

НАУЧНЫЕ ШКОЛЫ

SCIENTIFIC SCHOOLS

DOI: 10.22363/2313-0660-2022-22-3-613-624

Some Reflections on the 40th Anniversary of the War in the South Atlantic

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Abstract. The 40th anniversary of the British-Argentinian war in the South Atlantic is a proper time to speak about some unresolved regional questions. One of them is how are the results of that far-off conflict connected with the present-day realities? To answer it, we turned to a renowned specialist in the region of Latin America, Boris Fedorovich Martynov. His profound regional expertise and extensive academic background helped to establish some logical connections that explain unobvious links between the Malvinas war of 1982 and today's regional troubles. According to Professor Martynov, it was then that the “solidarity” between the United States and Britain first manifested itself so openly, outlining the true position and priority (or the lack of it) for Latin American countries in the so-called “Western” world. In the course of the interview we came to the conclusion that the present state of international relations doesn't allow to expect much as for a peaceful resolution of this conflict between Argentina and UK in short or medium term. At the same time, there remains some hope of growing solidarity of the Latin American countries with the Argentinian case, which could provide the country with an opportunity to reshape the current balance of power in the long run. This interview suggests that the crisis in the South Atlantic has had a significant impact on the current state of world politics and international law.



Key words: Anglo-Argentinian conflict, Soviet-Argentinian relations, Soviet foreign policy, US foreign policy, Latin American nationalism, security in the South Atlantic, principles of international law, principles of conflict resolution

Acknowledgements: The authors are grateful to A.D. Shcherbakova (ILA RAS) for her valuable assistance in preparing the material for publication.

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For citation: Martynov, B. F. (2022). Some reflections on the 40th anniversary of the war in the South Atlantic : Interview with Boris F. Martynov, Dr. of Sc. (Political Sciences), Professor, Head of the Department of International Relations and Foreign Policy of Russia, MGIMO University. Interviewed by A. A. Eremin. *Vestnik RUDN. International Relations*, 22(3), 613—624. <https://doi.org/10.22363/2313-0660-2022-22-3-613-624>

Некоторые размышления по поводу 40-летия войны в Южной Атлантике

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Аннотация. Отмечаемая в 2022 г. 40-летняя годовщина англо-аргентинской войны в Южной Атлантике — хороший повод поговорить о некоторых остающихся в регионе проблемах, главная из которых состоит в оценке результатов этого конфликта и их влияния на современные реалии. В ходе интервью Борис Федорович Мартынов ответил на ряд важных вопросов касательно концептуальных вызовов для региона Латинской Америки, заключив, что современное состояние международных отношений не позволяет рассчитывать на мирное разрешение англо-аргентинского территориального спора в кратко- или среднесрочный исторический период. По мнению Б.Ф. Мартынова, именно тогда впервые открыто проявилась «солидарность» между США и Великобританией, обозначив истинное положение и приоритет (или его отсутствие) латиноамериканских стран в так называемом «западном» мире. В то же время он считает, что растущая солидарность латиноамериканских стран с Аргентиной дает последние основания рассчитывать на позитивный исход этого спора в более отдаленном будущем. Данное интервью подтверждает, что кризис в Южной Атлантике оказал существенное влияние на современное состояние мировой политики и международного права.

Ключевые слова: англо-аргентинский конфликт, советско-аргентинские отношения, внешняя политика СССР, внешняя политика США, латиноамериканский национализм, безопасность в районе Южной Атлантики, принципы международного права, принципы мирного разрешения международных споров

Благодарности: Авторы признательны А.Д. Щербаковой (ИЛА РАН) за ценную помощь в подготовке материала к печати.

Для цитирования: Мартынов Б. Ф. Некоторые размышления по поводу 40-летия войны в Южной Атлантике : интервью с Борисом Федоровичем Мартыновым, доктором политических наук, профессором, заведующим кафедрой международных отношений и внешней политики России МГИМО МИД России / интервью провел А. А. Еремин // Вестник Российского университета дружбы народов. Серия: Международные отношения. 2022. Т. 22, № 3. С. 613—624. <https://doi.org/10.22363/2313-0660-2022-22-3-613-624>

— **Let us start from the very beginning. How did it happen that a European nation still has an overseas territory so far from its borders despite all the anti-colonialism tendencies in the second half of the 20th century? And why fight for it?**

— The history of the conflict is quite long. After ceding the islands to Britain in 1833, Argentina has since then continued to insist on

its historic rights over them, alleging the principle of territorial integrity. After 1960, Buenos Aires enhanced its position by appealing to the principle of “anti-colonialism.”¹ It should be noted that Argentina

¹ Declaration on the Granting of Independence to Colonial Countries and Peoples // United Nations. The Office of the High Commissioner for Human Rights. December 14, 1960. URL: <https://www.ohchr.org/en/>

has never stopped its attempts to regain the ownership of the islands. The Great Britain, entering into two rounds of negotiations with Argentina in 1966—1976 and 1977—1982, insisted on the principle of self-determination of peoples, alleging the rights of the “Kelpers,” roughly 1,800 English-speaking men and women who inhabited the Malvinas.

