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S/14964 11 Abril 1982

LETTER DATED 11 APRIL 1982
FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF
THE UNITED KINGDOM OF **GREAT BRITAIN** AND NORTHERN IRELAND TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: la MEZ que estableció y comunicó por nota S/14963

S/14966 12 Abril 1982

LETTER DATED 12 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF **PERU** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Telegrama enviado por Perú a Argentina y Gran Bretaña

S/14968 12 Abril 1982

LETTER DATED 12 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF **ARGENTINA** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Observaciones para el cumplimiento de la resolución 502

S/14973 13 Abril 1982

LETTER DATED 13 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF
THE UNITED KINGDOM OF **GREAT BRITAIN** AND NORTHERN IRELAND TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Respuesta a la nota de Argentina S/14968 del 12ABR82 sobre la Resolución 502

S/14974 14 Abril 1982

LETTER DATED 13 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF
THE UNITED KINGDOM OF **GREAT BRITAIN** AND NORTHERN IRELAND TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Respuesta al telegrama de Perú S/14966 del 12ABR82

S/14975 13 Abril 1982

LETTER DATED 13 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF **ARGENTINA** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Respuesta al telegrama de Perú S/14968 del 11ABR82

S/14976 14 Abril 1982

LETTER DATED 13 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF **BELGIUM** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Preocupación de la Comunidad Europea respecto a Malvinas, expresada en Bruselas el 10ABR82

S/14978 14 Abril 1982

LETTER DATED 14 APRIL 1982
FROM THE PERMANENT REPRESENTATIVE OF **PANAMA** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Reiteración de su apoyo al ejercicio efectivo de la soberanía territorial argentina

S/14979 14 Abril 1982

LETTER DATED 14 APRIL 1982

FROM THE PERMANENT REPRESENTATIVE OF **VENEZUELA** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Reafirmación de su solidaridad con el justo reclamo hecho por Argentina

S/14981 15 Abril 1982

LETTER DATED 13 APRIL 1982

FROM THE PERMANENT REPRESENTATIVE OF **PERU** TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Se refiere a: Mensaje transmitido a Gran Bretaña proponiendo acuerdo sobre Malvinas





Security Council

Distr.
GENERAL

S/14964
11 April 1982

ORIGINAL: ENGLISH

LETTER DATED 11 APRIL 1982 FROM THE CHARGE D'AFFAIRES A.I. OF THE
PERMANENT MISSION OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour, with reference to the letter dated 9 April 1982 from the Permanent Representative of Argentina to the United Nations (S/14961), to state the following, on instructions from the Government of the United Kingdom of Great Britain and Northern Ireland.

The declaration of the maritime exclusion zone (which was the subject of my letter to Your Excellency of 9 April 1982 (S/14963)) falls short of the concept of blockade as understood in international law. At the same time, as the text of the declaration itself makes clear, this measure is without prejudice to the right of the United Kingdom to take whatever additional measures may be needed in exercise of its inherent right of self-defence under article 51 of the United Nations Charter. The references in article 3(c) of the Definition of Aggression to "the blockade of the ... coasts of a state by the armed forces of another state" is, in any case, irrelevant as the zone will surround British territory. More relevant is article 2 of the Definition which states that "the first use of armed force by a state in contravention of the Charter shall constitute prima facie evidence of an act of aggression ... ". It is Argentina that first used armed force.

Resolution 502 (1982), adopted by the Security Council on 3 April 1982, with its reference to an invasion by armed forces of Argentina, its determination that a breach of the peace existed and its call upon Argentina to withdraw its forces immediately leaves no doubt that it is Argentina which bears responsibility for the current breach of the peace in the region.

I request that this letter be circulated as a matter of urgency as a document of the Security Council.

(Signed) Hamilton WHYTE
Chargé d'Affaires a.i.

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Security Council

Distr.
GENERAL

S/14966
12 April 1982
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 12 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF PERU TO
THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that on 11 April 1982 Dr. Javier Arias Stella, Minister for Foreign Affairs of Peru, sent a telegram to Dr. Nicanor Costa Méndez, Minister for Foreign Affairs of the Argentine Republic, to Dr. Francis Pym, Secretary of State for Foreign Affairs of the United Kingdom of Great Britain and Northern Ireland, and to Mr. Alexander Haig, Secretary of State of the United States, in connexion with the events now taking place in the Malvinas.

I should be grateful if you would have this note and the text of the aforementioned communication, which I annex hereto, circulated as a Security Council document.

(Signed) Juan José CALLE
Ambassador
Permanent Representative of Peru
to the United Nations

Annex

Text of the telegram sent by the Minister for Foreign Affairs of Peru
to the Minister for Foreign Affairs of Argentina, the Secretary of
State for Foreign Affairs of the United Kingdom and the Secretary
of State of the United States

"The Government of Peru, deeply concerned at the events taking place in the Malvinas and the possibility of an imminent outbreak of hostilities between the United Kingdom of Great Britain and Northern Ireland and the Argentine Republic formally proposes to the two Governments that, in keeping with paragraph 1 of the United Nations Security Council's recent resolution 502 (1982), they should establish a 72-hour truce pending the exercise of good offices, accepted by the parties concerned, which are being provided by the Government of the United States, in order to prevent an armed confrontation from increasing the gravity of the situation, with a serious threat to international peace and security.

