



Security Council

Distr.  
GENERAL

S/15021  
30 April 1982  
ENGLISH  
ORIGINAL: SPANISH

---

LETTER DATED 30 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF  
ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT  
OF THE SECURITY COUNCIL

I have the honour to refer to the note from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland of 26 April and to inform you of the following:

For the reasons which I already had occasion to state to you in my note dated 28 April 1982 (S/15009), the United Kingdom has no legal grounds whatsoever for invoking the right of self-defence provided for in Article 51 of the Charter in justification of the military aggression it is carrying out in the South Georgia Islands.

The fact that three weeks elapsed between Argentina's recovery of those islands for its national patrimony and the British attack which began on 25 April, and the fact that the islands are 8,000 miles from the territory of the United Kingdom, clearly show how inappropriate it is to invoke Article 51 of the Charter as justification for this manifestly illegitimate use of force.

In contrast to the recovery of the islands by Argentina without any loss of British life, the British aggression of 25 April resulted in Argentine casualties, some of them in circumstances that have not been made clear by the invading Power.

The Argentine forces, on the other hand, certainly exercising the right of self-defence in order to repel a grave and imminent danger, have continued their resistance in the South Georgia Islands, thus giving the lie to the United Kingdom's statements that its authority has been restored in those territories.

With regard to the United Kingdom's allegation that my country has violated Council resolution 502 (1982), I must point out that the Argentine Republic on several occasions reiterated before the Council its intention to comply with that resolution and welcomed the steps taken by third States to avoid armed conflict and arrive at an agreement through negotiation. However, the continuation of the British Government's punitive actions compels my country to exercise its right of self-defence, which, in accordance with the provisions of the Charter, allows it to repel any armed attack endangering its territorial integrity and its existence as a State.

S/15021  
English  
Page 2

The United Kingdom's armed invasion confirms what I stated in my note of 16 April concerning the unreasonableness of the United Kingdom's presuming to gain its ends by force, thus placing my country in a completely defenceless position.

There are no grounds whatsoever for such a presumption. Neither international law nor the Charter of the United Nations nor Council resolution 502 (1982) admit of an interpretation that would empower the United Kingdom to arrogate to itself a police power which no one has conferred on it.

With respect to the United Kingdom's comment concerning submission of the question of the South Georgia Islands to the International Court of Justice for settlement, it must be emphasized that the jurisdiction of the International Court of Justice is voluntary, in accordance with Article 36 of its Statute, and that no doubts as to the legitimacy of the rights of my country or of any other State can be inferred from its decision not to accept that jurisdiction.

Argentina preferred to seek a peaceful solution to the question through direct negotiation within the framework of General Assembly resolution 2065 (XX). It must be pointed out in that connexion that it was the United Kingdom itself which included the South Georgia Islands as a colonial administrative dependency of the Malvinas Islands and agreed to their being considered as such by the United Nations.

I would request that this letter should be circulated urgently as a Security Council document.

(Signed) Eduardo A. ROCA  
Ambassador  
Permanent Representative

-----