On April 2, 1982 the Argentinian military junta occupied the disputed islands, hoping that inflaming of nationalist feelings would help the generals in power to prolong their regime. The war with the Great Britain was a disaster and a failure, and the generals had to leave the political landscape of Argentina forever. But the situation with the territorial dispute has not improved ever since. Argentina, supported by the absolute majority of Latin American countries, still demands the islands back, however now exclusively by peaceful means. Despite this, UK continues to insist on the “right of self-determination” of the inhabitants of the isles, especially after the referendum realized among the “Kelpers” in 2013. With the help of the US and NATO London militarized the Falklands to the utmost, raising legitimate security concerns for neighbouring countries.

— You mentioned that the conflict took place during the Cold War. What was the attitude of the Soviet Union to this conflict?

— Returning to the events of 40 years ago, one cannot help but remember the particular atmosphere in the Soviet Union and especially in Moscow. In 1982 the USSR was already on the verge of a deep systemic (economic, political and cultural) crisis, not yet perceptible for the most part of the population. However, there was a sense of ideological and spiritual fatigue in the capital, which accumulated the most “advanced” intellectual forces within its vast perimeter.

instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples (accessed: 01.02.2022).

Being one of the bases of the Soviet state from its very beginning in 1917, Marxist-Leninist ideology was becoming increasingly incompatible with real life. We, young post-graduates of the small academic Institute of Latin America, were not alien to modern trends as well. Outdated and archaic, the official ideology didn’t inspire any enthusiasm among the youth. It filled us with moral indignation and some doubts about the general perspectives of the country. We could not yet discern well the future, so, directly after the occupation of the Malvinas by the Argentinians in April 1982, we began to take sides according to our still not very well-formed ideological inclinations.

“Hurrah! Another ‘Pucará’² shot down!” — exclaimed my friend one summer morning, entering the Institute. “And what is your ‘Sheffield’³ doing in the ocean bottom, my dear?” — I asked him rather mildly. Son of a markedly liberal family, fluent in English and himself an anglophile, my friend, like many others, believed that the Soviet Union should follow the example of the “successful” Anglo-Saxon countries. During that war he was openly pro-British, justifying his position with the undisputable facts: repressions, unleashed by the junta against its own people, and the military occupation used by the generals to “resolve” the problem.

I had a very different view. Images of the Crimean and the Russian-Japanese Wars, where the British openly opposed Russia, episodes of the “Great Game” between the two Empires in the East, the British delay in opening a “Second front” during the WWII and, of course, “Operation Unthinkable,” planned by W. Churchill immediately after its end. In 1918, the British Crown refused to give asylum to the Tsar and his family, betraying its most suffered

² “Pucará” is an Argentinian light assault aircraft FMA IA 58 Pucará.

³ HMS Sheffield (D80) is a British Navy destroyer that sank on May 10, 1982 after being hit by an Exocet anti-ship missile from an Argentinean Dassault Super Etandar aircraft.

ally in the war with Germany. Later, London openly betrayed the White armies in their march on Petrograd, shifting its support to the Estonian nationalist forces, and covertly, in 1939, the Soviet Union, sabotaging the formation of anti-Hitler coalition. Together with the 1938 Munich conference, where France and Great Britain together betrayed Czechoslovakia, this gave me an idea that WWII started much earlier than 1939.

The “bright” history of British betrayals was duly picked up by the USA in the 19th century. In 1982 it led Argentinians and other Latin Americans peoples to mark the “Anglo-Saxon hypocrisy” as a natural and historically confirmed phenomenon. Piers Brandon, in his book “Rise and Fall of the British Empire,” wrote: “The British hypocrisy is nothing more than a tribute, paid by the Vice to the Virtue” (Brandon, 2008).

— **And what about Argentina?**

— Argentina was loved in the Soviet Union with no regard to the regime. What did we know in the USSR about this country? Well, almost nothing: tango, football, Maradona, Lolita Torres... The most important thing was probably that Argentina never caused problems for USSR, not to mention — never expressed any hate or criticism. And when, following the collapse of scarce “peaceful efforts” made by US Secretary of State Alexander Haig, Washington openly sided with London, Buenos Aires quickly turned into a victim. “The persecuted is always as right as the assassinated!”⁴ — Marina Tsvetaeva said. After all, that’s so “Russian”!