(Signed) Javier ARIAS STELLA
Minister for Foreign Affairs of Peru"



Security Council

Distr.
GENERAL

S/14968
12 April 1982
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 12 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE
OF ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour to communicate with you, upon express instructions from my Government, in connexion with Security Council resolution 502 (1982) of 3 April 1982, in order to inform you of the following:

The Government of the Argentine Republic believes that the operative part of the aforementioned resolution constitutes a text which must be considered as a unified whole. Its paragraphs are so interrelated that it is impossible to take action for partial compliance with one paragraph while ignoring its consequences on other aspects of the situation.

Respect for the cessation of hostilities is something to be demanded of both parties. Its violation originates with the United Kingdom, which has already sent a large fleet of war to the zone and initiated a naval blockade of the islands. This fleet also includes nuclear submarines. All of this prompted the submission to this Council of my note of 9 April 1982, circulated as document S/14961.

My Government is prepared to comply with paragraph 2, on condition that the United Kingdom complies fully with the provisions of paragraph 1 and does not attempt to use resolution 502 (1982) as an instrument for justifying a return to the previous colonial situation, disregarding Argentina's sovereign rights and the appeals and resolutions of this Organization urging the end of all colonial situations.

Similarly, the Government of the United Kingdom has unilaterally, outside the framework of the Charter of the United Nations, taken a series of measures which constitute economic aggression, and it has thereby violated the Charter of Economic Rights and Duties of States (General Assembly resolution 3281 (XXIX)). Furthermore, in its eagerness to harm my country, it has induced other States to engage in similar aggression.

S/14968
English
Page 2

The Government of the Argentine Republic also wishes to reaffirm its undertaking to consider with an open and receptive mind the situation of the 1,800 residents of the islands, whose interests Argentina will respect.

The Argentine Government believes in a negotiated diplomatic solution and will exert its best efforts to that end.

I should be grateful if you would have this letter circulated as a matter of urgency as a Security Council document.

(Signed) Eduardo A. ROCA
Ambassador
Permanent Representative



Security Council

Distr.
GENERAL

S/14973
13 April 1982

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED
NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour, with reference to the letter dated 12 April 1982 from the Permanent Representative of Argentina to the United Nations addressed to the President of the Security Council (S/14968), to communicate the following reply.

The Government of the United Kingdom considers that Security Council resolution 502 (1982) must be read as a whole. This means not just the operative paragraphs as suggested by the Permanent Representative of Argentina but also the preamble, which determined the existence of a breach of the peace as the result of an invasion by Argentine armed forces.

Following the adoption of Security Council resolution 502 (1982) on 3 April 1982 Argentina invaded South Georgia on 4 April 1982 in flagrant violation of the demand for an immediate cessation of hostilities and has not withdrawn its forces from the Falkland Islands in flagrant violation of the demand for withdrawal in operative paragraph 2. Indeed, Argentina has actually increased the numbers of its armed forces on the Falkland Islands and has introduced armed forces into South Georgia. These acts make even more serious Argentina's failure to comply with Security Council resolution 502 (1982). The Government of the United Kingdom welcomes any statement of preparedness by Argentina to comply with operative paragraph 2 of that resolution but must point out that Argentina is not in a position to impose conditions not approved by the Security Council in that resolution.

The Government of the United Kingdom rejects the charge in the Argentine note of "economic aggression". The United Kingdom and other States have taken legitimate countermeasures in the face of Argentina's aggression. Argentina cannot expect normal commercial relations to continue as if nothing had happened in the face of its invasions of the Falkland Islands and South Georgia.

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The Government of the United Kingdom has noted the reference in the Argentine letter to the situation of the inhabitants of the Falkland Islands. In reply, it would point out that the Falkland Islanders have made clear in free and fair elections their wish to remain British and to keep their present way of life. They have a right to self-determination and a right not to be subjected to alien domination, just like other peoples, including those inhabiting other small islands.

The Government of the United Kingdom announced its acceptance of Security Council resolution 502 (1982) including the call on the Governments of Argentina and the United Kingdom to seek a diplomatic solution to their differences at the time of the resolution's adoption. At the same time, whilst Argentina has failed to comply with Security Council resolution 502 (1982) in the manner described above, the Government of the United Kingdom will continue to take whatever measures may be needed in exercise of its inherent right of self-defence under article 51 of the Charter.

