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LETTER DATED 19 SEPTEMBER 1980 FROM THE PERMANENT REPRESENTATIVE  
OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE  
SECURITY COUNCIL

The letter from the Permanent Representative of the Socialist People's Libyan Arab Jamahiriya dated 17 September 1980, makes the following points:

- (1) Describes the area in which the Maltese Government carried out drilling operations as a "disputed area";
- (2) States that Libya never intended to use force against Malta;
- (3) Declares Libya's readiness to have the dividing line between Malta and Libya determined by the International Court of Justice;
- (4) Demands a pledge from Malta that it will not carry out any drilling operations.

In brief Libya has refused publicly to renounce the use of force. Indeed the hesitation shown by the Security Council in urgently and adequately protecting the unarmed people of Malta from the threats and molestations of her heavily armed southern neighbour has emboldened the Government of Libya to enlarge the "disputed area" to such an absurd extent as to cover the whole of the continental shelf between the two countries. How else could one interpret Libya's demand that Malta shall not carry out any drilling operations?

The supporting argument for Libya's claim to the "disputed area" is even more preposterous: Libya contends that a continental shelf between two opposite sovereign States must be divided in direct proportion to the length of their respective coastlines. No wonder, therefore, that Libya, after solemnly agreeing in May 1976 to take the case to the International Court of Justice, suddenly developed cold feet and refused to ratify the agreement and continues to do so, even though more than four and a half years have now elapsed.

Contrast Libya's dispute with Tunisia and the difference of treatment becomes more glaring. Because in her dispute with Tunisia, Libya believes to have some sort of a reasonable claim, Libya ratified the agreement to go to the International Court of Justice in February 1978, although that agreement was signed several months after the agreement with Malta. The case was brought before the International Court of Justice in December 1978 and is now more than half way through the written stage of the proceedings. Although Libya has always declared her great friendship towards Malta and is still doing so now, Libya has purposely neglected to ratify the Malta-Libya 1976 agreement.

When the Government of the Republic of Malta failed to convince Libya to give up a claim in which Libya itself has little faith, and would not accept Libya's delaying tactics any longer, Libya resorted to force - a submarine and a destroyer threatening an unarmed oil rig is nothing less than that - to assert her absurd claim. To add insult to injury Libya is masquerading as the aggrieved party in the Security Council and demands that "Malta must refrain from and pledge, not to conduct any exploration activities in" what is described as "the disputed area".

Needless to say Libya has not only immense wealth produced from oil wells on her land, it has also drilled some 29 wells offshore on the sea separating the two States.

Malta has applied for the protection of the Security Council because, if she were to seek military help from other quarters, the consequences would mean a conflagration in a region known to all and sundry as one of the most explosive in the world. This is why Malta insists that the Security Council should ignore all Libyan protestations of friendship towards Malta and take the necessary deliberations, after taking due cognizance of past events and present intentions. Only if justice is unequivocally meted out by the members of the Security Council of the United Nations can Malta avoid taking defensive actions which, although legitimate in themselves, would certainly endanger the security and peace of the whole region.

I have the honour to request that this letter be circulated as a Security Council document.

(Signed) V. J. GAUCI  
Ambassador  
Permanent Representative of  
Malta to the United Nations

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