So, we took sides in that war, thinking about the destinies of our country. No wonder that a liberal minority made up of some “refined intellectuals” favoured the USA and Great

Britain, when the “silent majority” of the people harboured pro-Argentine sentiments. Thus, old debates between the “Westernisers” and the “Slavophiles” of the 19th century revived themselves in the 20th century in a rather peculiar form.

— **Thank you for painting quite a vivid picture of the division between Soviet intellectuals regarding the crisis. But what was Moscow’s official position?**

— The official position of the Soviet government seemed to me far from being sincere. On the 4th of May, during the reception of the Nicaraguan delegation in Kremlin, L.I. Brezhnev expressed the Soviet point of view on the problem: “The history and the modern times give more and more proofs of the powerful liberation movement in Latin America. Peoples of Latin America want to be masters of their lands and homes, were it in Central America or in the South Atlantic. And if dangerous complications and conflict situations arise in the Western Hemisphere, it means that there still exist forces, which try to preserve there their dominant positions and to impose on them foreign yoke. There, as well as elsewhere, the Soviet Union adheres to the principal guidelines of its foreign policy: eliminating existing hotbeds of tension and preventing new ones and the peaceful resolution of international disputes.”⁵

Similar comments were made in Soviet academic circles: “The conflict around the Malvinas one has to be understood through the prism of aggravated contradictions between the imperialist powers (first of all, the US) and Latin American nations, who want to fortify their independence, participate on equal basis in the international affairs and occupy a proper place in the world arena” (Goncharov, 1984, p. 144).

However, despite all these “principal positions” and “anti-imperialist” slogans we knew that in reality the USSR simply couldn’t

⁴ Iwask Y. Materials from the Paris diary of 1938 [Иваск Ю. По материалам парижского дневника 1938 года] // Lit-info.ru. (In Russian). URL: <http://tsvetaeva.lit-info.ru/tsvetaeva/vospominaniya/ivask-po-materialam-dnevnik-1938-goda.htm> (accessed: 01.02.2022).

⁵ Novedades de Moscu. 1982. No. 20 (Suplemento).

ignore the Argentinian case because of the two quite understandable reasons:

1) Argentina had been a major exporter of cereal to the Soviet Union after the embargo declared by US President Jimmy Carter in 1979 in response to the Soviet action in Afghanistan;

2) the government of M. Thatcher had been the main proponent of the deployment of the US medium-range “Pershing II” and cruise missiles in Europe. These two reasons led the USSR to “forget” about the vehement anti-communist policy of the Argentinian junta; massive repressions, kidnappings of people and other human rights violations in Argentina; aggressive methods, used by the generals to “re-establish the historical justice”. The Soviet abstention on the UN Security Council resolution 502, which called on Argentina to restore the status quo and on the Great Britain to resume negotiations on the disputed islands,⁶ did not fully correspond to the real feelings of the Soviet people towards Argentina. But it was already clear, that putting aside all personal sympathies and ideological paraphernalia, the USSR simply could not ignore its pragmatic interests.

“Only an idiot could force Russia to import grain” — whether or not these were Churchill’s words to Nikita Khrushchev, no one knows for sure. But the phrase has become popular as a kind of historical anecdote. The chronic agricultural crisis was one of the most acute revelations of the unproductivity of the Soviet economy as a whole. Each year the USSR had to import more and more grain from its main political adversaries — the US and Canada. That’s why the Soviet leaders did not break off diplomatic relations with the Argentinian junta in 1976, contrary to the previous case — rupture of diplomatic relations with the Pinochet’s junta in Chile in September 1973. As well as we know, the repressions of the Argentinian

military were just as monstrous as in the case of their colleagues from Chile. Where, then, is the USSR’s famous “solidarity” with all the “progressive peoples of the world” in their noble struggle against the pro-imperialist mercenaries of “international financial circles” to be attributed?

After all, annual imports of grains from Argentina before the Carter’s embargo signified only a small fraction of the Soviet global imports of grain, and it seems that to give “continuity” to its foreign policy, Moscow might have disrupted its diplomatic relations with Argentina as well. But the question remains: could the Soviet leaders preview such an eventuality two years before entering Afghanistan? In 1981, directly after the US embargo, the USSR was already the biggest purchaser of Argentinian grain, taking up roughly 75% of all the exports from that country. For wheat and corn, it was 83 and 87%, respectively. Besides, the USSR also accounted for 23.7% of Argentina’s meat exports and one third of its wool exports.⁷ In fact, Argentina saved the Soviet Union from a severe food shortage.

