

**The Duality of British Policy:**  
**Resolution 502 and the United Kingdom's Response to the 1982 Falklands War**

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## INTRODUCTION

On 2 April 1982, Argentina invaded the Falkland Islands over a decades-long territorial dispute with the United Kingdom. Less than thirty-six hours later, the United Nations Security Council passed a UK-sponsored resolution swiftly condemning Argentina's actions and demanding the Argentine withdrawal from the islands. The speed of the response immediately displayed international support for the British position and that the international community believed Argentina deserved punishment for its actions. This response was reminiscent of how the UN would respond to an invasion of a state's core territory, an argument only bolstered by the British using the logic of self-defense in its military retaliation. However, the Falklands were no ordinary territory of the United Kingdom; it was a Non-Self-Governing Territory (NSGT), designated by the United Nations as a territory to eventually obtain self-governance. In the United Nations, the UK seemed to acknowledge this special status and compromised on the resolution's wording — which advocated for a mutual diplomatic solution — when, in reality, the British responded with force. The United Kingdom's response is inconsistent with the UN resolution it wrote, calling into question why the British were so intent on passing a resolution in a body that expected the UK to treat the Falklands as a territory destined for self-governance when it had no intention of granting any autonomy.

Before the Argentine invasion, the international community debated at length over the islands' fate, and the United Kingdom and Argentina tried and failed multiple times to find a mutually acceptable solution. The undecided nature of this dispute allowed Argentina's new government to attack the Falklands, creating a distraction from its internal issues. In response, the United Kingdom did everything it could to promote a favorable resolution to garner public support while humiliating the Argentines. The UK had the institutional standing to push a

Security Council resolution through, for the United Kingdom is one of the five permanent members of the UN Security Council, and it leads the Commonwealth, an organization including many of the UK's former colonies. With these positions, the UK had a broad international foundation it could utilize. However, the Falkland Islands' NSGT status could have also worked to the detriment of the UK, for if the UK responded too forcefully, it would have lost support and had its intentions questioned. The United Kingdom needed to preach peace to obtain votes from the Non-Aligned Movement, which it needed to meet the nine-vote threshold to pass a resolution. Thus, the United Kingdom compromised with language to move towards peace despite wanting war to secure a resolution to isolate the Argentines and win international favorability, even if it needed to act against its internal stance on the Falklands' status.

## LITERATURE REVIEW

British decision-making determined that while a military response was required to recapture the islands from Argentina, a diplomatic approach would be vital to secure the international support it needed to take unilateral action. As a result, the United Kingdom opted to pursue a United Nations Security Council resolution due to its binding properties, further isolating Argentina internationally when it inevitably refused to respond. Security Council resolutions — while not enshrined in a legal system — put significant political pressure on the nations they affect, allowing the United Kingdom to punish Argentina by passing a resolution, even if Argentina ignored it.

The United Nations Charter dictates the powers of Security Council resolutions in Articles 24, 25, and 26. It gives the Security Council the final authority to make decisions to maintain international peace and security and the ability to make a plan to carry out its resolutions. Notably, it requires UN member states to implement Council decisions under the charter in Article 25.<sup>1</sup> These clauses function as a framework for governance, dictating that nations must follow what the Security Council states. However, nations are sovereign, raising the question of whether the United Nations has the authority to make such decisions over the affairs of a nation.

Sally Morphet's article "Resolutions and Vetoes in the UN Security Council: Their Relevance and Significance" discusses the realistic power of Security Council resolutions, arguing that since it is the primary international body, UNSC resolutions carry weight. She claims that the cost of abandoning the United Nations is unacceptably high, pointing to the effects of the Soviet boycott of the Security Council on the Korean War.<sup>2</sup> When the Soviets

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<sup>1</sup> United Nations. *United Nations Charter (Full Text)*, 1945, <https://www.un.org/en/about-us/un-charter/full-text>.

<sup>2</sup> Sally Morphet, "Resolutions and Vetoes in the UN Security Council: Their Relevance and Significance," *Review of International Studies* 16, no. 4 (1990): 355.

ignored the Council, the UN worked against its interests by defending South Korea. Hence, Morphet argues, the Security Council has undeniable power since all UN members accept the body's power over them. Morphet further discusses the explicit power of Security Council resolutions as solutions to international issues. Here, she notes that once a resolution passes, it is impossible to ignore, and settlements arbitrated by the United Nations take on an "aura of legitimacy" that sets a background for dispute settlement.<sup>3</sup> Because of its universal membership and perceived power, UNSC resolutions carry political weight, often preceding more substantial negotiations. Even though nations are sovereign, Morphet claims that these resolutions have the legitimacy members gave to the United Nations upon joining.

Thus, UN resolutions have power through political perception, even though the United Nations is an international body. A nation can ignore the United Nations and violate Article 25, but the consequences of its neglect hurt its position. As a result, the United Kingdom could use the power of a Security Council resolution to punish Argentina for its invasion — regardless of the Argentine response. With the resolution, the British pushed for an immediate denial of Argentina's goals in the Falklands, ensuring that, accept or deny, Argentina would suffer consequences.

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<sup>3</sup> Morphet, "Resolutions and Vetoes in the UN Security Council," 356-8.

## BACKGROUND

To address the contentious issue of nations having colonies in a post-Second World War era, the United Nations established Non-Self-Governing Territories (NSGTs) in Chapter XI of its charter to organize existing nations' colonies and manage decolonization. These NSGTs have an Administering Power (AP) that runs their affairs, and the UN designated the colonizers as the APs of their respective NSGTs since they held the territory. Unlike traditional colonialism, the AP has responsibilities it must commit to, including protecting the territory's citizens and culture, developing self-government, and regularly transmitting information to the UN. One of these territories is the Falkland Islands, and the UN designated the United Kingdom as the islands' Administering Power under Resolution 66(I) in 1945.<sup>4</sup> The UK controlled the islands and maintained its sovereignty over the islands for over a century before the dispute. However, past colonial claims meant that it was not the only state that claimed them, as Argentina also claimed the Falklands.

