



## Security Council

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LETTER DATED 7 NOVEMBER 1983 FROM THE PERMANENT REPRESENTATIVE OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED  
NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to refer to a letter dated 10 August 1983 from the Permanent Representative of Argentina concerning incursions by Argentine vessels into the Falkland Islands protection zone (S/15918) and to state the following on instructions.

The facts of the said incursions are as follows: on 1 August, the Argentine fishing vessels Arcos and Rivera Vasca were intercepted by units of the British forces at position 52° 37' S, 60° 30' W. This position lies approximately 20 nautical miles south of Cape Meredith, the southernmost point of West Falkland, that is to say, some 80 nautical miles within the Falkland Islands protection zone. When requested to leave the protection zone, both fishing boats complied promptly.

Further incursions by the same fishing boats, which the Argentine letter omitted to mention, took place during the next few days, as follows:

(a) On 5 August, the Arcos was again found within the protection zone, some 15-20 miles within its southern limit;

(b) On 6 August, the Arcos was found yet again within the protection zone at a similar distance within its western limit;

(c) On the same day, the Rivera Vasca was again found within the protection zone in the vicinity of the Arcos.

On each occasion, the boat in question complied promptly with a request to leave the protection zone.

In addition to the above, I am obliged to report that an Electra aircraft with markings of the Argentine naval air force entered the Falkland Islands protection zone on 5 August at 1601 hours GMT and was intercepted by two Phantoms of the Royal Air Force. When the Electra failed to respond to internationally recognized visual signals, the Phantoms challenged it in English on the international radio frequency.

The pilot of the Electra replied in English and complied immediately with a request to leave the protection zone. It appears that there was a party of journalists on board the Electra, and film taken during the incident has subsequently been shown on both British and Argentine television.

In connection with these and previous Argentine incursions, I would refer you to earlier correspondence circulated as documents of the Security Council, in particular, to the letters dated 22 July 1982, 20 August 1982, 27 August 1982 and 8 October 1982 (S/15307, S/15369, S/15378 and S/15452), which set out, in all clarity, for the information of the members of the Security Council and of all others concerned, both the reasons for the maintenance of the Falkland Islands protection zone and the conditions applying within it. Similar notifications had been communicated directly to the Government of Argentina through the diplomatic channel. As has been repeatedly stated on previous occasions, it remains open to Argentine civilian shipping and aircraft which have legitimate reason to enter the protection zone to seek British agreement in advance. To date no such agreement has been sought. Given the position at which the Arcos and the Rivera Vasca were found on 1 August, it is evident that there could be no question of their repeated incursions into the protection zone having occurred by accident. I can only repeat once more the request contained in Mr. Whyte's letter of 22 July 1982 and my letter of 20 August 1982 that Argentine civil aircraft and shipping should not enter the protection zone, unless by prior agreement with the British Government, and urge, yet again, that, in order to minimize the risk of misunderstandings, this request should be strictly observed.

As regards the naval air force Electra, the Government of the United Kingdom take a particularly serious view of this deliberate incursion by an Argentine military aircraft. Actions of this nature carry the full responsibility of the Argentine Government. They can serve only to create the risk of a serious incident, which the establishment of the protection zone was designed to avoid.

In its repeated references to "Argentine jurisdictional waters around the Malvinas", however, the Argentine letter reveals its true purpose. This purpose is not, despite the letter's protestations to the contrary, to reduce tension in the area but, rather, to attempt to bolster Argentine claims to sovereignty over the Falkland Islands and to jurisdiction over their surrounding waters. It is clear that the waters in question are not (not) subject to Argentine jurisdiction but are high seas. Moreover, Argentine pretensions must be seen against the background of the Argentine Government's persistent refusal to declare a definitive end to hostilities more than a year after the repossession by British forces of the Falkland Islands and the surrender of the Argentine forces there. Given this failure to renounce unambiguously the future use of force in pursuit of Argentine claims, the deliberate incursions by Argentine vessels and aircraft, and the attempt in the Argentine letter to turn them into "incidents provoked in Argentine jurisdictional waters by British military forces", can only be the source of grave concern. As indicated in previous letters, the Government of the United Kingdom will maintain in being the Falkland Islands protection zone, which applies only to Argentine ships, submarines and aircraft, as a necessary and justifiable measure for the defence of the Falkland Islands and the prevention of untoward incidents in present circumstances.

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The Argentine letter claims that the real purpose behind the maintenance of the protection zone is to allow the United Kingdom to appropriate to itself unilaterally and exclusively the marine resources of the area. This is manifest nonsense. The purpose of the zone is to defend the Falkland Islands against further attack and to avoid the risk of misunderstandings. The Argentine letter itself acknowledges that vessels of other nationalities were peacefully fishing in the vicinity of the Argentine boats at the time of the latter's interception on 1 August.

For the question of airport construction on the Falkland Islands, referred to in the latter paragraphs of the Argentine letter, I would refer you to my letter of 25 August 1983 (A/38/362-S/15938).

I request that this letter be given the same distribution as the Argentine letter under reference.

(Signed) J. A. THOMSON

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