The second reason had to do with the US medium-range “Pershing II” and cruise missiles, which had to be deployed in Europe as a response for the previous deployment of the new “SS-20” missiles on Soviet territory. The arrival time of the new American missiles to Moscow varied from 17 to 20 minutes. Europeans, who did not want to live under the permanent threat, made massive demonstrations against the US missiles, though the Thatcher’s government in Britain was the most ardent partisan of such a plan. Taking into account low ratings of M. Thatcher before the “Falkland war” (only 23%)⁸, an eventual diplomatic or

⁶ Resolution 502 (1982), adopted by the Security Council at its 2350th meeting, on 3 April 1982 // UN Digital Library. URL: <https://digitallibrary.un.org/record/34455> (accessed: 01.02.2022).

⁷ Zheleznyak A.A. *Our Trading Partner Argentina*. Moscow: Informatsionnyi tsentr “Korinf” publ., 1993. P. 41 [Железняк А.А. Наш деловой партнер Аргентина. Москва: Информационный центр «Коринф», 1993. С. 41]. (In Russian).

⁸ Mrs. Thatcher Called Britain’s Most Unpopular Leader since WW II // United Press International Archives. December 18, 1981. URL: <https://www.upi.com/Archives/>

military defeat of the Great Britain almost guaranteed the fall of the “Iron Lady” and a drastic change in the whole situation. Thus, the policy of Moscow, which did yet have profound diplomatic relations with Buenos Aires in 1976, was rather “long sighted” and dictated by purely pragmatic reasons. But it had little to do with the “anti-imperialist struggle.”

This helps us to identify more clearly that somewhere between 1973 and 1982 Soviet foreign policy abandoned its “revolutionary” and “internationalist” character and became purely pragmatic. The “decisive” year was 1976, which coincided with the illness of L.I. Brezhnev and the coming to power of the “pragmatic triumvirate” of Minister of Defense D. Ustinov, Chairman of the KGB Yu. Andropov and Minister of Foreign Affairs A. Gromyko. Precisely these three persons were the most insistent in sending troops to Afghanistan. The stake was not to make it “socialist,” but to prevent its future “Americanization” with the US medium-range missiles as a direct consequence of it and to secure for Moscow an additional figure in a complex geopolitical chess game between the USSR, China, India and Pakistan.

When Karen Brutenz spoke of a “united anti-imperialist common front of Latin American countries against the imperialism of the Yankees,” he parted from the decisions of the 20th Consultative meeting of Foreign Ministers of Organization of American States (OAS), where the majority of Latin American countries supported Argentina and criticized Washington for the violation of the Inter-American Treaty of Reciprocal Assistance (Rio Pact) (Volsky, 1984, pp. 110—126). The growing regional nationalism was multiplied by the traditional “anti-Yankeeism” of many Latin Americans. It could distract the US attention from other parts of the world, improve positions of Cuba and Nicaragua in the Western Hemisphere and strengthen global positions of the “socialist system,” which recently had

suffered some painful blows (“Solidarnost” in Poland and “Eurocommunism” in the Western Europe).

Immediately after the conflict, all Latin American countries stopped their obligations under the Rio Pact, cancelled the plans of the South Atlantic Treaty Organization (SATO), a military bloc, which the USA tried to construct with the participation of Argentina, Brazil and South Africa in the middle of the 1970s, and ceased annual naval maneuvers UNITAS involving the US Navy. Inter-American relations fell to its lowest point. Small wonder, that in the middle of the 1980s the votes of the Latin Americans in the UN General Assembly coincided by 80% with those of the socialist block. Soon “it became clear, that the main enemy of the American superpower in the Western Hemisphere was not Marxist-Leninist doctrine, but Latin American nationalism” (Rodríguez Elizondo, 2012, p. 322).

There is no doubt that an Argentine victory in the conflict, had it taken place, could have fundamentally changed the balance of power in the world of the époque. Why then did the USSR not support Argentina in a more direct way? Moscow, for example, could have recurred to its “proxy” — Cuba, which became, indeed, the first Latin American country, which offered real military help to Buenos Aires. But, even if it were so, the US help to the Great Britain — military, logistical, financial, etc., was incomparably greater.