International bodies discussed the Falklands and its surrounding islands before 1982. In 1955, the International Court of Justice heard a case about South Georgia, the South Shetland Islands, British claims in Antarctica, and other British-held South Atlantic islands, which all had a similar history to the Falklands. The UK argued that it officially incorporated the islands in 1843, and its authority over the islands received implied recognition by Argentina since it referred to the islands as British in 1907.<sup>5</sup> In response, Argentina argued that Spain claimed the islands before the British, and that claim transferred to Argentina after it won its independence. However, the court could not deliver a decision and removed the case from its list because

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<sup>4</sup> United Nations General Assembly, *Resolution 66 (I): Transmission of Information under Article 73e of the Charter*. A/RES/66(I), 1945, [http://undocs.org/A/RES/66\(I\)](http://undocs.org/A/RES/66(I)).

<sup>5</sup> International Court of Justice. *Pendings, Oral Arguments, Document: Antarctica Cases (United Kingdom v. Argentina; United Kingdom v. Chile)*, 1955, <https://www.icj-cij.org/en/case/26/institution-proceedings>. 13, 21-24.

Argentina refused the ICJ's jurisdiction,<sup>6</sup> and the dispute resurfaced a decade later in the United Nations with General Assembly Resolution 2065.

Before the Falklands War, A/RES/2065 was the most significant international response to the dispute. It invited the UK and Argentina to discuss a path forward for the islands' self-governance and independence under the more general speech of Resolution 1514 (1960).<sup>7</sup> Because both states claimed the islands, finding a mutually agreeable solution was vital, even though only the UK administered the territory. Additionally, the Falklands had NSGT status, and ending colonialism in all forms over Non-Self-Governing Territories was the main priority regardless of who controlled the Islands. Resolution 2065 took note of the territorial dispute between the two nations and requested the governments work together to find a peaceful solution, which would further advance the Falklands on the path to self-governance.

The UN was not the only international organization to discuss the Falkland Islands; the Organization of American States (OAS) also commented on the islands and strongly favored Argentina. In 1976, the Inter-American Juridical Committee (CJI), an advisory body of the OAS, declared that the islands undeniably belonged to Argentina.<sup>8</sup> Latin America supported Argentina through this decision, giving it the backing necessary to argue that the United Kingdom had occupied internationally recognized Argentine territory. Naturally, it used the CJI decision to advance its argument, as the CJI was an international legal body. It also used the decision to legitimize any actions toward reclaiming the Falklands — if Argentina invaded, it was simply liberating its territory from foreign occupation. However, military action was unthinkable, as that

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<sup>6</sup> International Court of Justice. *Communiqué 56/5 (Unofficial)*, 1956, <https://www.icj-cij.org/public/files/case-related/26/12361.pdf>.

<sup>7</sup> United Nations General Assembly, *Resolution 2065 (XX): Question of the Falkland Islands (Malvinas)*. A/RES/2065(XX), 1965, <https://undocs.org/en/A/RES/2065%28XX%29>.

<sup>8</sup> “Text of O.A.S. Resolution on the Falkland Islands,” *The New York Times*, April 29, 1982, sec. World, <https://www.nytimes.com/1982/04/29/world/text-of-oas-resolution-on-the-falkland-islands.html>.

would mean war with the United Kingdom — a cost most Argentine governments were unwilling to pay.

Despite this, domestic strife and instability led Argentina to invade the Falklands in 1982. The armed forces usurped the Argentine government in 1976, but the resulting junta struggled to gain legitimacy, in part due to the failure of its economic plan. As a result, invading the Falklands had merit to the new government, as it would distract the Argentine populace from domestic issues and unite them behind the government through a national resentment of the British.<sup>9</sup> Argentines firmly believed that the Falklands belonged to Argentina, and the government used this tool to unite the people despite the government's unpopular domestic policies. Argentina could also cast itself as helping the world decolonize by liberating the islands from UK rule, capitalizing on the preexisting global support for decolonization.<sup>10</sup> However, this stance was ineffective, as the British argued that Argentina's methods were aggressive and unnecessary and that Argentina's invasion was hurting international peace and security rather than helping it.

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<sup>9</sup> The National Archives. *Argentina Falklands (Part 3)*, PREM 19/614, 1 April-5 April 1982, <https://www.margaretthatcher.org/ PREM19/1982/ PREM19-0614.pdf>, 111-12.

<sup>10</sup> The National Archives Website: Discovery: PREM 19/635, *Argentina. The Falkland crisis: surrender of Argentinian forces on the Falkland Island; proposals for the repatriation of Argentinian prisoners of war; part 24*, 15 June 1982, <https://discovery.nationalarchives.gov.uk/details/r/C13317726>, 64-5.



## ARGUMENT

General Assembly Resolution 2065 (XX) attempted to get Argentina and the United Kingdom to work towards a resolution to the dispute, but in the end, it was in vain. The nations had opposing historical claims to the Falkland Islands, and neither was willing to concede. The dispute seeped into the general population, fueling animosity between Brits and Argentines, and Argentina's government used that division to repair its reputation by invading the Falklands. The United Kingdom responded to the aggression with words implying the islands were an NSGT with special status but with actions indicating otherwise. In the United Nations, the British preached peace, arguing for a non-combative resolution to the conflict, in line with Article 73(c)'s declaration that the Administering Powers of NSGTs should work towards furthering international peace and security<sup>11</sup> and avoiding the issue of self-defense. However, it contradicted its peaceful demeanor by taking military action, justifying its response under the self-defense language of Article 51 — now treating the Falklands as sovereign British territory with no special status. Once again, this duality raises the question of how the Falkland Islands' NSGT status changed the United Kingdom's UN response and how its status changed the overall reaction from the United Nations to the incident.

