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LETTER DATED 21 JULY 1981 FROM THE ACTING PERMANENT REPRESENTATIVE  
OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE  
SECURITY COUNCIL

Since my letter to Your Excellency dated 14 July 1981, Mr. Diego Cordovez has urged my Government to accept the suggestion made by Libya to send to Malta a high-level special envoy, with a view to eliminating the existing obstacles to the submission of the delimitation case to the International Court of Justice.

The Government of Malta accepted Mr. Cordovez's opinion that "the terms and scope" of the suggestions made by Libya "enhance the possibilities of a definite solution", and agreed to the visit of the Libyan special envoy.

The Popular Office of the Socialist People's Libyan Arab Jamahiriya in Malta has since stated that the special envoy could only proceed to Malta on the understanding that the Libyan instrument of ratification remains unchanged: that is conditional on the "decisions and recommendations" of the People's Congresses, texts of which have remained secret.

This goes against the assurances given by Libya to Mr. Diego Cordovez to send to Malta a high-level special envoy who "will be ready to discuss with the Government of Malta all matters related to the obstacles that still exist for the submission of the delimitation case to the Court".

It is now amply clear that the Libyan Jamahiriya do not wish to submit to the International Court of Justice the terms agreed to as far back as 1976 and insists on inserting conditions extraneous to that agreement.

I have therefore been instructed by my Government to request you, Mr. President, to convene the Security Council, with a view to condemning Libya on two counts:

(a) For its show of force in August, 1980, which could have led to international hostilities in an already explosive Mediterranean; and

(b) For going back on its undertaking to the United Nations Secretary-General (see document S/14256) to go to the International Court of Justice as per the 1976 Agreement signed by the two Governments.

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Moreover, the Republic of Malta asks the Security Council to urge Libya not to perpetrate further acts of molestation and not to take the law into its own hands.

I have the honour to request that this letter, of which a copy has been forwarded to the Secretary-General, be issued as a document of the Security Council.

(Signed) E. C. FARRUGIA  
Acting Permanent Representative

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