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[Passed to E.R.]

[Typists a.a.]

CONFIDENTIAL

FM UKMIS NEW YORK 181959Z JUN 82
TO IMMEDIATE F C O
TELEGRAM NUMBER 1023 OF 18 JUNE 1982

MY 2 IPTS: SOUTH SANDWICH ISLANDS

FOLLOWING IS DRAFT REPLY:

I HAVE THE HONOUR, ON INSTRUCTIONS FROM MY GOVERNMENT, TO STATE THE FOLLOWING IN REPLY TO THE LETTER DATED 17 JUNE 1982 (S/15230) FROM THE PERMANENT REPRESENTATIVE OF ARGENTINA ABOUT THE SOUTH SANDWICH ISLANDS.

THE SOUTH SANDWICH ISLANDS LIE APPROXIMATELY 1500 MILES EAST SOUTH EAST OF CAPE HORN IN THE ANTARCTIC OCEAN, TO THE NORTH OF THE ANTARCTIC TREATY AREA. THE ISLANDS WERE DISCOVERED BY A BRITISH NATIONAL, CAPTAIN COOK AND BRITISH SOVEREIGNTY WAS PROCLAIMED IN 1775, BEFORE WHICH THE ISLANDS WERE TERRA NULLIUS. THE ISLANDS HAVE LONG BEEN ADMINISTERED BY THE UNITED KINGDOM (MAINLY AS REGARDS SEALING AND WHALING); AND EARLIER THIS CENTURY THIS FACT WAS ACCEPTED BY ARGENTINA. ARGENTINA FIRST ADVANCED A CLAIM TO THE ISLANDS IN 1937. IN THE 1940S AND 1950S, THE UNITED KINGDOM OFFERED TO REFER THE QUESTION OF SOVEREIGNTY OVER THE ISLANDS TO THE INTERNATIONAL COURT OF JUSTICE; AND IN MAY 1955 THE UNITED KINGDOM SUBMITTED ITS CASE TO THE COURT

MAY 1955 THE UNITED KINGDOM SUBMITTED ITS CASE TO THE COURT BY DELIVERING AN APPLICATION TO THE REGISTRAR (FULL TEXT IN "ICJ PLEADINGS ANTARCTICA CASES (UK V ARGENTINA)"). HAVING SEEN THE STRENGTH OF THE BRITISH TITLE TO THE ISLANDS, ARGENTINA DECLINED TO ACCEPT THE COURT'S JURISDICTION.

IN 1976, THE UNITED KINGDOM BECAME AWARE OF THE ESTABLISHMENT OF AN ARGENTINE STATION ON SOUTHERN THULE FOR WHICH NO AUTHORISATION HAD BEEN SOUGHT. ACCORDINGLY THE UNITED KINGDOM PROTESTED AT THE TIME AND HAS MAINTAINED ITS PROTEST EVER SINCE.

ON 2 APRIL 1982, ARGENTINA PURPORTED TO PROCLAIM "THE RECOVERY OF ITS NATIONAL SOVEREIGNTY" OVER THE FALKLAND ISLANDS, SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS. THIS PROCLAMATION WAS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BY THE REPRESENTATIVE OF ARGENTINA IN HIS STATEMENT AT THE 2346TH MEETING OF THE SECURITY COUNCIL ON 2 APRIL 1982. AT THE SAME TIME, ARGENTINA USED ARMED FORCE IN ORDER TO INVADE.

IN MY LETTERS OF 17 JUNE AND 26 APRIL 1982 (S/15231 AND S/15002), I REPORTED TO THE COUNCIL THE RECOVERY BY THE UNITED KINGDOM OF POSSESSION OF THE FALKLAND ISLANDS AND SOUTH GEORGIA, RESPECTIVELY. I NOW HAVE THE HONOUR TO REPORT THE RECOVERY OF POSSESSION OF THE SOUTH SANDWICH ISLANDS. THE NECESSARY OPERATIONS BY BRITISH FORCES WERE TAKEN IN EXERCISE OF THE UNITED KINGDOM'S INHERENT RIGHT OF SELF-DEFENCE RECOGNIZED BY ARTICLE 51 OF THE CHARTER OF THE UNITED NATIONS.

PARSONS

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