In my view, there are two reasons why the USSR didn’t help Argentina in a more decisive manner. The first is that the US would never have allowed the UK to be defeated. London, the second strongest force in NATO and closest ally, “reaganomics” being a repetition of “Thatcherism” and both sharing one language and partly culture — all that would have resulted in the US investing in the war even further. In case of an eventual Argentinian victory, Washington would have entered the war directly and openly. Only London could guarantee to Pentagon deployment of its medium-range missiles on its territory. Only

1981/12/18/Mrs-Thatcher-called-Britains-most-unpopular-leader-since-WW-II/7728377499600/ (accessed: 01.02.2022).

Whitehall could have ensured that a new NATO infrastructure would be established in the Falkland Islands to replace the failed SATO. But in this case there exists another reason, explaining the “strange” behaviour of the Argentine military in this story.

— **It is well-known that Argentinian junta was led by military generals at the time. How could a political leadership with direct military experience have failed so badly in the conduct of the war?**

— It seems fantastic, but the Argentine military government demonstrated a complete lack of professionalism precisely in the military sphere. Politically, their calculation can't be reproached. Bringing their country to the board of a grave economic crisis, leaving thousands of “disappeared” persons, the generals could only save their regime by recurring to the Malvinas campaign, playing on the nationalistic feelings of the majority of Argentinians. Immediately after the landing of the Argentinian troops in Port Stanley, which was immediately renamed to Puerto Argentino, exalted crowds filled the streets of Buenos Aires and other big Argentinian cities, greeting those, whom they cursed just the day before.

But the generals soon began to make serious mistakes. They seem to have forgotten the golden rule of the *realpolitik* — in time of war one should not rely on friends and commitments, and be wary of solemn promises and multi-year treaties, however important they may initially seem. Circumstances differ, but it's especially dangerous to rely on treaties signed by the representatives of the Anglo-Saxon legal and political culture. Can the Rio Pact be compared with the pile of “solemn treaties,” which were concluded by the USA with the chieftains of the Indian tribes in the past? Were the Latin American ministers in 1982 perceived by the US administration as “Indians”? Possibly. But the US quickly refused to follow their Latin American obligations in favour of Great Britain.

The generals, confident of their “indispensability” to Washington in Central America and elsewhere in the Western Hemisphere, thought that the USA would remain at least neutral. Considering themselves as the US closest allies in Latin America, they had completely forgotten about Europe. The miscalculation of priorities was truly tragic. Responding to the R. Reagan's congratulation on the Argentinian National Day on May 25, President of Argentina L. Galtieri, being deeply offended, wrote: “our people... and Government were taken aback by the never expected attitude of the United States, which took part of Great Britain in its conflict with Argentina” (Goncharov, 1984, p. 58).

40 years after the conflict, the “ingenuity” of the Argentinians can be seen from another perspective. Other believers in Washington's “good will” now and then repeated the same mistake: G. Vargas (Brazil), F. Batista (Cuba), Ngo Dinh Diem (Vietnam), Saddam Hussein (Iraq), M. Saakashvili (Georgia), M. Qaddafi (Libya), M. Gorbachev (USSR), etc. The recent withdrawal of the US troops from Afghanistan has left the Afghans, who helped them to install “democracy” in this country, at the mercy of the Taliban.⁹ Who is the next in the list of the “glorious betrayals”? “We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow” — this historic phrase of Lord Palmerston can be taken as a pattern for those, who dare to deal with the representatives of Anglo-Saxon political culture.¹⁰

The “civilizational” mistake of the generals led them to the point of absurdity: they entered into the war without a desire to fight to the end. The whole idea was distorted at the very moment when the generals tried to translate it into their political profit. How could the young,

⁹ Taliban is banned in Russia. (*Editor's note*).

¹⁰ Lord Palmerston 1784—1865 // Oxford Essential Quotations. 2016. URL: <https://www.oxfordreference.com/view/10.1093/acref/9780191826719.001.0001/q-oro-ed4-00008130> (accessed: 01.02.2022).

recently enlisted men, sent by them to the islands, many of whom couldn't even operate modern automatic rifles, oppose well trained British professionals? And then, how could the generals provoke the war, having Chile at their backs?

According to the Rattenbach Commission report, published in 2012, one of their strategic errors “was the stubbornness of the government to maintain pending the conflict over the Strait Beagle with Chile.” The report recognized that the Argentinian Navy remained passive during the conflict not because of the presence of the British nuclear submarine in the South Atlantic, but precisely because of a potential conflict with Chile (Rodríguez Elizondo, 2012, p. 322).

Contrary to the opinion of the well-known Peruvian expert, General E. Mercado Jarrín, that the Argentinian government “lacked a careful analysis of the situation,” we are sure that the real aim of the Argentinian junta was to profane war, which they believed would soon enough be forgiven and forgotten. If so, their blind belief in the US “good will” was nothing more than kind of an “auto inspiration,” which didn't need any “careful analysis.”

