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LETTER DATED 15 DECEMBER 1978 FROM THE PERMANENT REPRESENTATIVE
OF ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour to address myself to you on express instructions from my Government, and in accordance with the Charter of the United Nations, in order to bring to the attention of the Security Council, which has primary responsibility for the maintenance of international peace and security, the tense situation existing between the Argentine Republic and the Republic of Chile.

This tense situation has been brought about by the failure of the Chilean Government to respond in an appropriate manner to the numerous efforts by the Argentine Government to resolve through negotiations the dispute concerning the definitive delimitation of the jurisdiction of each country in the southern part of the American continent, which is a region of vital importance to maritime communications between two large oceans and to international security. This attitude towards negotiations has coincided with a series of unilateral measures and acts by the Chilean Government which have also contributed to the present state of affairs.

One of the numerous efforts by the Argentine Government referred to above culminated on 20 February 1978 in the conclusion of an international agreement signed by the Presidents of the two countries at the city of Puerto Montt. This treaty establishes a system of bilateral negotiations by stages, the application of which made it possible to formulate certain principles for agreement regarding the dispute on the delimitation of jurisdiction. These principles could not be given formal effect because of the negative attitude taken by Chile.

Nevertheless, on 17 November 1978, in another demonstration of its continued willingness to negotiate, the Argentine Government formally invited the Chilean Government to set up a working group to continue to apply the system of negotiations agreed upon by the two countries on 20 February 1978. The Government of Chile also rejected this proposal.

Also within the framework of the treaty signed at Puerto Montt, a meeting between the Ministers for Foreign Affairs of Argentina and Chile took place in Buenos Aires on 12 December 1978, during which my Government proposed to the Government of Chile that it should accept assistance in the negotiations from the Holy See as a mediator. Although the Government of Chile agreed to this proposal, it adopted positions at the same meeting regarding the scope of the

mediation which, since they deviated from the framework established in notes previously exchanged by the Presidents and Ministers for Foreign Affairs of the two countries, prevented the necessary agreement from being reached to enable the mediator to begin his work.

In spite of the foreseeable exacerbation of tensions between the two States, deriving from this new negative stand by Chile, the Argentine Government, true to its historical tradition of seeking an adequate solution to the dispute, and wishing to find formulae that will enable the agreed machinery to be set in motion, issued the following communiqué on 13 December 1978:

"Yesterday, 12 December 1978, a meeting was held between the Foreign Ministers of Argentina and Chile, in response to an invitation extended by our country to hold the meeting in Buenos Aires.

During the meeting, Chile accepted a proposal by Argentina that the mediator should be the Holy See. There was also a measure of agreement on the modalities for such mediation, and the continued existence of the system originating with the "Puerto Montt Act" was recognized.

However, during the conversations it was not possible to reach agreement on the scope of the mediation to be requested, because on this point the Government of Chile maintained positions that departed from the framework established by both countries in the notes exchanged as of 2 November, and within which yesterday's meeting was to be conducted.

This does not mean that the procedures aimed at instituting the mediation process have ended. The Argentine Government, in a further demonstration of its willingness to solve the question now pending, trusts that both countries will find formulae which will enable the machinery agreed upon to be set in motion."

I consider it necessary to point out, once again, that the above-mentioned negotiating process has also been adversely affected by a series of unilateral measures and acts by the Chilean Government, and that all these circumstances have created a situation of tension, the continuance of which could ultimately endanger the maintenance of international peace and security.

The Argentine Government believes that the Security Council, which has primary responsibility for the maintenance of international peace and security, must be fully informed of developments in this situation. It is on this understanding that I have been instructed to transmit this letter, which I request, as a matter of urgency, be issued as an official document of the Security Council.

(Signed) Enrique J. ROS
Ambassador
Permanent Representative