The United Kingdom could have resolved the conflict peacefully inside the United Nations but decided against doing so, instead choosing to use force to expel the Argentines from the islands. The Falklands were vital to British interests in the South Atlantic; letting Argentina occupy them and use them as a bargaining chip in negotiations was not an option. Instead, the British defended the islands as if they were still a colony — which, to the UK, they were, despite UN labeling. Thus, the United Kingdom's domestic stance conflicts with its official international position, for it supported a peaceful settlement of the conflict inside the United Nations and

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<sup>11</sup> United Nations. *United Nations Charter (Full Text)*, 1945, <https://www.un.org/en/about-us/un-charter/full-text>.

called for such with Security Council Resolution 502, which passed the day after Argentine forces invaded the Falkland Islands. The duality in responses allowed the United Kingdom to win diplomatically and militarily, for it cast itself as preferring peace while fighting back, responding to Argentina's aggression on all fronts. It was not only able to do this due to its influence in the United Nations as a permanent Security Council member and as a leading member of NATO but also by changing the words and actions in the resolution to secure the nine votes necessary to pass it.

Inspecting British actions clarifies what the UK thought of these islands — they are sovereign British territory, crucial for the UK's diplomatic and security interests. As a result, Argentina's invasion was unacceptable, and the United Kingdom needed to respond forcefully. Therefore, it was essential to retaliate militarily and embarrass the Argentines diplomatically in every way possible, which included internationally via a United Nations resolution. However, the UK needed to navigate international public opinion to secure the votes required to pass a resolution.

## RESEARCH FINDINGS AND ANALYSIS

### *The United Kingdom's views towards the Falkland Islands*

The United Kingdom viewed the islands as a sovereign territory of the United Kingdom and defended it as such. A draft speech by the Prime Minister for the day after the invasion openly stated the UK's stance: “[The Prime Minister] should state to the House that Her Majesty's Government continue to regard the Falkland Islands and the Falkland Island Dependencies as British territory”.<sup>12</sup> Here, the official British view is apparent — this is a British territory, and invasion is not an option without retribution. The speech unequivocally claims that the Falklands have no special status; it is merely another British territory. Not only did the United Kingdom perceive the Falkland Islands as its territory, but the British additionally saw it as a critical territory to protect due to the dispute, even sending ships to the South Atlantic to assert its control in 1976.<sup>13</sup> The disagreement with Argentina over the islands only seemingly furthered British resolve to hold the islands, and when Argentina invaded, it responded accordingly.

### *Pursuing a Security Council Resolution*

The United Kingdom planned to take military action to recapture the islands,<sup>14</sup> but it also pursued a United Nations resolution preaching peace to shame Argentina and defend its eventual invasion. Per Article 25 of the UN Charter, all Security Council resolutions are binding; nations must fully adhere to them.<sup>15</sup> If the British could pass a resolution condemning Argentina and requiring them to leave the Falklands, it would have to either follow through and withdraw or

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<sup>12</sup> The National Archives, PREM 19/614, 3 April 1982, 217.

<sup>13</sup> The National Archives Website: Discovery: PREM 16/743. *Falkland Islands: Dispute with Argentina; future policy*, 1974-76, <https://discovery.nationalarchives.gov.uk/details/r/C11299000>, 21.

<sup>14</sup> The National Archives, PREM 19/614, 5 April 1982, 61.

<sup>15</sup> United Nations. *United Nations Charter (Full Text)*, 1945, <https://www.un.org/en/about-us/un-charter/full-text>.

remain in the islands, which would violate the charter. Therefore, the British could pursue a resolution to pressure Argentina and show that it would exhaust all international machinery to resolve the issue before taking military action.<sup>16</sup> If Argentina ignored the resolution, the British could argue that military retaliation was the best response to Argentine insubordination. Alternatively, if Argentina withdrew in compliance with the resolution, the British could settle the dispute peacefully,<sup>17</sup> and Argentina would be unable to use the islands as a bargaining chip for other concessions. Thus, a Security Council resolution would be valuable because of its binding effects on all nations, granting the British an advantageous position no matter how Argentina responded.

Argentina's rejection of Resolution 502 allowed the United Kingdom to utilize the binding nature of the resolution to garner even more support. Argentina's denial of the terms set out by the resolution permitted the British to argue that due to the resolution being mandatory, Argentina's repudiation constituted a violation of international law.<sup>18</sup> This assertion pushed nations to support the UK, giving it more leeway to act on behalf of the international community.<sup>19</sup> Since the UK was planning on taking military action, it was bound to receive criticism, so obtaining public favorability was crucial to offset the negativity. If the United Kingdom did not have public support, drastic military action to retake an NSGT would quickly ruin its public opinion, allowing antagonistic states to convince the public that the United Kingdom was acting like a colonial power, simply attempting to hold on to the last few vestiges of its empire.<sup>20</sup> Instead of being seen as a permanent member of the Security Council willing to

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<sup>16</sup> The National Archives: FCO 73/520. *Falklands: FCO United Nations Department minute*, 3 April 1982, <https://www.margaretthatcher.org/document/226004>, 2.

<sup>17</sup> The National Archives, PREM 19/614, 5 April 1982, 46.

<sup>18</sup> The National Archives, PREM 19/614, 5 April 1982, 45-6.

<sup>19</sup> The National Archives, PREM 19/614, 5 April 1982, 12-13, 16, 47

<sup>20</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 178.

do whatever it takes to uphold the UN charter by maintaining peace and security, the UK would be unable to obtain a favorable outcome if it did not gain public support through a resolution.

Furthermore, public support of the British opinion would help further its punishment of Argentina, granting the British international solidarity and support to embark on nonmilitary action. The resolution would gather support for the UK's position, embarrassing and isolating Argentina.<sup>21</sup> Passing a resolution would also increase political pressure on Argentina, forcing it into a challenging public position, for it would be clear that the world would be against its actions. In turn, the British could further pressure Argentina, taking economic measures or instating an early Argentine withdrawal from the islands.<sup>22</sup> These measures would only be possible with robust international support, as states with less investment in the conflict would be wary of the UK's strong wording and actions inside the UN. However, the UK did not want excessive international intervention — its objective was to retake the islands, and United Nations support would make accomplishing that goal more difficult. Even if UN military assistance entirely consisted of British combatants, United Nations peacekeepers would hold the Falklands rather than the British military, which the UK viewed as unfavorable. Denying United Nations involvement would expose the United Kingdom politically and reveal its strategy.<sup>23</sup> Thus, it was vital for the British to keep the UN involved to get a resolution passed; however, it also preferred to defend its territory against the Argentinians without the UN complicating the aftermath.

