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LETTER DATED 28 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF
ARGENTINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

On the express instructions of my Government, I have the honour to draw the attention of the Security Council to the fact that, on 28 April 1982, the Swiss Embassy in Buenos Aires delivered to the Argentine Government the following communication from the British Government:

"HMG will announce at 11.00 GMT today that a total exclusion zone is to be declared around the Falkland Islands. The text of the announcement, is as follows:

'From 11.00 GMT on 30 April 1982, a total exclusion zone will be established around the Falkland Islands. The outer limit of the zone is the same as for the maritime exclusion zone established on Monday 12 April 1982, namely a circle of 200 nautical miles radius from latitude 51 degrees 40 minutes south, 59 degrees 30 minutes west. From the time indicated, the exclusion zone will apply not only to Argentine warships and Argentine naval auxiliaries but also to any other ship, whether naval or merchant vessel, which is operating in support of the illegal occupation of the Falkland Islands by Argentine forces.

'The exclusion zone will also apply to any aircraft, whether military or civil, which is operating in support of the illegal occupation. Any ship and any aircraft whether military or civil which is found within this zone without due authority from the Ministry of Defense in London will be regarded as operating in support of the illegal occupation and will therefore be regarded as hostile and will be liable to be attacked by the British forces.

'Also from the time indicated, Port Stanley Airport will be closed: and any aircraft on the ground in the Falkland Islands will be regarded as present in support of the illegal occupation and accordingly is liable to attack.

'These measures are without prejudice to the right of the United Kingdom to take whatever additional measures may be needed in exercise of its right of self-defence, under Article 51 of the United Nations Charter.'

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This new act of aggression on the part of the United Kingdom is in open violation of the provisions of Article 2, paragraphs 3 and 4, of the United Nations Charter and of Security Council resolution 502 (1982).

It involves a clear, illegitimate use of force, in violation of the express rules of international law and of General Assembly resolution 3314 (XXIX) entitled "Definition of Aggression".

The United Kingdom cannot invoke the right of self-defence, under Article 51 of the Charter, since that provision may be applied only in order to avert an imminent and serious danger, and the measures taken to that end must be reasonable, limited to the need for protection and proportional to that imminent danger. Consequently, it is impossible to invoke the right of self-defence in islands situated 8,000 miles from British territory.

These acts of armed force on the part of the United Kingdom constitute purely and simply unjustified and illicit acts of reprisal, the aim being to restore a colonial occupation of a territory which legally and historically belongs to the Argentine Republic. The United Kingdom can in no way claim that its own territory is involved. Hitherto it has never done so and the United Nations itself has recognized these territories to be colonial dependencies.

The repossession of the territories of the Malvinas Islands, the South Georgias and the South Sandwich Islands began on 2 April 1982 and concluded without any British blood having been shed. The United Kingdom's response to these bloodless acts was the dispatch of a large battle fleet to the zone, the establishment of a naval and air blockade of the islands, its decision to attack warships, merchant vessels and aircraft, whether civil or military (letter dated 24 April 1982 addressed to the President of the Security Council), and its bloody act of aggression against the South Georgia Islands.

These actions by the Government of the United Kingdom merely reflect the statements by the highest authorities of that country, as already mentioned in my letter of 24 April (S/14998), to the effect that they would use force as an instrument of their political and military action against the legitimate rights which the Argentine Republic possesses over its territories of the Malvinas Islands, the South Georgias and the South Sandwich Islands in accordance with the principle of territorial integrity recognized by General Assembly resolution 1514 (XV).

I request that this letter be distributed urgently as a document of the Security Council.

(Signed) Eduardo A. ROCA
Ambassador
Permanent Representative
