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Se refiere a:

28MAR82 – Minuta del FCO. Posible acción legal.

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SAMD

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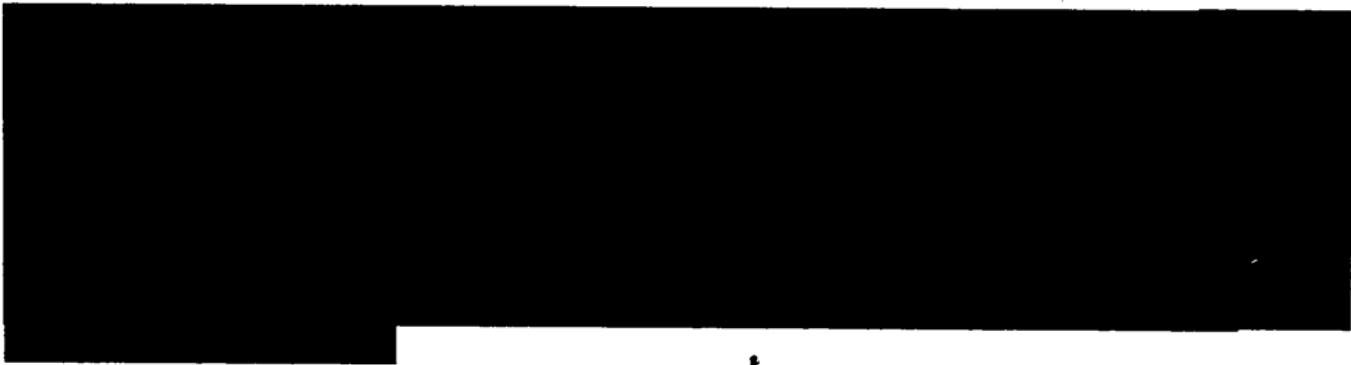
ph

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SOUTH GEORGIA: LEGAL ACTION

1. The Secretary of State has asked for a view on whether there is any legal action we can take to ensure the departure of the Argentinians from South Georgia.

2. South American Department have consulted the duty Legal Adviser. The only standing court competent to resolve disputes of this nature would be the International Court of Justice. The Legal Adviser is not aware of any basis for the Court to exercise jurisdiction in this matter. Disputes can only be referred to the Court if both parties agree. It is unlikely that the Argentinians, who have not accepted the Court's compulsory jurisdiction, would give their consent.



5. Before, therefore, any decision could be taken to refer the particular South Georgia issue or the wider Falkland problem to the ICJ, the Law Officers would need to be consulted again.

28 March 1982

- cc PS/Mr Luce
- PS/PUS
- Mr Giffard
- Mr Ure
- SAMD
- Legal Advisers

Aw 049/325/12		
- 1 APR 1982		
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R Cooper

R F Cooper
Senior Resident Clerk

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