Therefore, the United Kingdom wanted a UN resolution to ensure international support so it would have the reputation it needed to take further military action. If the UK got a resolution passed, it would show that the world was behind them. With that support, the British could persuade other nations to act in solidarity through further economic and political

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<sup>21</sup> The National Archives, PREM 19/614, 5 April 1982, 61.

<sup>22</sup> The National Archives, PREM 19/614, 5 April 1982, 73, 171.

<sup>23</sup> The National Archives, PREM 19/614, 4 April 1982, 109.

measures.<sup>24</sup> While the UK wanted to defend the Falkland Islands militarily under the self-defense clause of the UN Charter, the Falklands' NSGT status would make it difficult to justify going to such extreme lengths instead of pursuing diplomatic means to settle the agreement under the United Nations. So, the UK sought a resolution to preemptively counteract other nations questioning its motives when it inevitably took military action to reclaim an NSGT in the name of self-defense. Otherwise, Argentina could obfuscate the origins of the conflict and frame the UK as an aggressive power attempting to hold onto its colonies, turning public opinion against the British. Therefore, passing a resolution and controlling international public opinion to be on its side was critical to British strategy in the Falklands. However, the United Kingdom did not want the United Nations' involvement beyond swaying public opinion, as anything beyond that would require the UK to reject a proposal for UN help.

### ***Positions of Security Council Members***

To secure the UN Security Council resolution and spin public support in its favor, the UK needed to pull on its connections as a leading NATO member and the head of the Commonwealth. However, the UK could not obtain the nine votes required to pass a resolution from these connections alone, and the UK had to determine who else it could count on by weighing other nations' interests.

As the leader of NATO and a staunch ally of the UK, the United States could have been on board with a British resolution without question, but its interests in Argentina complicated its vote. The United States helped install the current Argentine regime, providing an incentive to block further British involvement, as Argentina holding the Falklands would allow the Americans more control over them. To resolve the conflict without angering either side, the

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<sup>24</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 172.

United States offered to broker a peaceful solution due to its ties to both nations — one being a longtime ally, the other being a US-sponsored regime. However, when the British insisted on a military reclamation, the United States stepped aside, allowing the British to land planes on Ascension Island and choosing not to intervene in the conflict.<sup>25</sup> The US also supported the United Kingdom diplomatically in the United Nations, advocating for a peaceful settlement of the dispute on the UK's terms.<sup>26</sup> American guarantee of noninvolvement was vital for the British; its interests in Argentina gave it interests on both sides of the conflict. If it supported Argentina, the British diplomatic position would be challenging. Moreover, the US held similar alliances to the British, and American opposition would not only cause the immediate failure of the UK's resolution in the United Nations but also lead to international isolation if the British invaded. American support or nonintervention regarding the Falklands was crucial for international backing, and the British secured that due to Argentina's role as the aggressor.

While the United States preferred to stay officially neutral, the Commonwealth strongly supported the British. Sri Lanka, Singapore, and Australia all directly invoked the UN Charter in their letters of support for the British position.<sup>27</sup> Moreover, New Zealand, Canada, and Australia took diplomatic action against the Argentines, whether by breaking off relations or recalling ambassadors.<sup>28</sup> The near-unity in the Commonwealth's pro-British position gave the United Kingdom a large base of nations to call upon if needed, and the intensity of the support allowed the British to have a wealth of international backing in the United Nations. Furthermore, the Commonwealth pushed for United Nations involvement to assist the British, arguing that Argentina broke international law by invading, allowing the United Kingdom the right to act in

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<sup>25</sup> The National Archives, PREM 19/614, 5 April 1982, 10-11.

<sup>26</sup> The National Archives Website: Discovery: PREM 19/633. *Argentina. The Falklands crisis: further diplomatic activity including ceasefire proposals; conversation between the Prime Minister and the President of the United States in Paris; part 22*, 4 June 1982, <https://discovery.nationalarchives.gov.uk/details/r/C13317724>, 40.

<sup>27</sup> The National Archives, PREM 19/614, 3-5 April 1982, 16, 33, 85. (respectively, for each nation)

<sup>28</sup> The National Archives, PREM 19/614, April 1982, 52.

self-defense.<sup>29</sup> The Commonwealth had the most robust support of the British, and nations of the Commonwealth showed their support through condemnation and diplomatic isolation. The Commonwealth provided essential support for the British in gaining public support. Most of these nations were not on the Security Council, though, and the United Kingdom needed nine votes in the UNSC to pass its resolution, so it would have to find support elsewhere.

In 1975, the Non-Aligned Movement passed a pro-Argentine statement regarding the Falkland Islands, which would make it difficult for the UK to secure its support.<sup>30</sup> However, the Non-Aligned Movement strongly opposed the use of force, meaning that while it generally supported Argentina's position on the Falklands, an invasion could be enough to secure the votes of its members — provided that there was no military retaliation.<sup>31</sup> This aversion to force provided a pathway for the United Kingdom, allowing it to obtain Non-Aligned assistance if it omitted its preference to use force to defend itself in the resolution. However, it was a necessary concession; the UK needed Non-Aligned support to get nine votes to pass a Security Council Resolution, and specifying a peaceful resolution was required to sway these votes.

While the British could influence the bulk of the Non-Aligned Movement to support the resolution by focusing on nonaggression, the subset of Latin American Nations in the movement proved more challenging to persuade. These nations supported Argentina because they had similar interests regarding British territorial disputes or merely believed in Latin American solidarity, as evidenced by Chile being the only nation in this group to condemn Argentina's invasion. Thus, unlike the rest of the Non-Aligned Movement, the British would have difficulty securing any Latin American support.

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<sup>29</sup> The National Archives, PREM 19/635, 5 April 1982, 63-68.

<sup>30</sup> The National Archives, PREM 19/614, 5 April 1982, 16.

