

UNITED  
NATIONS



Security Council

Distr.  
GENERAL

S/15026  
1 May 1982  
ENGLISH  
ORIGINAL: SPANISH

LETTER DATED 1 MAY 1982 FROM THE PERMANENT REPRESENTATIVE OF ARGENTINA TO  
THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with the provisions of Article 51 of the Charter, I have the honour to inform you, as a follow-up to my note of today, that the successive attacks by the British Air Force against Puerto Argentino in the Malvinas Islands were repulsed by my country in exercise of its right of self-defence. In the anti-aircraft action, two Harrier aircraft were shot down; a third was hit, but its fate is unknown because radar contact was lost.

In perpetrating this bloody aggression against my country, the United Kingdom is persisting in violating Security Council resolution 502 (1982). In the light of these facts, not even the most distorted interpretation of that resolution (which was adopted in the interest of peace) can be used by the United Kingdom in an attempt to legitimise its irresponsible conduct.

The increasing aggression by the United Kingdom against my country is today threatening to unleash an armed conflict of unknown dimensions and unforeseeable implications for international peace and security; the United Kingdom Government will be solely responsible for the breach of such peace and security.

Through these actions, the United Kingdom is seeking to arrogate to itself powers which, under Article 24 of the Charter, were granted by the States Members of the United Nations to the Security Council for the discharge of its primary responsibility for the maintenance of international peace and security. The United Kingdom is thus thwarting effective implementation of a Council resolution sponsored by the United Kingdom itself. It is now declaring the resolution to be ineffective and is cynically invoking the right of self-defence in seeking to justify an open and brazen act of aggression.

I request that this note be urgently circulated as a Security Council document.

(Signed) Eduardo A. ROCA  
Ambassador  
Permanent Representative





## Security Council

Distr.  
GENERALS/15021  
30 April 1982  
ENGLISH  
ORIGINAL: SPANISHLETTER 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.



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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

3 - MAY 1982

Facsimile Transmission Leader.

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Message Input Number ... 1/3 ...

Date - 3 May 1982

This transmission consists of ... 3 ... page(s) PLUS leader.

FROM D H Anderson Esq, UKMis New York

TO Emergency Unit, FCO

P J Roberts Esq, UND, FCO

F D Berman Esq, Legal Advisers, FCO

1. Herewith two Argentine letters dated 30 April (S/15021 and 1 May (S.15026).
2. Draft reply will be telegraphed.

*DH Anderson*  
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