKING INTO ACCOUNT THE WISHES OF THE INHABITANTS.

-- ADDRESSES ISSUE OF FALKLAND ISLANDS COMPANY.

-- INCLUDES CONCEPT OF COMPENSATION.

-- DEALS WITH OPINION OF ISLANDERS, IMPORTANT TO UK, IN NON-OPERATIONAL TERMS, EXPRESSLY WITHOUT PREJUDICE TO GOA POSITION.

PARAGRAPH 9:

-- IF BILATERAL TALKS FAIL, PROVIDES POSSIBILITY OF NEW LEVEL OF US DIPLOMATIC INVOLVEMENT AS MEDIATOR-/CONCILIATOR TO PRESS FOR RESOLUTION OF PROBLEM.

-- THIS IS OUR WAY OF MEETING THE LEGITIMATE POINT YOU RAISED IN YOUR "POINT 8" PROPOSAL. HAIG