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TO PRIORITY FCO TEL NO 1123 OF 19 JULY 1976

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YOUR TELNO 138: TIMOR

1. THERE ARE NO SIGNS AS YET OF EARLY CONSIDERATION OF TIMOR IN THE SECURITY COUNCIL. ATTENTION IS FOCUSED AT PRESENT ON THE ZAMBIAN COMPLAINT AGAINST SOUTH AFRICA.

2. WE AGREE WITH LINE IN THE FIRST AND SECOND SENTENCES OF PARAGRAPH 2 OF TELEGRAM UNDER REFERENCE, BUT WE ARE UNHAPPY WITH THE LAST SENTENCE. ALTHOUGH THERE IS NO QUESTION OF RECOGNITION OF A STATE OR GOVERNMENT, THERE IS AN ISSUE OF THE EXTENT OF INDONESIAN TERRITORY. IT IS PRESUMABLY TO THIS ISSUE THAT QUESTION OF "RECOGNITION" WILL BE DIRECTED.

3. UNTIL 17 JULY OUR VIEW OF THE LEGAL STATUS OF TIMOR WAS THAT IT WAS A NON-SELF-GOVERNING TERRITORY AND, AS WITH WESTERN SAHARA, OUR BASIC POSITION IS THAT THE INHABITANTS ARE ENTITLED TO EXERCISE THEIR RIGHT TO SELF-DETERMINATION. IF THE FORMULA "THE QUESTION OF LEGAL RECOGNITION DOES NOT ARISE" IS USED IN THE CONTEXT OF THE INCORPORATION OF TIMOR INTO INDONESIA, IT COULD BE TAKEN TO MEAN THAT WE ACCEPTED THAT THE CONSULTATIONS CONDUCTED BY INDONESIA OVER THE LAST TWO MONTHS AMOUNTED TO A SATISFACTORY EXERCISE BY THE TIMORESE OF THEIR RIGHT TO SELF-DETERMINATION, AND THEREFORE, THAT WE ACCEPTED THE INDONESIAN TAKE-OVER. THIS WOULD BE DAMAGING TO US AT THE UN, AND MIGHT HAVE WIDER IMPLICATIONS IN RESPECT OF OUR OWN DISPUTED DEPENDENT TERRITORIES.

4. IN THE CASE OF WESTERN SAHARA, WE AND OTHERS TOOK THE LINE THAT THE STATUS OF THE TERRITORY WAS UNCLEAR. WITH THE POSITION THAT WE HAVE CONSISTENTLY TAKEN IN THE SECURITY COUNCIL IN MIND, THE INDONESIANS WILL SURELY NOT EXPECT US TO BE MORE FORTHCOMING. HOWEVER, IF YOU THINK THAT THEY MIGHT TAKE SUCH CAUTION AMISS, IT MIGHT BE DESIRABLE TO SEEK A COMMON POSITION OF THE NINE ON THESE LINES.

FCO PASS SAVING

MURRAY

[REPEATED AS REQUESTED]

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