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LETTER DATED 29 APRIL 1982 FROM THE PERMANENT REPRESENTATIVE OF
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE
UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, on instructions from my Government and with reference to the letter from the President of the Twentieth Meeting of Consultation of Ministers of Foreign Affairs of the Organization of American States dated 28 April 1982 (S/15008), to which was appended the text of a resolution adopted by that meeting, to state the following.

The United Kingdom notes with surprise that the resolution fails to indicate that it was Argentina which used armed force to invade the Falkland Islands and South Georgia on 2 and 3 April 1982, in defiance of the call by the Security Council on 1 April 1982 (S/14944) in the exercise of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. These uses of force would appear to the United Kingdom to have been contrary to article 1 of the Rio Treaty, by which the High Contracting Parties:

"Undertake in their international relations not to resort to the ... use of force in any manner inconsistent with the provisions of the Charter of the United Nations".

What is indisputable is that Argentina's uses of force on 2 and 3 April were contrary to those fundamental provisions of the Charter of the United Nations which oblige Members to settle their disputes by peaceful means and to refrain from the use of force (Article 2, paras. 3 and 4).

The United Kingdom is pleased that the resolution notes that the terms of the Security Council resolution 502 (1982) must be fulfilled, it being a mandatory resolution. In this connexion, it is a matter of serious concern that Argentina has not begun to withdraw its armed forces from the Falkland Islands, despite the Security Council's demand for the immediate withdrawal of all Argentine forces contained in paragraph 2 of resolution 502 (1982).

The United Kingdom can only reject as unfounded the assertion that the adoption of legitimate counter-measures in the political and economic fields is in some unspecified way incompatible with the Charters of the United Nations and the Organization of American States and with the General Agreement on Tariffs and Trade.

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As regards the question of sovereignty, we refute the assertion in the resolution that Argentina enjoys sovereignty over the Falkland Islands. The United Kingdom continues to have sovereignty over the Falkland Islands, despite the current illegal military occupation by Argentina. Proof of the British title to South Georgia was set out in my letter of 26 April 1982 (S/15002).

The United Kingdom has noted the reference in the resolution to the interests of the islanders. As was demonstrated in my letter of 28 April concerning the history of settlement on the Falkland Islands (S/15007), the present inhabitants are a permanent population whose roots on the Islands, in many cases, go back seven generations to about 1850. They are a people with a right to self-determination, just as much as other peoples now inhabiting countries such as Argentina and its neighbours. In free and fair elections, the Falkland islanders have decided upon their own interests. Their decision was to maintain their present culture and way of life.

Finally, the United Kingdom reiterates its desire for a peaceful solution to the present situation and fully shares the wish expressed in the Organization of American States' resolution that the negotiations of the Secretary of State of the United States will be an effective contribution to a peaceful solution. While the British Government will continue to work to that end, it will be apparent from the foregoing that the resolution of the Organization of American States hardly matches the needs of the present situation. What is needed at the present time is concerted international pressure on Argentina to withdraw its armed forces from the Falkland Islands. This, the resolution signally failed to do, notwithstanding the terms of the Security Council resolution 502 (1982). In the present circumstances the United Kingdom will continue to reserve its right to take measures in exercise of its inherent right of self-defence recognized by Article 51 of the Charter of the United Nations.

I should be grateful if you would arrange for this letter to be circulated as a document of the Security Council.

(Signed) A. D. PARSONS