<sup>31</sup> The National Archives, PREM 19/614, 4 April 1982, 108.



The UK also faced issues with Spain, a non-permanent member of the Security Council at the time of the resolution. Spain had interests in British-controlled Gibraltar, and the British worried that if it was too passive with the Falkland Islands, Spain might see an opportunity and seek a return of Gibraltar, a strategically important territory for the British.<sup>32</sup> Instead of relying on support through both being democratic and having similar general interests, the British instead needed to try to get Spanish support or abstention through other means.

The final group that could affect the resolution's passing was the communist bloc, specifically the Soviet Union. Both the Soviets and the Chinese could veto the resolution as two of the five permanent members of the Security Council, so the UK needed either abstention or a favorable vote from them. The Soviets could have preferred the Argentine position due to the Soviets importing a significant amount of Argentine grain and because siding with Argentina would oppose the UK and NATO more broadly. However, the USSR also worried about the Americans using its role in setting up Argentina's current government to set up military bases on the Falklands if Argentina secured them, and the Soviets preferred to keep the status quo where it could not control the situation. The Russians did not have a directly beneficial position and thus would hesitate to stand alone, especially if other parties like the Non-Aligned movement did not support Argentina. If the resolution had overwhelming support from these nations, the Soviets — and the other communist states — were likely to stand aside and let the UK have its way.

Therefore, the United Kingdom faced a predicament — it had Western support secured, but the resolution could not meet the nine-vote threshold with just Western support. Instead, it needed to hope the Communists would not intervene and get the necessary votes from the Non-Aligned Movement by removing any mention of force.

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<sup>32</sup> The National Archives, PREM 19/614, 5 April 1982, 28-30.

### ***UN Security Council Resolution 502***

United Nations Security Council Resolution 502 (S/RES/502) was the outcome of British lobbying for an anti-Argentine resolution. It described the United Nations as deeply disturbed by the Argentine invasion and found a breach of peace in the Falklands. The UK chose this terminology to punish Argentina, framing the UN's response to its actions with a sense of disgust and anger. The resolution then urges Argentina to withdraw its forces and calls on both nations to cease hostilities and find a diplomatic solution to their issues.<sup>33</sup> The wording in S/RES/502 strongly supports the British as intended. It worked to isolate Argentina, secure moral high ground for the United Kingdom, and force Argentina off the islands to rob them of any leverage in negotiations. The resolution allowed the British to take an active stance against the Argentines and eventually served as backing for military retaliation if Argentina did not withdraw.

While the result was a Security Council resolution, the British had considered taking other actions; in the end, though, it decided that going through the Security Council was the best path forward to secure a diplomatic victory. One option was to go to the International Court of Justice again, as it had done in 1955, and argue its case. However, Argentina had control over the islands, and the United Kingdom could not cleanly retake the Falklands if negotiations moved to the ICJ. Moreover, Argentina could again reject the ICJ's jurisdiction, rendering the process useless and forcing the court to table the case. Finally, the UK could not easily influence the ICJ, which risked the court ruling against the United Kingdom — something the British could not allow. Alternatively, the UK could seek an Advisory Opinion from the ICJ, but that also had disadvantages. Much like an ICJ ruling, the United Kingdom risked an unfavorable outcome with an Advisory Opinion, and if it rejected the opinion it requested, it would tarnish the UK's

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<sup>33</sup> United Nations Security Council, *Resolution 502 (1982)*, S/RES/502, 1982, <https://undocs.org/S/RES/502%281982%29>.

public image. Thus, neither option was viable to the British, for it did not have the influence needed to secure a guaranteed positive outcome.

Unlike the other options, the United Kingdom could influence a UNSC resolution, and while Argentina did not have to accept it, its insubordination would face condemnation. A resolution would force the burden of rejecting peace on Argentina, giving a basis for British military retaliation. After the Argentines ignored the resolution, the UK could pass a resolution to involve the ICJ in resolving Argentina's disobedience, further providing grounding for retribution. However, there were downsides to this plan. It would take time to show noncompliance if Argentina ignored the resolution, and the ICJ could reject the case or give an unhelpful position.<sup>34</sup>

Despite the issues, the UK decided to move forward with a resolution — but it needed to move fast. If it took too long, Argentina could stall, and the United Kingdom would lose control of the situation — long-term negotiations would not work. Instead, the UK needed to pass a resolution immediately, and bypassed many of the intermediate steps that would have delayed its passing. In the end, the United Kingdom turned in a draft resolution without asking for amendments and insisted on a vote within 24 hours of tabling. The rushed schedule allowed the British to maintain control of the situation. The UK gave the Security Council a resolution and pressured the other members to accept, reject, or abstain without much time to debate and consider the draft.

A second strategy the United Kingdom used was speaking for peace to garner support — specifically from non-aligned nations. It kept quiet on any military action and instead endorsed a peaceful resolution. While support for a Chapter VII action would be a preliminary to military

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<sup>34</sup> The National Archives: FCO 73/520. *Falklands: FCO United Nations Department minute*, 3 April 1982, <https://www.margaretthatcher.org/document/226004>, 1-3.

retaliation, the Non-Aligned Movement would not support aggressive language.<sup>35</sup> The United Kingdom instead needed to call for peace if it wanted to get votes in favor of the resolution, of which it received ten, with four abstentions and one non-permanent member voting against.<sup>36</sup>

Ultimately, a 10-1-4 vote was the best outcome that the United Kingdom could have had. Spain and the three communist members of the Security Council all abstained, and Panama voted against the resolution. Panama was one of the Latin American members of the Non-Aligned Movement, and it supported Argentina's position. In defense of its vote, Panama indicated its support for the CJI's decision in 1976 that the islands were Argentine and claimed that this intervention was taking back rightful territory. Moreover, Panama argued that the United Nations' support for decolonization aligned with the invasion, and Argentina restoring its sovereignty provided a solution to both the dispute and the question of decolonization in the region.<sup>37</sup> Spain abstained due to its involvement in Gibraltar; its similar dispute made a vote in favor unthinkable. The Soviets, Chinese, and Poles all abstained due to the same reasoning — while they did want to support Argentina as it was the anti-NATO position, they did not want to upset the status quo in a situation they could not control.

