

ALQ 050/598/1

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210

3101 - 1

OO DUBLIN DESKBY 010930Z
 GRS 187
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DESKBY 010930Z
 FM FCO 301700Z APR 82
 TO IMMEDIATE DUBLIN
 TELEGRAM NUMBER 670F 30 APRIL 1982

TELECON EYERS/ORR

FALKLANDS : LEGALITY OF TEZ

1. ORR REPORTED ON THE TELEPHONE THAT MACKERNAN SAID THAT THE ESTABLISHMENT OF THE TEZ SEEMED TO HIM INCOMPATIBLE WITH INTERNATIONAL LAW. GRATEFUL IF YOU WOULD PUT TO HIM THE FOLLOWING EXPLANATION:

BEGINS

'THE ESTABLISHMENT OF THE TEZ FORMS PART OF THE LAWFUL MILITARY OPERATIONS IN EXERCISE OF THE INHERENT RIGHT OF SELF-DEFENCE WHICH IS RECOGNISED BY THE CHARTER. OBVIOUSLY THE ARGENTINE GOVERNMENT CANNOT BE ALLOWED TO USE THIRD COUNTRY SHIPPING IN SUPPORT OF ITS ILLEGAL OCCUPATION. WE ARE ENTITLED TO PREVENT THIS AND FOR THIS PURPOSE TO INDICATE PUBLICLY TO SHIPPING THE AREA, EVEN ON THE HIGH SEAS, WITHIN WHICH SUCH SHIPPING WILL COME UNDER SUSPICION OF INTENDING TO AID THE ARGENTINE AGGRESSOR. NO DOUBT THIRD COUNTRY SHIPPING WILL IN FACT AVOID THE AREA, BUT THE MOD HAS BEEN INDICATED AS THE AUTHORITY TO WHICH APPLICATION CAN BE MADE FOR EXCEPTIONS.'

ENDS
 PYM

FCO
 RID
 CABINET OFFICE

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