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LETTER DATED 15 JUNE 1960 FROM THE REPRESENTATIVE OF ARGENTINA  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, on the instructions of my Government, to request you to call an urgent meeting of the Security Council to consider the violation of the sovereign rights of the Argentine Republic resulting from the illicit and clandestine transfer of Adolf Eichmann from Argentine territory to the territory of the State of Israel, contrary to the rules of international law and the Purposes and Principles of the Charter of the United Nations and creating an atmosphere of insecurity and mistrust incompatible with the preservation of international peace.

An explanatory memorandum is attached.

I have the honour to be, etc.,

(Signed) Mario AMADEO  
Ambassador

EXPLANATORY MEMORANDUM

Enclosure to the note of 15 June 1960 from the Permanent Representative  
of the Argentine Republic to the United Nations addressed to the  
President of the Security Council

On 10 June 1960 the Argentine Government transmitted to the Security Council the text of the note from the Ministry of Foreign Affairs of the Argentine Republic addressed to the Embassy of Israel at Buenos Aires on 8 June 1960, in reply to the latter's note of 3 June 1960, concerning the capture of Adolf Eichmann on Argentine territory. That communication was circulated with document S/4334.

In view of the failure of the diplomatic representations made by it to the Government of Israel the Argentine Government is now compelled, in defence of fundamental rights, to request that the case be dealt with by the Security Council, the case being in its view explicitly covered by the provisions of Article 34 and Article 35, paragraph 1, of the United Nations Charter.

The facts which have led to this situation are as follows:

1. Having learned from reports which had become known to world public opinion that Adolf Eichmann had been captured in Argentine territory by "volunteer groups" which transferred him to the territory of Israel and there delivered him to the authorities of that country, the Argentine Government approached the Government of Israel with a request for information in that connexion.
2. The Government of Israel, through its Embassy at Buenos Aires, replied to this request in a note of 3 June 1960 in which it stated that Eichmann had in fact been transferred to Israel from Argentine territory. After stating that Eichmann had consented to the transfer, the Government of Israel's note concluded with the statement that "if the volunteer group violated Argentine law or interfered with matters within the sovereignty of Argentina, the Government of Israel wishes to express its regret".
3. In view of the recognition of the authenticity of the facts reported in connexion with Eichmann's capture, the Argentine Government, in the above-mentioned note of 8 June which was transmitted to the Security Council and circulated as document S/4334, made the most formal protest against the illegal act committed to the detriment of a fundamental right of the Argentine State, and requested appropriate reparation for the act, namely the

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return of Eichmann, for which it set a time-limit of one week, and the punishment of those guilty of violating Argentine territory. The Argentine Government stated that, failing compliance with this request, it would refer the matter to the United Nations.

The time-limit fixed in the above-mentioned note has expired without a reply having been received from the Government of Israel. Moreover, the known reactions of representatives of that Government have indicated that the reparation requested will not be made.

It is unnecessary to adduce further considerations in order to underline the gravity of the resulting situation. The illicit and clandestine transfer of Eichmann from Argentine territory constitutes a flagrant violation of the Argentine State's right of sovereignty, and the Argentine Government is legally justified in requesting reparation. That right cannot be qualified by any other considerations, even those invoked by the Government of Israel with regard to the importance attaching to the trial of a man accused of exterminations in concentration camps, although the Argentine Government and people understand those reasons to the full. Any contrary interpretation would be tantamount to approving the taking of the law into one's own hands and the subjecting of international order to unilateral acts which, if repeated, would involve undeniable dangers for the preservation of peace.

Before appealing to the Security Council, the Argentine Government endeavoured, in accordance with the Charter of the United Nations, to reach a satisfactory solution through the normal diplomatic channels of negotiation. In these endeavours the close friendship between Argentina and the State of Israel played a part. Those endeavours have, however, been without success. In these circumstances, the only remaining recourse is to the Security Council. A political question is involved which, apart from gravely prejudicing Argentine sovereignty, constitutes a precedent dangerous for international peace and security, for the maintenance of which the Security Council bears primary responsibility.

The Argentine Government hopes that the Security Council will attach to this question all the importance which it merits, and will take decisions involving just reparation for the rights violated.

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