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LETTER DATED 18 JUNE 1981 FROM THE ACTING PERMANENT REPRESENTATIVE
OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The letter of the Charge d'Affaires, a.i. of the Permanent Mission of the Libyan Arab Jamahiriya addressed to Your Excellency and bearing the date of 11 June 1981 confirms Malta's repeated contention that the Jamahiriya does not intend to honour its commitment to ratify the 1976 Malta-Libya Agreement without conditions and is continuously resorting to new subterfuges for postponing a fulfilment of the obligations entered into with the Security Council.

The Jamahiriya is in fact now basing its refusal to honour its commitment on a unilateral legal interpretation of the obligations assumed by the 1976 Agreement. My Government is willing to exchange the instruments of ratification on the assurance of the People's Bureau for Foreign Liaison of the Jamahiriya that the "decisions and recommendations" of the People's Congresses do not make ratification subject to any condition. The legal consequences arising from the agreement are matters which fall outside the competence of the Security Council and may only be impartially interpreted by the International Court of Justice and not by any one of the two contending parties.

I am instructed by my Government to reiterate the request made in my letter of 3 June 1981 for the Security Council to meet in order officially to ask Libya to comply without further delay with the undertaking given by them to your representative to ratify the agreement without any conditions.

I have the honour to request that this letter of which a copy has already been forwarded to the President of the Security Council will also be issued as a document of the Security Council.

(Signed) E. C. FARRUGIA
Acting Permanent Representative