(Signed) A. D. PARSONS



Security Council

Distr.
GENERAL

S/14975
13 April 1982
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 13 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF
ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

On the express instructions of my Government, I have the honour to bring to your attention, in connexion with the telegram which His Excellency Dr. Javier Arias Stella, Minister for Foreign Affairs of Peru, addressed to His Excellency Dr. Nicanor Costa Méndez, Minister for Foreign Affairs and Worship of the Argentine Republic, on 11 April 1982 (S/14966), the text of the corresponding letter of reply.

I should be grateful if you would have this letter and the text of the annexed letter of reply distributed as a document of the Security Council.

(Signed) Eduardo A. ROCA
Ambassador
Permanent Representative

Annex

Letter from the Minister for Foreign Affairs and Worship of Argentina
addressed to the Minister for Foreign Affairs of Peru

I have the honour to reply to the proposal of the Government of Peru to establish a 72-hour truce in connexion with the question of the Malvinas.

The Argentine Government is very appreciative and grateful for this initiative of the Government of Peru and I wish to assure it that, for its part, it has no intention whatsoever of initiating or provoking hostilities that might jeopardize the provision in paragraph 1 of United Nations Security Council resolution 502.

Rather it is the Government of the United Kingdom of Great Britain and Northern Ireland which, by decreeing a naval blockade in a 200-mile area around the Malvinas archipelago, with the participation of a large number of surface warships and nuclear submarines, that is committing a clear act of armed aggression. It is therefore incumbent on that Government to refrain from carrying out that aggression.

The Argentine Government very warmly welcomes the proposal of the Government of Peru and informs it that it will refrain from any action that might lead to armed confrontation. Nevertheless, if the British Government carries out its threats and establishes the blockade, the Argentine Government will have no other alternative but to respond to the aggression in exercise of its right of self-defence.

The Argentine Government trusts that the generous proposal of the Government of Peru, if accepted by the other party, will contribute to reducing the tension and facilitate the exercise of the good offices of the United States Secretary of State.

Nicanor COSTA MENDEZ
Minister for Foreign Affairs
and Worship



Security Council

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S/14974*
14 April 1982

ORIGINAL: ENGLISH

LETTER DATED 13 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE
OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

On instructions from my Government, I have the honour, with reference to the letter dated 12 April 1982 from the Permanent Representative of Peru to the United Nations (S/14966), to enclose a copy of the reply of the Secretary of State for Foreign and Commonwealth Affairs to the Minister for Foreign Affairs of Peru.

I should be grateful if you would circulate this letter and the Secretary of State's reply as a document of the Security Council.

(Signed) A. D. PARSONS

* Reissued for technical reasons.

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Annex

Text of the telegram dated 13 April 1982 from the Secretary of
State for Foreign and Commonwealth Affairs of the United Kingdom
of Great Britain and Northern Ireland addressed to the Minister
for Foreign Affairs of Peru

The British Government thank the Peruvian Government for their message proposing a truce of 72 hours while the good offices procedures conducted by the Americans are taking place, in order to avoid an armed confrontation between the United Kingdom and Argentina over the Falkland Islands.

The British Government appreciate the interest shown by the Peruvian Government in supporting efforts for a diplomatic solution. The British Government are no less keen to see a peaceful solution and are making every effort to pursue this without prejudice to their rights under Article 51 of the Charter of the United Nations. They note, however, that the armed confrontation was initiated by the Argentine action in seizing the Falkland Islands and that it was to this point that the first paragraph of resolution 502 (1982) of the Security Council of the United Nations was directed.

The first requirement for any solution is that the Argentine forces should withdraw from the Falkland Islands and their dependencies, in accordance with the mandatory resolution of the Security Council of the United Nations. The British Government hope that the Government of Peru will impress on the government of Argentina the need to comply with its obligations under international law.



Security Council

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GENERAL

S/14976
14 April 1982
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 13 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF
BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE
SECURITY COUNCIL

I have the honour to draw your attention to the annexed statement by the Governments of the ten States members of the European Community concerning the Falkland Islands which was issued at Brussels on 10 April 1982.

I should be grateful if you would have the text of this letter distributed as a matter of urgency as a document of the Security Council.

(Signed) E. DEVER
Ambassador
Permanent Representative of Belgium
to the United Nations

Annex

Joint statement by the Governments of the Ten States members of the
European Community concerning the Falkland Islands issued at
Brussels on 10 April 1982

The Ten have discussed the serious situation arising from the invasion of the Falkland Islands by Argentina.

The Ten recall that, by their statement of 2 April, they condemned the flagrant violation of international law constituted by the armed action of Argentina.

The Ten remain deeply concerned by the continuation of this crisis which endangers international peace and security. They therefore attach the greatest importance to the effective and immediate implementation of Security Council resolution 502 in all its aspects, namely, the cessation of hostilities, the immediate withdrawal of all Argentine forces from the Islands and the search, by the Governments of Argentina and the United Kingdom, for a diplomatic solution.

