



UNITED NATIONS  
SECURITY  
COUNCIL



Distr.  
GENERAL

S/14743  
3 November 1981

ORIGINAL: ENGLISH

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LETTER DATED 2 NOVEMBER 1981 FROM THE PERMANENT REPRESENTATIVE  
OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF  
THE SECURITY COUNCIL

On behalf of my Government, I wish to confirm in writing the grave and urgent concern I expressed verbally to Your Excellency's predecessor on Tuesday of last week over the dismal lack of progress concerning Malta's complaint against Libya which has been before the Security Council since August 1980.

It seems that the arrogance which Libya is applying to Malta is now equally being transferred to the Security Council.

Despite Malta's misgivings that the efforts of the Secretary-General's representative, authorized by the Council, are being utilized by Libya indefinitely to prolong its delaying tactics, we extended full co-operation and invariably replied to the approaches made by the representative of the Secretary-General within 20 hours at the most. In contrast, Libya finds every conceivable excuse to delay and to prevaricate.

The latest round of contacts provides unmistakable evidence. The Secretary-General's representative started his contacts with both parties on 23 September. Malta furnished a full reply on 24 September. Up to this day - over a month later - on pretexts which Malta finds completely unconvincing, Libya has not provided a comprehensive reply, despite the most recent undertakings given by the Libyan Minister concerned during his presence in New York.

In Malta's view, the letter of Mr. Abdulati Al-Obeidi (Security Council document S/14697) already makes it abundantly clear that Libya has no intention of abiding by its commitment to the Security Council unconditionally to take the dispute with Malta to the International Court of Justice, even if generous allowance is made for the fact that the date Libya had originally specified - mid-December 1980 - has lapsed by practically one whole year.

The evidence before the Council is clear. Libya used force against legitimate Maltese interests, threatening peace in the Mediterranean. Libya intends to do so on every occasion that Malta might try to exercise its rights. Instead of seeking a peaceful solution through legal process - as Malta prefers - Libya delays referring, without conditions, the dispute to the International Court of Justice and is using excuses to defy the urging of the Security Council.

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Against this evidence, and on the basis of the suggestions we have ventured to submit to the Council as an honourable way of ending the dispute, we respectfully request the Security Council no longer to delay its pronouncement on Malta's complaint.

Surely it should be evident by now that not only my Government but the Security Council also have waited long enough and that Libya's delays are deliberate procrastination which eminently suit Libya's purpose of attempting to attain a stranglehold over Malta.

I should be grateful if this letter were circulated as a document of the Security Council.

(Signed) V. J. GAUCI  
Permanent Representative

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