The Falklands' NSGT status partially influenced the resolution's outcome. The United Kingdom could claim that it acted on its responsibilities of being an Administering Power by using Article 73(c) of the UN Charter, which obliges APs to maintain international peace and security in the NSGT. Thus, the United Kingdom attacking Argentina was its way of keeping the peace and security the islands enjoyed as a British NSGT. Furthermore, the UK argued that it attempted every path for peace, but the Argentine government resisted all attempts. For the British argument, Argentina's noncooperation led them to take any action necessary to secure

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<sup>35</sup> The National Archives, PREM 19/614, 4 April 1982, 108-9.

<sup>36</sup> United Nations Security Council, S/RES/502, 1982.

<sup>37</sup> The National Archives, PREM 19/614, 4 April 1982, 116-17.

international peace, remaining in Article 73(c) of the UN Charter.<sup>38</sup> The United Kingdom's advocating for peace certainly falls within this section, and the Falklands' NSGT status could influence the UK to take a public stance for nonaggression. However, this stance — alongside the resolution's wording — could be a way to appease the Non-Aligned Movement and get the votes it needed to pass the resolution. Since the Non-Aligned Movement did not want any use of force, the UK's argument of using every viable path for peace could instead be a way to sway these nations to the UK's side and get them to support the resolution.<sup>39</sup> The Falklands' NSGT status could have influenced S/RES/502's wording, but it could also be a tool to gather support and votes to pass the resolution. The United Kingdom needed votes, so it ceded whatever it needed to pass the resolution.

### *Aftermath*

While the United Kingdom was able to pass S/RES/502 to isolate Argentina and rebuff its rationale for invading, the United Nations lacked the means to force Argentina's withdrawal; the UK needed support from the Non-Aligned movement, so it omitted any Chapter VII action, which would have allowed the UN to use force. Instead, the United Kingdom government pushed Argentina out on its own,<sup>40</sup> using Article 51 of the UN Charter to support its position, which permits nations to defend themselves.<sup>41</sup> Its self-defense argument revealed that the British viewed the islands without its special Non-Self-Governing Territory status. The United Kingdom's actions also illustrated that it was willing to propose diplomacy to pass a resolution, but it would pursue an aggressive response to an attack on its territory despite what it said in the

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<sup>38</sup> The National Archives, PREM 19/614, 3 April 1982, 168-71.

<sup>39</sup> The National Archives, PREM 19/614, 4 April 1982, 108.

<sup>40</sup> The National Archives, PREM 19/635, 15 June 1982, 66.

<sup>41</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 172.

United Nations. The United Kingdom was also unwilling to allow UN peacekeeping to enter the islands unless the Falklands were under complete British control, demonstrating its reluctance to seek international support unless it had a favorable outcome.<sup>42</sup> Argentina could always use its control as a bargaining tool, so the UK hesitated to involve the UN until it pushed Argentina out of the islands. Thus, the British chose to settle the matter unilaterally after passing the UNSC resolution and selectively implemented S/RES/502 to benefit it the most; it included the UN in favorable situations and excluded the body otherwise.

### *Action Following S/RES/502*

In the months following the Resolution, the UN could not make much progress in resolving the dispute and ending the war. Both sides had conflicting goals and were unwilling to compromise, making an agreement impossible. As a result, the Security Council attempted to take further action by implementing plans or passing resolutions, but these were in vain due to the hardline stances of both nations.

The UN Secretary-General attempted to work with both nations to find a peaceful solution and enforce S/RES/502, but the UK's insistence on peace on favorable terms stalled negotiations.<sup>43</sup> The United Kingdom's primary red line for peace was an Argentine withdrawal from the Falklands. It refused to sign a ceasefire that did not immediately require an Argentine withdrawal, and no resolution with language regarding an end to the fighting could secure a British vote without fulfilling this part of S/RES/502 and requiring that Argentina withdraw.<sup>44</sup> The British utilized the resolution it dictated to influence further policy, ensuring that any UN action would be strictly within the guidelines of UK policy. Similarly, Argentina's want to have a

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<sup>42</sup> The National Archives, PREM 19/614, 4 April 1982, 110.

<sup>43</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 172-6.

<sup>44</sup> The National Archives, PREM 19/633, 31 May-2 June 1982, 98-100, 181-182.

total British withdrawal<sup>45</sup> opposed the UK's stance, for the British wanted control of the islands, and leaving it under neutral or Argentine control would contradict the prime goal of its operation in the Falklands. Therefore, negotiations were fruitless. The United Kingdom's intransigence continued to demonstrate its beliefs regarding the Falklands — it did not want the UN involved so the UK could maintain its total control over the islands. If it yielded control to an international body to settle the dispute, it risked losing its ownership of the Falklands. This stance reflects British views against the Falklands having a special status, as the United Nations could have maintained control over the NSGT during negotiations to resolve the dispute. The British wanted complete control of the islands to ensure the United Nations could not argue for a change in Administering Power, securing further British sovereignty over the Falklands. However, this stalemate also allowed Argentina to obfuscate its intentions and argue that it was assisting global decolonization and defending itself nearly 150 years after the British recaptured the islands from the Argentines.<sup>46</sup> Argentina aimed to exploit the UN membership's general disdain for colonialism through this argument as the Argentines attempted to regain some public backing. Its actions — alongside both states' reluctance for compromise — made the Secretary-General's endeavor to S/RES/502 immediately unattainable. The stalled negotiations allowed Argentina to begin muddying the waters, and the British establishment of a military presence on the islands pushed states to call for further UN action.

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<sup>45</sup> The National Archives, PREM 19/633, 2 June 1982, 100-1.

<sup>46</sup> The National Archives, PREM 19/635, 15 June 1982, 64-66.