To these ends, and in a spirit of solidarity among the countries members of the Community, the Ten decide to take a series of measures with respect to Argentina which it is important to carry out as soon as possible.

In this connexion, the Governments of the Ten have already decided to apply a total embargo on the exports of arms and military equipment to Argentina.

They will also take the necessary measures to prohibit all imports of Argentine origin into the Community.

As these measures are of an economic nature, they will be taken in accordance with the relevant provisions of the treaties of the Community.

As the situation arising from the invasion of the Falkland Islands by the Argentine armed forces is a matter of serious concern for the international community as a whole, the Ten call upon other Governments to associate themselves with their decisions in order to ensure, within the shortest possible time, the full implementation of Security Council resolution 502.



Security Council

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GENERALS/14978
14 April 1982
ENGLISH
ORIGINAL: SPANISHLETTER DATED 14 1982 APRIL FROM THE PERMANENT REPRESENTATIVE OF PANAMA TO
THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letters addressed to the President of the Security Council on 1 April 1982 by the representative of Argentina (S/14940) and by the representative of the United Kingdom of Great Britain and Northern Ireland (S/14942), concerning the question of the Malvinas Islands, which is the subject of Security Council resolution 502 (1982), I wish to inform you, in accordance with instructions received from my Foreign Ministry, that the Panamanian Government has made the following Declaration for the information of members of the Council and of the international community.

The Government of Panama, in agreement with the Latin American countries which supported the adoption of General Assembly resolution 2065 (XX), reiterates its support for the effective exercise of Argentine territorial sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands. It draws attention to the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1514 (XV)) which proclaims that "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations."

The Republic of Panama deplores the loss of life suffered by the Argentine armed forces, and cannot but applaud the bloodless nature of the action taken by Argentina to recover its territory, in that it dislodged the British colonial occupying forces without causing them any casualties or subjecting them to any reprisals.

It is a source of particular satisfaction to the people of Latin America that the Argentine Government has reiterated its promise to respect the interests of the islanders, including both their way of life and traditions and their prospects of participating in and benefiting from the development of the Islands' resources (A/36/412).

The Panamanian Government echoes the deep concern and just indignation which is being expressed throughout the length and breadth of the Latin American continent at the fact that the British Government has decided to open hostilities against the Argentine nation, and that with this aggressive intent a powerful

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British naval combat force is now on the move in the South Atlantic in the direction of Argentine territorial waters.

The scale of the warlike action undertaken by the United Kingdom can be gauged by the fact that the aforementioned naval force is composed of 40 ships, which constitute two thirds of the British Navy, including the aircraft carriers *Invincible* and *Hermes*, the amphibious assault craft *Fearless*, four Superb class nuclear attack submarines and a substantial group of frigates and destroyers which were taking part in the "Spring Train" exercise off the coast of Gibraltar and which have now joined the fleet sailing towards Argentina.

The reports published in the international press make it clear that the Government of Prime Minister Thatcher has mounted a punitive naval expedition not only directed against the dignity and territorial integrity of our brother republic of Argentina, but also with the reprehensible goal of reinstating an anachronistic colonial régime on American soil. Such action is in violation of the United Nations Charter and deserves to be repudiated by the international community. Furthermore, the dispatch of two thirds of the naval fighting force of one of the world's principal naval Powers as part of a warlike move against a Latin American country constitutes an act of military aggression which is out of all proportion to the situation and is made even more serious by the announcement that the British fleet has instructions to open fire indiscriminately and in cold blood upon Argentine vessels sailing in the national or international waters arbitrarily demarcated by the Government of Great Britain.

Panama does not recognize the right which the British Government claims for itself, but which belongs exclusively to the Security Council, to establish an exclusive maritime zone within a radius of 200 nautical miles around the Malvinas Islands, within which any Argentine warships and auxiliary vessels will be treated as hostile and subject to attack by the British forces.

The British action constitutes a patent and open blockade of Argentine territory and as such is a unilateral sanction of a coercive nature which can only be decreed by the Security Council in accordance with Articles 39, 41 and 42 of the United Nations Charter. The naval exclusion zone and the blockade imposed unilaterally by the British Government do not stem from international sanctions and are in the nature of an act of aggression as defined in article 3 (c) and (d) of the Definition of Aggression promulgated on 14 December 1974 in General Assembly resolution 3314 (XXIX).

The unilateral sanctions which the British Government claims the right to impose on Argentina not only violate the United Nations Charter and the Definition of Aggression, but also create a serious conflict for the States members of the Organization of American States. It is obvious that acceptance of the arbitrary British intervention would in practice destroy the system of collective security provided for in article VI of the OAS Charter (article 28) in conjunction with the Inter-American Treaty of Reciprocal Assistance (TIAR) which envisages measures which Member States of OAS may take in the exercise of the inherent right of legitimate individual or collective self-defence within the geographic security zone defined in article 4 of that Treaty, which includes the Malvinas archipelago, as can be seen on the official map attached (OAS Series on Treaties, No. 8).

