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Twelfth special session

LETTER DATED 14 JUNE 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 GENERAL ASSEMBLY

As you will recall, the President of the General Assembly drew attention on 12 October 1979 "to the fact that the tradition of the Assembly with respect to speeches made by Heads of State has always been that no statements in exercise of the right of reply may be made in the General Assembly hall" (A/34/PV.32, p. 51). President Salim went on to say that replies could be submitted in writing. Mindful of this tradition, I did not seek to exercise my right of reply to the statement made on 14 June 1982 by the President of Panama even though his address contained a number of serious inaccuracies about the policy of the United Kingdom.

Members of the Assembly will be aware that on 2 April 1982 Argentina chose to ignore a call by the Security Council to refrain from the use of force and invaded the Falkland Islands. This action was clearly contrary to the provisions of the Charter concerning peaceful settlement and non-use of force, as well as the principle of self-determination of peoples (Art. 2, paras. 3 and 4, and Art. 73 of the Charter of the United Nations). The Security Council reacted by determining that the Argentine invasion had caused a breach of the peace in the area and by demanding the immediate withdrawal of all Argentine forces from the Falkland Islands (resolution 502 (1982)). Argentina has not withdrawn and has continued to use force in an attempt to subjugate the people of the Falkland Islands, a people of British descent and nationality. In these circumstances, the United Kingdom has taken measures in exercise of its inherent right of self-defence, recognized by Article 51 of the Charter. The full position of the United Kingdom has been set out in statements and letters addressed to the President of the Security Council by myself and Mr. Whyte, and need not be repeated in this reply. In particular, it was pointed out that the Gurkhas, to whom President Royo made reference in his statement, are regular members of the British Army and not in any sense mercenaries.

There is, however, one point of relevance to the second special session devoted to disarmament to which I would draw particular attention. The President of Panama argued that the introduction of British nuclear submarines in the South

Atlantic had made a mockery of the Treaty of Tlatelolco. Members of the Assembly will recall that the full title of this instrument is the Treaty for the Prohibition of Nuclear Weapons in Latin America. The United Kingdom is not eligible to become a party to the Treaty itself, but has ratified Additional Protocols I and II covering the position of States possessing dependent territories in the region and the position of nuclear-weapon States. As its title indicates, the Treaty has to do with the prohibition of "nuclear weapons", a term defined in its article 5. That article states that "An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof". It is clear from article 5 that a nuclear-powered submarine is not included in the definition. Accordingly, the deployment of nuclear-powered submarines in the South Atlantic by the United Kingdom would not violate in any way the Treaty of Tlatelolco, nor make a mockery of it. Finally, I wish to confirm that it is inconceivable that the United Kingdom would use nuclear weapons against Argentina.

I should be grateful if this letter could be circulated as a document of the twelfth special session of the General Assembly.

(Signed) A. D. PARSONS