*S/RES/505*

This further action came from a succeeding resolution, passed nearly two months after Resolution 502 on 26 May. However, continued British obstruction ensured that it would be ineffective. Resolution 505 asked the Secretary-General to continue attempting negotiations between Argentina and the UK to achieve a peaceful resolution per S/RES/502, commending his efforts so far and urging both states to cooperate fully.<sup>47</sup> It further requested that the Secretary-General submit an interim report on the conflict's settlement within seven days of the resolution's passage. Additionally, the original draft resolution included suspending hostilities, which the United Kingdom did not deem favorable to its interests and as a result, threatened to veto the resolution. To ensure the Security Council could pass something, the drafters watered down the draft to be palatable to the British.<sup>48</sup> As a result, S/RES/505 does no more than push the Secretary-General to continue negotiating and reiterates parts of Resolution 502. The UK's position as a P5 member meant it could veto any resolution, though the consequences of this veto — especially on its own — made the UK reluctant to utilize its veto power. It did not want to risk isolation by being the sole reason behind a resolution's failure, but its interests in the Falklands overrode its worries behind threatening to veto.

Due to the continuing immovability of both the United Kingdom and Argentina and the lack of actionable language in S/RES/505, negotiations under the resolution were fruitless, and the Secretary-General confirmed the inability to find a mutually agreeable outcome after the seven days dictated by Resolution 505 elapsed.<sup>49</sup> The United Kingdom's intransigence continued to prove its beliefs regarding the Falklands — it did not want the UN involved so the UK could

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<sup>47</sup> United Nations Security Council, *Resolution 505 (1982)*, S/RES/505, 26 May 1982, <https://undocs.org/S/RES/505%281982%29>.

<sup>48</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 175-6.

<sup>49</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 176.



maintain its total control over the islands. If it yielded control to an international body to settle the dispute, it risked losing control over the Falklands. Naturally, this stance reflects British views against the Falklands having a special status, as the United Nations could have maintained control over the NSGT during negotiations to resolve the dispute. However, the British wanted total control of the islands to ensure the United Nations could not argue for a change in Administering Power, securing further British sovereignty over the Falklands.

### *The 5-Point Plan and S/15156/Rev.2*

The months-long diplomatic stalemate between Argentina and the United Kingdom did not stop attempts to resolve the conflict. The Secretary-General proposed a general solution to appease both sides, and the Security Council tried — but failed — to pass a resolution to end the fighting. Both attempts were unsuccessful due to the British necessity of post-withdrawal control and the Argentine counter-position of a mutual withdrawal.

On 1 June 1982, the Secretary-General issued a five-point plan to attempt to find mutual ground between the two states. He suggested that the conflict would end with a UN-monitored ceasefire, token British and total Argentine withdrawals within 24 hours, and a resumption of negotiations under S/RES/505.<sup>50</sup> The Secretary-General tried to strike a balance on withdrawal, linking a ceasefire with a total Argentine withdrawal and a partial British withdrawal. Despite his attempt, both states refused to budge from their positions, leading to its failure. Argentina insisted on the withdrawal being mutual, which the British refused.<sup>51</sup> The United Kingdom wanted control over the islands and would not deviate from that stance. It also did not favor the Secretary-General's five-point plan due to the proposed UN presence on the islands and the

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<sup>50</sup> The National Archives, PREM 19/633, 1 June 1982, 239.

<sup>51</sup> The National Archives, PREM 19/633, June 1982, 120.

possibility of an interim UN administration.<sup>52</sup> To ensure British control and sovereignty over the islands, the UK did not want any other parties interfering in its control, and the United Nations would complicate the situation. Thus, this plan failed.

Three days later, Spain and Panama jointly proposed a Security Council resolution to settle the dispute, but the United Kingdom and the United States vetoed the resolution in a 9-2-4 vote. This resolution requested an immediate ceasefire and allowed the Secretary-General to take any actions necessary to enforce compliance.<sup>53</sup> While seemingly benign, the UK refused to allow it, again due to the lack of mention of an Argentine withdrawal. Mandating Argentina's withdrawal was critical for the United Kingdom; it worried Argentina would endlessly stall negotiations if there was any question over who controlled the islands.<sup>54</sup> Since the draft resolution S/15156/Rev.2 was a relatively neutral-sounding resolution, the British risked isolation to maintain their insistence on an Argentine withdrawal.<sup>55</sup> However, the resulting 9-2-4 vote proved that the United Kingdom maintained some international support, as it was a neutral resolution that barely reached the requisite nine votes.<sup>56</sup> In resolutions and plans after the passage of S/RES/502, the United Kingdom heavily utilized the wording in its resolution to push its agenda. It relied on Paragraph 2 to back its voting patterns, ensuring its post-war control of the Falklands. Its position led to the failure of resolutions like S/15156/Rev.2 and the failure of the Secretary-General's five-point plan, as neither gave the UK its requisite control over the islands.

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<sup>52</sup> The National Archives, PREM 19/633, 1 June 1982, 239-41.

<sup>53</sup> United Nations Security Council, *Panama and Spain: Revised Draft Resolution*, S/15156/Rev.2, 4 June 1982, <https://undocs.org/en/S/15156/Rev.2>.

<sup>54</sup> The National Archives, PREM 19/633, 4-5 June 1982, 5, 58-9.

<sup>55</sup> The National Archives, PREM 19/633, 4 June 1982, 58.

<sup>56</sup> The National Archives, PREM 19/633, 4 June 1982, 23-4.

### *Post-Conflict*

The United Kingdom repossessed the entirety of the Falkland Islands on 14 June,<sup>57</sup> reinstating its total control over the territory. However, the United Kingdom needed to ensure it continued to hold the islands and convince the world it would proceed with the Falklands' eventual self-government in line with the UN's stance on NSGTs.

After the Argentines withdrew from the islands, the United Kingdom remained hesitant about further United Nations involvement, showing reluctance to involve the Secretary-General and favoring direct negotiations with Argentina rather than a UN-led agreement, as it feared that multilateral negotiations would hurt its position.<sup>58</sup> The UN's endorsement of the Non-Aligned Movement's support for Argentina's claim further entrenched the UK's worries about international involvement, as it took this endorsement as the United Nations "pre-judging the outcome".<sup>59</sup> The United Kingdom did not want its authority over the Falklands stripped, and involving the UN in negotiations posed a risk to its control. Instead, it excluded the body by settling the dispute with Argentina with a bilateral settlement. However, the UK was willing to allow a multinational force on the islands after it established control to preserve its image and show compliance with the United Nations,<sup>60</sup> but the British also wanted its forces to remain on the islands, as it would prove its authority over them. As a result, the UN would have no choice but to agree with the British claim, securing its ownership over the Falkland Islands.