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None of the States members of OAS and TIAR can remain indifferent to the institutional disruption which the illegal, arbitrary and unreasonable actions of the Government of the United Kingdom of Great Britain and Northern Ireland are causing in the Americas.

How, under the circumstances, can one reconcile the Monroe Doctrine whereby in 1823 the United States proclaimed unilaterally as a principle of its foreign policy that the American continents "are no longer to be considered as a field for colonization by European Powers", with England's attempt in 1833 to restore the colonial occupation of the Malvinas Islands?

The question must be raised whether in the light of the legal instruments which establish the system of collective security of the American continents there could be any possible moral, political or legal justification for the United Kingdom's institution of "a naval exclusion zone" around the Malvinas Islands that conflicts with the geographic security zone demarcated by TIAR.

How can an extra-continental Power be allowed to decree and carry out a naval blockade not authorized by the Security Council in the geographic security zone of the Americas? In view of Inter-American security commitments, how can a naval base of an OAS Member State on Ascension Island be used to supply British warships in an aggressive expedition by an extra-continental Power against another member State of the Inter-American system? Could this whole chain of events mean that the Inter-American Treaty of Reciprocal Assistance is to be subordinated to the overriding interests of the States Parties to the North Atlantic Treaty Organization?

The answers to those questions will make it clear beyond any doubt that the actions taken by Great Britain to prolong an anachronistic colonial situation are openly at odds with the principles and purposes of the United Nations Charter and with the principles of international law on friendship and co-operation among States.

Latin America is striving to adopt a multilateral approach in its economic relations with the developed countries, in giving effect to the principle of the permanent defence of its natural resources and their utilization, and in ensuring free access for its raw materials and manufactured and semi-manufactured goods to the markets of the developed countries. These general criteria have prompted the Latin American countries to undertake common action for the elimination or reduction of barriers set up by all the industrialized countries to access for Latin American products to those markets, as stated in the Panama Declaration adopted on 1 December 1981 by the High-Level Consultative Meeting held by the Member States of the Latin American Economic System (SELA).

In view of this collective Latin American position, the attitude taken by the States members of the European Economic Community, boycotting Argentine products and denying them access to their markets, is unjustified and unfriendly to the countries of the Latin American region.

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In reasserting its sovereignty over the Malvinas archipelago and liberating it from foreign occupation, the Argentine Republic is seeking to establish effective control over its natural resources and economic activities, which have been under foreign control. Consequently, it is obvious that the European Economic Community is seeking to make Argentina the victim of measures aimed at bringing pressure to bear on it in order to obtain from it the subordination of the exercise of its sovereign rights. This attitude is in flagrant contradiction with the principles of the Declaration on the Establishment of a New International Economic Order, which make it the duty of the international community to assist countries which, like Argentina, are seeking to exercise effective sovereignty over their natural resources.

The actions decided upon by the States members of the European Economic Community constitute unprecedented economic aggression and their violational nature is clearly perceivable in the light of article 32 of the Charter of Economic Rights and Duties of States, which provides that "No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights".

The European Economic Community has also obviously committed a flagrant violation of Articles 39 and 41 of the Charter of the United Nations by adopting sanctions or enforcement measures of an economic character against Argentina, since the Security Council, and the Security Council alone, is the only body competent to impose economic sanctions of this nature.

In the debate in the Security Council on 3 April 1982, the Minister for Foreign Affairs of Panama, Dr. Jorge E. Illueca, said that resolution 502 (1982) "contains elements likely to aggravate the conflict rather than resolve it". Operative paragraph 1 of that resolution, the outcome of the British initiative, "demands an immediate cessation of hostilities". This is obviously nonsensical, since there were no hostilities at the time when the resolution was adopted. Nevertheless, it provides grounds for international condemnation, since the United Kingdom itself, as a permanent member of the Security Council, failed to comply with operative paragraph 1 of its own resolution by engaging in the warlike action that it is preparing to take against Argentina.

There are also grounds for international condemnation in the fact that the United Kingdom, whose influence on world affairs cannot be disregarded, has made a diplomatic solution of its differences with the Argentine Republic impossible by conducting the negotiations in a dilatory manner for more than 15 years and refusing to reach a realistic solution to the dispute based on the recognition of Argentine sovereignty over the Malvinas, South Georgia and the South Sandwich Islands.

Latin American public opinion has witnessed with alarm and amazement the stationing by the United Kingdom, as a nuclear power, of four nuclear-powered attack submarines, in open conflict with the opinion of the international community expressed overwhelmingly at the thirty-sixth session of the General Assembly with the adoption of resolution 36/92 I on non-use of nuclear weapons and prevention of nuclear war, resolution 36/94 on the conclusion of an international convention on

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the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons and resolution 36/95 on the conclusion of effective international arrangement to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

It is appropriate to point out that the above-mentioned resolution 36/92 I, adopted with the affirmative vote of Argentina and the negative vote of the United Kingdom, declares that the use of nuclear weapons would be a violation of the Charter of the United Nations and a crime against humanity and that the use or threat of use of nuclear weapons should therefore be prohibited, pending nuclear disarmament.