Furthermore, the government of L. Galtieri was already on the brink of economic collapse. Economic sanctions against Argentina severed more than 1/4 of all the exports. Argentinian “stubbornness” in the conduct of that war could have broken all its economic ties with the West altogether in a wide range (Volsky, 1984, p. 79).

In other words, Junta never planned to fight seriously. How then, could its “friends” like USSR, Cuba and, possibly, some Latin American countries (Peru, Bolivia, Venezuela), help it? The economic burden of Cuba, Nicaragua, Afghanistan, Vietnam, etc. was heavy for the USSR without Argentina. Every “classic” empire lives from its dependencies. The USSR was an empire “in reverse.”

— We know the immediate outcome of the war — Argentina was defeated. But what were more long-lasting consequences?

— My friend-anglophile got satisfied. The Argentine Junta suffered a humiliating defeat and pretty soon the democracy was re-established. The generals, the authors of many of the crimes, were imprisoned. Meanwhile, I diverted myself with the song of the Old Tortoise from the TV film “Buratino” (Pinocchio): “My dear child, be firm and tight, when have to fight — then go and fight!” Real wars can be played about.

The year of 1989 brought about many novelties. The Wall of Berlin fell and soon the Soviet Union was dismembered. Augusto Pinochet abandoned his office in Chile. Francis Fukuyama declared “The End of History” and his article was momentarily translated into almost all existing world languages. Europe seemed united at last, and its future was seen as exclusively peaceful, brilliant and cooperative. However, I still had my doubts. Too often I remembered the war over the “Malvinas,” which more and more was becoming a far-off history.

It was directly after this war that the principle of “self-determination of peoples” became relevant in political practices. The “rights” of 1800 inhabitants of the Malvinas, the Kelpers, received absolute preponderance over the classic principles of international law — territorial integrity and national sovereignty. The “victors” in the Cold War, the Great Britain and the US, simply imposed that interpretation, parting from their particular interests. Next time we saw its “implementation” in Yugoslavia in 1999, when after the bombardment of Belgrade this country was deprived of its historic province, Kosovo, and soon there appeared the biggest military base of NATO in the Balkans. Again, “human rights” were used to meet geopolitical ends.

But what about the “rights” of the Diego Garcia natives? In the 1970s, all native population of that island, a British colony, was forcefully deported from their homeland to clear up a place for the largest US military base in the Pacific. In 2000, the Supreme Court in London confirmed the illegality of the act, enabling the

locals to return. However, the British government ignored the decision of the Court, alleging that the treaty with Washington was more “binding.”¹¹ In 2004, London issued two laws, which prohibited the ex-inhabitants return to the island. “This story makes clear that the interests of the islanders don’t signify anything for the British governors” (Goncharov, 1984, p. 12). The two cases are two different interpretations of the same principle. It means, that “strategic interests don’t have smell, flavor or ideological colouring” (Rodríguez Elizondo, 2012, p. 97).

When law is silent, conflicts are resolved by force. The unhappy contradiction between two basic principles of international law has already led to Kosovo, Nagorno-Karabakh, Transnistria, Abkhazia, South Ossetia, and Ukraine. Soon it may endanger peace in Belgium (Flanders), Spain (Basque Country, Catalonia), Great Britain (Scotland, Northern Ireland). Where else?

A mixture of national, local, etc. interests with irrational feelings (nationalism), always present in such conflicts, is extremely dangerous. It’s an endless labyrinth, which sometimes leads to complete absurdity. During the UN voting on the “territorial integrity” of Ukraine (“Crimean problem”) on March 27, 2014, Argentina, whose position on the Malvinas was based on the principle of territorial integrity, supported Ukraine. But almost immediately after that, the president of this country Cristina F. de Kirchner practically disavowed this position. To her it seemed “absurd” to recognize the “rights” of scarce 1800 Kelpers, ignoring sovereign will of 2.2 million Crimeans.¹²

¹¹ Case No: HQ02X01287 in the High Court of Justice Queen’s Bench Division of the High Court // United Settlement. October 9, 2003. URL: <https://www.uniset.ca/naty/2003EWHC2222.htm> (accessed: 01.02.2022).

¹² Argentina and Russia Are Bonding Over Oil and Anger at the British // Insider. April 23, 2015. URL: <https://www.businessinsider.com/argentina-and-russia-are-bonding-over-oil-and-anger-at-the-british-2015-4> (accessed: 01.02.2022).