In addition to delaying UN involvement, the United Kingdom was keen to quickly normalize its public perception and move on from the Falklands crisis unscathed. Its plan to normalize relations included further enforcement of Article 73(b) on NSGTs, requiring greater

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<sup>57</sup> Parsons, "The Falklands Crisis in the United Nations, 31 March-14 June 1982," 1983, 177.

<sup>58</sup> The National Archives, PREM 19/635, 15-16 June 1982, 41-2, 50, 110.

<sup>59</sup> The National Archives, PREM 19/633, 31 May 1982, 179.

<sup>60</sup> The National Archives, PREM 19/633, 2 June 1982, 161-2.

autonomy for the Falkland Islands. With the conclusion of the Falklands War, the UN could question the islands' path towards autonomy, and to avoid being put in a difficult position, the UK advocated for eventual self-government but did not want to rush its implementation.<sup>61</sup> The United Kingdom wanted to prove its adherence to the principles of Non-Self-Governing Territories to avoid a future examination of its intentions, but it wanted to ensure the recognition of its control before proceeding. Moreover, the UK expected that the residents of the Falklands would not favor Argentine rule, and the UK was the only viable alternative.<sup>62</sup> Even if British policy preferred self-governance, the United Kingdom did not expect the Falkland Islands to want independence, so it was willing to back official NSGT policy to better its public position. Regardless, the British still framed the islands as wholly British and stated that their path to self-governance was similar to any other territory of any democracy.<sup>63</sup> Here, the United Kingdom argued that the Falklands were akin to any other territory, ignoring the special status of the NSGT. While the UK's support for eventual self-governance may seem to support Chapter XI's declaration regarding NSGTs, it is also generally similar to the UK's treatment of any other territory, ignoring NSGT status.

### *Conclusion: Aftermath*

Thus, the United Kingdom sought peace on its terms by selectively involving the United Nations in cases where it assisted British goals and excluding the body when it posed a risk to the UK's control over the Falklands. After S/RES/502 spoke in the language of peace, the United Kingdom took military action — it wanted peace on its terms and needed to push Argentina off the islands to secure its favored deal. It blocked or weakened further United Nations action to

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<sup>61</sup> The National Archives, PREM 19/633, 4 June 1982, 38-9, 51.

<sup>62</sup> The National Archives, PREM 19/633, 4 June 1982, 39.

<sup>63</sup> The National Archives, PREM 19/633, 2 June 1982, 161-2.

resolve the dispute, utilizing its wording in Paragraph 2 of the resolution to insist on a total Argentine withdrawal, stalling negotiations until the British expelled Argentina from the islands after two months. Furthermore, the British hesitated over excess United Nations involvement, as the UN indirectly supported Argentina's claim. The UK wanted to ensure its indisputable control over the islands, giving no chance for either the United Nations or Argentina to pull the territory from the British.

## CONCLUSION

At the onset of the Falklands War, the United Kingdom's argument in the United Nations deviated from its internal views on the Falklands. The United Kingdom considered the Falkland Islands a sovereign British territory, and when Argentina attacked the Falklands, the British responded militarily, defending itself under Article 51 of the UN Charter — which preaches self-defense. However, it did not want others to know it would respond aggressively, as that would cost the UK its reputation. Instead, the British advocated for peace in the UN to secure the minimum nine votes needed to pass a Security Council resolution, giving it a position it could use to argue for its unilateral action. A resolution would also isolate the Argentines and prove that the world favored the British, and the British risked the least by working through the Security Council rather than an alternative multilateral body. The problem with passing the resolution was that it needed nine votes to succeed, so the United Kingdom needed support from the Non-Aligned Movement, who favored the Argentine case for the Falkland Islands but disliked war more. The United Kingdom used this disdain for war to secure the necessary votes and pass S/RES/502.

The resolution's passage was the result of British lobbying. The United Kingdom was pushing for S/RES/502 to pass, and it was willing to use whatever means were necessary to pass it, which included modifying the wording to advocate for peace. Moreover, the United Kingdom could have argued that its role as the Falklands' Administering Power required it to secure peace and stability for its NSGT under Article 73(c) of the UN charter, even though the UK thought of the Falklands as no different from the rest of the country.

Once the UK passed the resolution, it sidelined the United Nations as it took unilateral action to retake and secure the Falkland Islands. The British wanted to ensure future control over

the islands, and a multilaterally negotiated settlement risked the UK losing its sovereignty over the territory, as the United Nations partly supported the Argentine claim. Therefore, it became insistent on implementing S/RES/502 in full, specifically Paragraph 2, which required a total Argentine withdrawal. Its intransigence blocked or weakened UN action, making it unable to act further on the crisis until the British retook the islands. After the UK forced Argentina off the Falklands, it needed to normalize its public perception, so it followed the declaration on NSGTs to give the islands greater autonomy. However, the UK did this in the name of democracy, allowing the residents of the Falklands self-determination if it wanted — as it would with any other territory.

The British duality in its stances effectively portrays how national interest can manipulate the NSGT system. In this case, the British used its sway to influence a favorable outcome and ignored a peaceful resolution to the dispute until it suited its needs. However, the system could perpetuate colonial ideas, as Administering Powers could control the islands without any intention of working towards eventual self-government or independence. The risk of this happening is high when the AP considers its Non-Self-Governing Territory without its special status. If an AP receives a resolution that could benefit an NSGT at the AP's expense, it could veto the proposal, as three of four APs are permanent members of the Security Council. Thus, an Administering Power's perception of the NSGT is critical, as the AP manages and governs the territory, determining its future how it sees fit, and can ignore or even veto resolutions that do not suit the AP's wants.

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