Latin America is mindful of the fact that the United Kingdom has ratified Protocol I to the Treaty of Tlatelolco for the Prohibition of Nuclear Weapons in Latin America, under which the dispatch of British submarines with nuclear capacity to Latin America, the only denuclearized region in the world, is totally unacceptable and merits international condemnation.

The Summit Conferences of Non-Aligned Countries held at Colombo in 1976 and Havana in 1979 included recognition of Argentine sovereignty over the Malvinas Islands in their respective Political Declarations, as an essential issue.

It is, therefore, unrealistic, to say the least, to demand the withdrawal of all Argentine forces from the Malvinas Islands, since a State cannot be required to withdraw its forces from its own sovereign territory.

In this connexion, the definition of aggression contained in General Assembly resolution 3314 (XXIX) does not regard as aggression the exercise of the right to self-determination, freedom and independence, as derived from the Charter, of peoples deprived of that right.

Article 7 of the definition of aggression regards as legitimate the right of those peoples to struggle, as Argentina has done, to that end and to seek and receive assistance, in accordance with the principles of the Charter of the United Nations.

Similarly, on 1 December 1981, the General Assembly adopted resolution 36/68 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in which it proceeded by an overwhelming majority, with only 3 votes against, 1 of which was that of the United Kingdom, to declare itself strongly against the continuation of colonialism as a threat to international peace and security. That resolution also affirmed once again the Assembly's recognition of the legitimacy of the struggle of the peoples under colonial and alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal.

This is the legal, political and moral background to Argentina's action to re-establish its sovereignty over the archipelago of the Malvinas, South Georgia and South Sandwich.

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The Panamanian Government deems it appropriate to place it on record that Article 51 of the Charter does not authorize the warlike action undertaken against Argentina by the United Kingdom, as the United Kingdom Government alleges. That provision states clearly that the right of individual or collective self-defence is viable only "until the Security Council has taken measures necessary to maintain international peace and security". It is clear, on the one hand, that Argentina is not carrying out any armed attack against the United Kingdom and, on the other, that the Security Council took up the matter on 3 April 1982. In such circumstances, Article 51 of the Charter debars the United Kingdom from embarking on hostilities against Argentina.

Resolution 502 (1982) "in no way authorizes the United Kingdom to resort to force through its naval units or war fleet". This was established at the 2350th meeting of the Council, when the Minister for Foreign Affairs of Panama made this point clear, with no objections forthcoming from any members of the Council, in stating that "It should be made quite clear that the Council has not empowered the United Kingdom to undertake military operations such as the one under way in the Atlantic, in which units are now moving towards the Argentine territory of the Malvinas Islands".

The Amphictyonic Congress held in Panama in 1826 reflected the aspirations of the liberators of the Americas, in rallying the Latin American peoples in support of unity and integration, to protect one another from foreign domination. These ideals pervade Latin American thinking, which upholds the principles of friendship and co-operation among nations and favours a peaceful solution of the conflict, with due respect for Argentine sovereignty over the Malvinas, South Georgia and South Sandwich Islands.

