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(MALVINAS)

SECURITY COUNCIL
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Letter dated 3 February 1987 from the Permanent Representative of
Argentina to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of two press
communiqués issued by the Ministry for Foreign Affairs and Worship of the Argentine
Republic on 30 January (see annex I) and 31 January (see annex II), respectively.

I request you to have this note and the annexes thereto circulated as a
document of the General Assembly, in connection with the question of the Malvinas
Islands, and of the Security Council, and to have them brought to the attention of
the Special Committee on the Situation with regard to the Implementation of the
Declaration on the Granting of Independence to Colonial Countries and Peoples.

(Signed) Marcelo E. R. DELPECH
Ambassador
Permanent Representative

ANNEX I

Press communiqué issued by the Ministry for Foreign Affairs and
Worship of the Argentine Republic on 30 January 1987

As is common knowledge, on 29 October 1986, the Government of the United Kingdom declared a zone of 200 miles around the Malvinas Islands, within which it established a so-called interim zone for conservation and fisheries management. It thus made the fishing zone in question coincide with the so-called military "zone of protection" of 150 miles, that was declared by the United Kingdom following the 1982 war.

The Argentine Government denounced, by means of a communiqué on that same day and before international forums, those measures, which, in addition to constituting a further usurpation of Argentine territory, make the possibility of negotiation more remote, thus increasing tension in the area.

Three months after that decision, the Argentine Government wishes to reaffirm publicly its position, for the information of both national and international public opinion.

The Argentine Government is guided in its action by three principles.

First principle: negotiated settlement of disputes.

The Argentine Government has reiterated and reiterates its complete willingness to negotiate, taking a broad approach including discussion of all topics that gave rise to the dispute between the two countries and that arose as a result of the dispute. This position has been supported by the great majority of the members of the international community, as demonstrated by the resolutions of the United Nations. Similarly, we have repeatedly proposed the commencement of talks and negotiations with an open-ended agenda and without any prior conditions. In that connection, attention should be drawn, in particular, to the communiqué issued by the Argentine Government on 17 November 1986.

We remain willing to take up negotiations and once again call on the United Kingdom Government to take the path of negotiation, which, we know, will be complex and arduous but which, we emphasize, is the only desirable way of settling the dispute.

Second principle: firmness in laying claim to Argentina's inalienable rights, through the exercise of maritime jurisdiction.

Argentina's negotiating position must not be interpreted as weakness or acceptance of the status quo. In keeping with this approach, Argentina has signed, and will continue to sign, fishing agreements with third States that will take effect at the beginning of the fishing season, in a few weeks. Under the agreements in question, quotas for the fishing season, the number of vessels authorized to fish and the areas in which fishing will be permitted have been determined.

In that connection, it should be emphasized:

(a) That the number of vessels of the two countries with which agreements have already been signed - the Soviet Union and Bulgaria - that are authorized to fish in the entire 200-mile area off the mainland and islands amounts to one quarter of the number prior to the signing of the agreements, which means that an ecological balance and Argentine economic interests will be protected. In any event, authorized fishing will take place south of parallel 46°30'.

(b) That 10 per cent of the crews of the vessels in question will be Argentine.

(c) That, in order to ensure effective verification of fulfilment of the requirements relating to the quotas and zones allocated, during the entire time in which each vessel is active in the zone, it will be subject to inspection by two Argentine inspectors on board.

(d) That these agreements also entail the obligation to purchase products caught and processed by Argentine enterprises. In the case of the Soviet Union, the obligation represents 30 per cent of the value of the catch of vessels flying the Soviet flag, and in the case of Bulgaria 50 per cent of the value of the catch of vessels flying the Bulgarian flag. The impact that this will have in connection with the reactivation of Argentine fishing enterprises must be emphasized.

The fishing area will be inspected in accordance with the following regulations:

(a) The Ministry of Defence has instructed the Argentine Naval Prefecture to capture any vessel fishing without authorization within the Argentine 200-mile limit, and to capture any vessel that has done so.

(b) The instructions have been given in such a way as to avoid, on the Argentine side, any incidents in the zone.

Third principle: Prudence, which calls for retaining peace as a constant guide.

The constant goal of all action taken by the Argentine Government will be to avoid any possibility of incidents. This policy has been pursued, and will continue to be pursued, without prejudice to the execution of all Argentina's jurisdictional acts.

Therefore, negotiation, firmness and prudence are and will continue to be permanent guiding principles for the Argentine Government in its action.

ANNEX II

Press communiqué issued on 31 January 1987 by the Ministry
for Foreign Affairs and Worship of the Argentine Republic

The Ministry for Foreign Affairs and Worship and the Ministry of Defence believe - since there is a possibility of erroneous interpretations - that it should be explained that the Argentine patrolling of the South Atlantic will continue to be carried out over the same area and in the same manner as in the past two decades and that, on the basis of the principle of maintaining peace and avoiding incidents, the patrolling will not cover the so-called military exclusion zone of 150 miles around the Malvinas Islands imposed by the United Kingdom after the 1982 war and rejected by the Argentine Government.

It is therefore necessary to repeat that that decision does not represent recognition of the legitimacy of the military exclusion zone in question or recognition that the waters in question could constitute a fishing-management zone, such as the one declared by the United Kingdom on 29 October 1986, as indicated in the statement in the communiqué issued by the Ministry for Foreign Affairs yesterday.
