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LETTER DATED 11 APRIL 1982 FROM THE CHARGE D'AFFAIRES A.I. OF THE
PERMANENT MISSION OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

I have the honour, with reference to the letter dated 9 April 1982 from the Permanent Representative of Argentina to the United Nations (S/14961), to state the following, on instructions from the Government of the United Kingdom of Great Britain and Northern Ireland.

The declaration of the maritime exclusion zone (which was the subject of my letter to Your Excellency of 9 April 1982 (S/14963)) falls short of the concept of blockade as understood in international law. At the same time, as the text of the declaration itself makes clear, this measure is without prejudice to the right of the United Kingdom to take whatever additional measures may be needed in exercise of its inherent right of self-defence under article 51 of the United Nations Charter. The references in article 3(c) of the Definition of Aggression to "the blockade of the ... coasts of a state by the armed forces of another state" is, in any case, irrelevant as the zone will surround British territory. More relevant is article 2 of the Definition which states that "the first use of armed force by a state in contravention of the Charter shall constitute prima facie evidence of an act of aggression ... ". It is Argentina that first used armed force.

Resolution 502 (1982), adopted by the Security Council on 3 April 1982, with its reference to an invasion by armed forces of Argentina, its determination that a breach of the peace existed and its call upon Argentina to withdraw its forces immediately leaves no doubt that it is Argentina which bears responsibility for the current breach of the peace in the region.

I request that this letter be circulated as a matter of urgency as a document of the Security Council.

(Signed) Hamilton WHYTE
Chargé d'Affaires a.i.