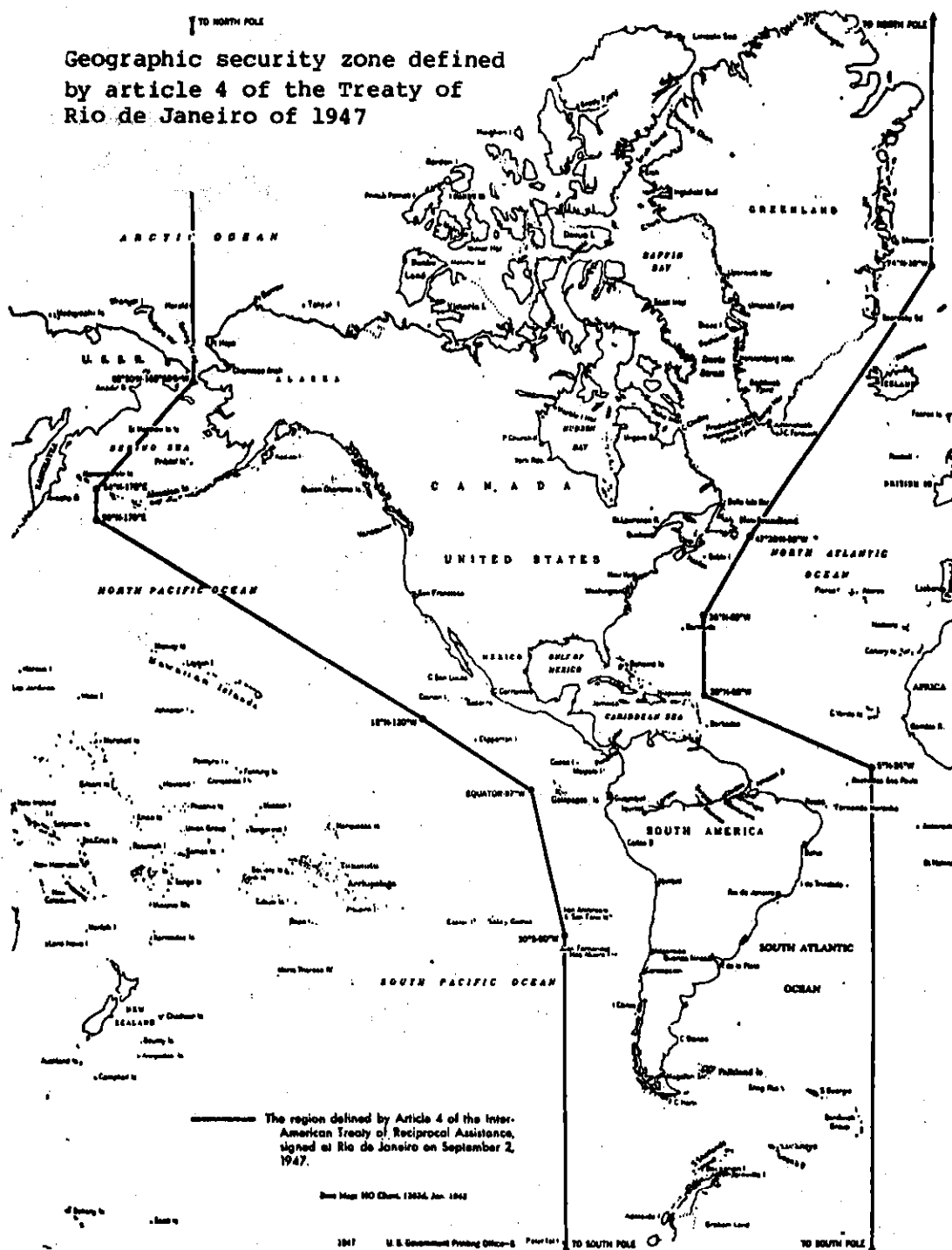
In view of the serious threat to international peace and security posed by the United Kingdom's naval war expedition, and the unilateral coercive measures which have been threatened by the United Kingdom in the military sphere and by the countries of the European Economic Community in the economic field, and which have not been sanctioned by the Council, the Government of Panama considers that the Security Council should take the proper and necessary action to halt the aggression being committed against the Argentine Republic.

I would therefore venture to request, Mr. President, that you kindly consider urgently convening informal consultations among members of the Council, so that suitable measures can be taken with a view to achieving a peaceful solution of the Malvinas crisis.

I request that this communication be circulated as a Security Council document in connexion with the question of the Malvinas Islands.

(Signed) Carlos OZORES TYPALDOS
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/14979
14 April 1982
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 14 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF
VENEZUELA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that on 13 April 1982 Dr. José Alberto Zambrano Velasco, Minister for Foreign Affairs of Venezuela, made a statement relating to the situation that has arisen in connexion with the Malvinas.

I should be grateful if you would have this letter and the text of the statement which I annex hereto, circulated as a Security Council document.

(Signed) Alberto MARTINI URDANETA
Ambassador
Permanent Representative of Venezuela
to the United Nations

82-10079 0323j (E)

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Annex

Text of the statement made on 13 April 1982 at Caracas by the
Minister for Foreign Affairs of Venezuela

The National Government is observing with growing concern the developments which have arisen from the events that culminated in Argentina's recovery of the Malvinas, South Georgia and South Sandwich Islands and which have now been particularly aggravated by the advance of the United Kingdom fleet towards the American continent. In these circumstances, and consistently following the principles which have served as the basis for its public position:

1. The National Government reaffirms its solidarity with the just claim made by the sister Argentine Republic in the face of a mutilation of its territory which others have attempted to impose upon it in the name of the exercise of force and colonialist domination. This claim is founded on an unalterable doctrine of the international law of the Americas, formulated by the Liberator Simón Bolívar, namely, the doctrine of uti possidetis iuris of 1810, according to which the new American republics must be established in the territories corresponding to the respective Spanish colonies at the time of independence, so that there could be no room for the reappearance of colonial enclaves in the Americas. Colonialist ambition disregarded the validity of this doctrine in the case of the Malvinas, as in many others, in an attempt to justify its systematic spoliations.

2. The Government of Venezuela also reaffirms its position in favour of peaceful and practical methods for settling this type of dispute, methods which must remedy past violations and must guarantee a just and lasting solution of the problem. The Government is convinced that the threatening resolution by arms which is now foreshadowed can be avoided if the United Kingdom shows a readiness to seek through negotiation a satisfactory and peaceful solution in keeping with the present era, with the lofty goals the United Kingdom itself has professed to hold in our times, and with the requirements of the international community, so as to put an end to colonialism in the Malvinas and return them to the legitimate exercise of Argentine sovereignty.