To resolve this and other legal contradictions, the efforts of many countries, led by the UN, must be summarized. Such has been the position of the Soviet Union and, later, Russia, from the outset. On October 4, 1982, the Minister of Foreign Affairs of the Soviet Union A.A. Gromyko reaffirmed the position of Moscow on the Malvinas: the dispute should be resolved “by the way of negotiations under the authority of the UN and on the base of the resolutions issued by this universal body.”¹³

However, there are too many obstacles to this. First, it is necessary to define such notions, as “people” and “nation” and then, how and by what criteria “people” or ‘peoples’ can pretend to obtain some form of “self-determination,” varying from different forms of autonomy to complete independence. The most difficult in this case will be to complete a non-judicial task: to distinguish between “people” and “crowd,” i.e. to understand a grade of maturity of the “people” with a view to decide whether that it really needs “self-determination” and how he may dispose of it. But this is a highly political task that will immeasurably complicate the whole affair. To aggravate it even more there is a problem of sovereignty of the state — potential donor of self-determination.

This problem can be listed among the most important, but still judicially unresolved such global problems like definition of “terrorism” or reform of the UN Security Council, where purely legal problems are strongly connected with political ones. Legal methods of peaceful resolution of the Anglo-Argentinian problem were put forward by the Soviet lawyer M. Lazarev as early as 1992 (Lazarev, 1992, p. 6). But how to make the international law function when, first, it has accumulated such obvious contradictions and, second, its prestige and authority are constantly being questioned?

Furthermore, the conflict in the South Atlantic confirmed one undesirable fact: a military victory, against all appeals to the

¹³ Pravda. 1982. 5 October. [Правда. 1982. 5 октября]. (In Russian).

contrary, indeed, gives rights. The 2007 Lisbon Treaty confirmed the status of the “Falkland Islands” as a “British overseas territory.”¹⁴ This passage openly violated UN Security Council resolution 502 (1982), which called the “interested parties” to continue the negotiations over the Falkland/Malvinas, South Georgia and the South Sandwich Islands. All those territories were treated there as “dependent” and “not-autonomous.”

The affirmation of military force as a ‘legitimate’ method of conflict resolution is a direct consequence of the war in the South Atlantic. It later manifested itself in the Balkans, Afghanistan, Iraq, Libya, and Syria. Such state of affairs leads only to one sad conclusion — chances to peacefully resolve the Anglo-Argentinian territorial dispute in short or medium time remains insignificant.

— Does Argentina still have a chance to reconsider the current situation over the Malvinas? Or is that chance lost forever?

— In November 2013, Rio Grande, the capital of Argentina’s Patagonia, hosted a scientific conference on security in the South Atlantic. Rio Grande is a small town, which faces directly the Malvinas, which are only 463 km away. Since 1982, it purposely conserved numerous war memorials: a “Mirage” fighter on a cement stand, anti-aircraft cannons looking in the sky, trenches and much more. The Argentinians remember their victims of that war. The conference was rather a representative one — it gathered numerous academicians from different countries: Argentina, Brazil, Chile, Germany, England, the USA and Russia. Small wonder, all were in favor of a peaceful resolution. Men of letters rarely opt for military measures. The military campaign of the Argentine junta in 1982 was said to have made the prospect of the transfer of the islands to

Argentine rule not easier, but much more difficult. It was also mentioned that London managed to take a great advantage from this.

The present-day position of Latin American countries on the Malvinas problem has much to do with regional security (Bezerra, 2016). Changes in the NATO military doctrine, made at its Lisbon summit in 2010, greatly amplified its “sphere of action,” extending it to other regions, including Latin America. According to its document “Active Participation, Dynamic Engagement,” the new list of threats to the NATO members includes, among other things, “the risk of losing access to the strategic resources,” “climate changes,” “critical ecologic situations” and “lack of strategic resources and growing energy demands.”¹⁵ NATO is going to meet them out of its zone of activity. This tacitly “justifies” a possibility of military actions of the members of the block in Latin American region (Bezerra, 2016, p. 76). The preoccupation of the Latin Americans as for such a possibility is widely felt in the monograph, prepared by the Argentinian ministry of Defense in 2015 (Paz, 2015).

The process of militarization of the disputed isles deserves a special attention. Peace may be violated in the region that until now has been described as the “most peaceful in the world.” Too prove that one can take a look at the “White Books” on defense and security matters of Argentina, Brazil, Peru, Venezuela and some other countries. In addition to the NATO base on the “Falklands” there are other NATO bases in close proximity, namely on the isles of British Overseas Territory Saint Helena, Tristan da Cunha and Ascension. The latter is situated between Africa and South America and is 2500 km from the Brazilian city of Recife. The base of the Ascension Island was used as a site of concentration of the British troops before their disembarkation in the Malvinas. It accommodates receptors of the “Echelón” spy

¹⁴ Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community // EUR-Lex. December 13, 2007. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12007L/TXT> (accessed: 01.02.2022).

