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IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF  
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 26 July 1982 from the Chargé d'Affaires ad interim  
of the Permanent Mission of Argentina to the United Nations  
addressed to the Secretary-General

I have the honour, on express instructions from my Government, to bring to your attention the text of the note of protest which the Argentine Government addressed to the President of the Commission of the European Communities on 20 July 1982.

This note reads as follows:

"To Mr. Gaston Thorn, President of the Commission of the European Communities, Brussels:

"Sir:

"On instructions from my Government, I have the honour to refer to the information received from the Directorate-General for External Relations of the Commission of the European Economic Community, concerning the approval of emergency assistance in the amount of 300,000 European Currency Units for the Malvinas Islands, at the request of the United Kingdom.

"This action should be viewed in the context of annex IV to Part Four, as amended in 1972, of the Rome Treaty, and of the Council's decision No. 80/1186/EEC of 16 December 1980 on the association of overseas countries and territories, annex I, which include, in the list of countries and

\* A/37/150.

territories associated with the Community, the Malvinas Islands, South Georgia and the South Sandwich Islands as dependencies of the United Kingdom, under the name 'Falkland Islands and Dependencies'. This inclusion led the Argentine Government, in the first instance, to reserve its rights in note No. 43 of 25 July 1972, and, in the second instance, to lodge a protest, in note No. 6 of 27 January 1981. On this subject, the United Nations General Assembly has produced resolutions 2065 (XX), 3160 (XXVIII) and 31/49 (XXXI). In these resolutions the existence of a dispute over sovereignty between the Argentine Republic and the United Kingdom is recognized, and both Governments are urged to expedite the negotiations for a settlement.

"The above-mentioned decision of the Commission, in addition to ignoring the dispute over sovereignty recognized by the General Assembly, is at variance with paragraph 4 of the Assembly's resolution 31/49 (XXXI), calling on the parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation in the area. This recommendation is also addressed, a fortiori, to Governments of third countries, and consequently the approval of emergency assistance from resources of the European Development Fund (EDF) violates the provisions laid down by the highest body of the world Organization.

"The Argentine Republic claims sovereignty over the archipelagos in question and therefore cannot agree that the European Economic Community should take a position which constitutes inadmissible interference and which could be construed as a political definition pertaining to the question of sovereignty over the Malvinas Islands, South Georgia and the South Sandwich Islands or as disregard for Argentina's legitimate rights respecting them. I am therefore conveying to you, on behalf of the Argentine Government, a strong protest over the approval of this emergency assistance in the amount of 300,000 ECUs for the Malvinas Islands."

I request that this note should be issued as a General Assembly document in connexion with item 18 of the provisional agenda.

(Signed) Ruth GUEVARA ACHAVAL  
Chargé d'Affaires, a.i.

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