3. It is dismaying to observe the present attempts to reintroduce an unacceptable procedure which had apparently been banished from the post-colonial world and which constitutes a critical threat to the peace of the Americas. One of the most powerful fleets that could conceivably be assembled today is now steaming across the Atlantic to re-establish by force its imperial "rights" to a part of the Western Hemisphere. It is worth noting that all the doctrines of the international law of the Americas unambiguously reject the intervention of extra-hemispheric armed forces in our countries, and thus some fundamental principles and norms of the inter-American system are in danger of being violated. The consummation of warlike action would constitute an intolerable offence against Latin American dignity which would bring unforeseeably grave consequences.

4. The Venezuelan Government deplores the fact that this alarming movement of armed forces is being observed in silence by the organs of the international community which are responsible for the maintenance of international peace and

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security. This situation accentuates even further the scepticism with which the role of certain international bodies, specifically the United Nations Security Council, is being viewed. An attempt is being made to restrict the use of force for the exclusive benefit of those who used force in the past. The National Government has already expressed its disagreement with the resolution adopted by the Security Council, on the proposal of the United Kingdom without taking any account of the origin of the conflict or of Argentina's arguments. Furthermore, the Security Council did not think to resort to the regional agency, as indicated in Article 52, paragraph 3, of the Charter, even though the scene of the conflict is unquestionably within the region to which the Inter-American Treaty of Mutual Assistance is applicable. And as if that were not enough, at a time when arms are being taken up to reinforce those spoliations of long ago, the United Kingdom can take refuge not only behind its right to veto any provisions it does not like but also behind the concept of world peace.

5. For that reason, the National Government considers it imperative to endeavour to take advantage of the limitless possibilities of the diplomatic channel. At the multilateral level, Venezuela hopes that the Security Council will evaluate with greater care all the elements at issue and will act in the case of the Malvinas in a manner which is consistent with all the provisions adopted by the United Nations with regard to colonialism. At the regional level, not only must the feeling of hemispheric solidarity lead us to express that solidarity to Argentina; but Latin America must make the United Kingdom realize the grave affront represented by an armed attack on its part, in the name of colonialism, against a part of our hemisphere. At the bilateral level, we hope that the Governments of the United Kingdom and Argentina will intensify their efforts to negotiate in search of a satisfactory and practical solution which will preserve international peace and security. Venezuela is prepared to give the fullest support to any action which meets the aforementioned requirements, which serves to prevent the consummation of warlike action in the Americas and which guarantees the irrevocable extinction of those colonial vestiges in the South Atlantic whose fate today dismays world opinion.



Security Council

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S/14981
15 April 1982
ENGLISH
ORIGINAL: SPANISH

LETTER DATED 13 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE
OF PERU TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

I have the honour to inform you that, in connexion with the telegram of 13 April 1982 from the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland addressed to the Minister for Foreign Affairs of Peru (S/14974), relating to the Peruvian proposal for a truce in the conflict over the Malvinas, the Government of Peru transmitted on 14 April 1982 to the illustrious Government of the United Kingdom, through its Embassy at Lima, a message whose text is annexed hereto.

I should be grateful if you would have the text of this note and the annexed message circulated as a Security Council document.

(Signed) Juan José CALLE
Ambassador
Permanent Representative of
Peru to the United Nations

82-10176 0314g (E)

Annex

Text of the note dated 14 April 1982 transmitted by the Minister for Foreign Affairs of Peru to the Ambassador of the United Kingdom of Great Britain and Northern Ireland, relating to the Peruvian proposal for a 72-hour truce in the conflict over the Malvinas

With regard to your communication of this morning, I request you to transmit to your illustrious Government the following message from the Government of Peru:

"The Government of Peru expresses its gratitude to the Government of Her Britannic Majesty for its courteous reception of the Peruvian proposal for a truce, although that acceptance is subject to the requirements which must first be met by the Government of the Argentine Republic.

"The Peruvian Government has duly considered the arguments advanced by the Government of Her Britannic Majesty and, at the same time, is conscious of the dangers which are causing deep concern to the international community and are becoming more alarming hour by hour.

"For these grave reasons, the Government of Peru takes the liberty of persisting in its friendly request to the Government of Her Britannic Majesty with regard to the importance of the latter's agreement to the proposed truce of 72 hours - a period during which there will be no risk of any outbreak of hostilities - precisely in order to create the optimal conditions for action aimed at finding a diplomatic solution by reconciling the positions of the parties.

"The Government of Peru, deeply conscious of the gravity of the present situation, believes that it cannot and must not spare any effort to prevent a confrontation which would have incalculable and disastrous consequences."

(Signed) Javier ARIAS STELLA
Minister for Foreign Affairs of Peru