¹⁵ NATO 2020: Assured Security; Dynamic Engagement // NATO. May 17, 2010. URL: https://www.nato.int/cps/en/natolive/official_texts_63654.htm (accessed: 01.02.2022).

system, which provides the US and its closest allies — Great Britain, Canada, Australia and New Zealand with secret information, inaccessible to its other allies. Was this a first, still small, commented step towards a creation of a new, even more “coherent” than NATO, military block, based on the “civilizational” background? The second one, parting from that premise, would be the “famous” AUKUS (Australia, United Kingdom and US).

The militarization of the “Falklands” never stops. According to the Argentinian sources, recently several moving batteries of the “Rapier” missiles used in Afghanistan and the Middle East have recently been installed there. The amplification of the airport facilities in Mount Pleasant enables to accommodate there “Eurofighters” and transport planes “Hercules 130.” These giant aircraft can bring airmobile troops to every corner of South American continent. Another proof of the oversized NATO military activity in Latin America is the “re-establishment” of the U.S. Fourth Fleet, “responsible” for all the Atlantic and Pacific coasts of the whole continent.¹⁶ The question arises: if since WWII the US didn’t plan to reactivate this unit, why is it doing so now? Remembering the presence in the zone of conflict in 1982 of the British nuclear submarine HMS Conqueror with nuclear warheads on board, one may easily come to the conclusion that in case of any “special necessity” the US and NATO will violate the treaty of Tlatelolco and the regime of the Zone of peace and cooperation in South Atlantic.

In March 2015, the British government announced a USD 267 million investment to further strengthen military infrastructure in the Falkland Islands.¹⁷ This made H. Timmerman, the Argentinian foreign minister of the time,

says that “while Argentina observes the norms of the international law, the Great Britain promotes the arms race.”¹⁸

— **Britain has a good grip on the isles and is unlikely to negotiate. Why then we pay so much attention to this crisis? And why can’t Argentina simply move on?**

— The islands are of particular interest because of their unique geography. Situated in the vicinity of the transoceanic straits and near the Antarctic continent, they may give high geopolitical advantages to those, who possess them. Possible contingences may differ from a territorial division of the Antarctic continent to an eventual blocking of the Panama Canal. In the last case the isles could control all the maritime traffic between the Atlantic and the Pacific.

British interests in the Falkland Islands may range from oil and mineral extraction to fishing rights and autochthonous rights. But the real problem is that above all they are subject to the military and geopolitical interests of Washington and correspond to the regional and global purposes of the USA. In many aspects, the Great Britain together with all the other NATO countries is a kind of “non-sovereign democracy.”

In that sense, Argentina is a more sovereign country than the UK, whose policies are made by Washington. The most significant perhaps is the idea that, in spite of all, the time works for Argentina. If all Latin American countries (now — including Chile), preoccupied by the growing military status of the islands, continue to support Buenos Aires, the “Malvinas” will be returned to Argentina, provided that this country will remain a “Latin American”, and not allegedly “European” by the idea of some of its former rulers. All they need to do is remain dedicated to the cause and avoid repeating the mistakes of militarists.

¹⁶ Navy Reestablishes U.S. 4th Fleet // NATO. April 24, 2008. URL: http://web.archive.org/web/20090203214918/http://www.navy.mil/search/display.asp?story_id=36606 (accessed: 01.02.2022).

¹⁷ Falkland Islands Defence Review // UK Parliament. March 24, 2015. URL: https://hansard.parliament.uk/commons/2015-03-24/debates/15032449000001/Falkland_IslandsDefenceReview (accessed: 01.02.2022).

¹⁸ Gran Bretaña apuesta al armamentismo // PÁGINA 12. 26.03.2015. URL: <https://www.pagina12.com.ar/diario/elpais/1-268990-2015-03-26.html> (accessed: 01.02.2022).

Paradoxically, the militarization of the disputed isles by the Great Britain, the US and NATO makes the positions of London and Washington weaker in the long run. For more they saturate the isles with troops and armaments, stronger will be the solidarity of the peoples of the continent with the Argentinian case. Until the point when London will have to back off. “Militant” states may celebrate eventual victories, but in the long run they always encounter a setback.

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Received / Поступило в редакцию: 18.02.2022

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