

The Handhip of the falklands Invasion ARGENTINA PART 1: April 1982 PARTS: May 1982 PART 5. Referred to Date Referred to Date Referred to Date Referred to Date Dd 533270 5M 2/78 8362633 JET

♦PART ♦ ends:-

14/5/82

PART begins:-

12/2/82

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Data
07 (SA) (92) 26 H M+4	Date
((82) 21 - with four attached telegrams	5 May 82
030(SA) (82) 37	5 May 82
07(SA) (82) 42	6 May 82
	6 May 82
	6 May 82
	6 May 82
07 (SA) (92) 28th Mtg	7 May 82
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09 (SA) (82) 304 Mtg	10 May 82
07 (SA) (82) 44	10 May 82
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Signed	Date	
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PREM Records Team

Sheet 1 of 2

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Cabinet / Cabinet Committee Documents

Reference	Date
07 (82) 37	13 May 82
07 (5A) (82) 48	13 May 82
09 (50) (82) 49	13 May 82
on (sa)(sv) 50	13 May 82
cc (82) 26th Item 2 - LCA	13 May 82
03 (SA) (82) 41	14 May 82
O) (SA) (82) 52	14 Muy 82
09 (SA) (82) 34 th Mty	14 May 87
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Signed Date 10 May 2012

PREM Records Team

Sheet 2 of 2



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OD(SA)(82) 51

14 May 1982

COPY NO:

CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE
SUB-COMMITTEE ON THE SOUTH ATLANTIC AND THE FALKLAND ISLANDS

FALKLAND ISLANDS: THE NEW YORK NEGOTIATIONS

Memorandum by the Foreign and Commonwealth Secretary

- 1. At today's meeting of OD(SA) I was asked to prepare a document setting out our final position, which might be given to the Secretary-General next week by Sir A Parsons. It could also subsequently be published. In my view this document must keep faith with what we have discussed with the Secretary-General if his good will is to be retained and he is not to denounce us as not having negotiated in good faith. It must also, if published, demonstrate: a) to British Parliamentary and public opinion that the Government's position had properly safeguarded British interests; and b) to our American and European partners, to the Commonwealth and to the international community in general that we had negotiated reasonably and in good faith.
- 2. I attach, to serve as such a document, the draft of an interim agreement between Britain and Argentina. It incorporates the decisions taken by OD(SA) up to and including its meeting on 13 May. The marginal notes are designed to explain the text for public consumption; they would of course be omitted when the text was given to the UN Secretary-General.

FP

Foreign and Commonwealth Office 14 May 1982

CONFIDENTIAL

CONFIDENTIAL

INTERIM AGREEMENT DRAFT

The Government of the Republic of Argentina and the Government of the United Kingdom of Great Britain and Northern Ireland.

Responding to Security Council Resolution 502 (1982) adopted on 3 April 1982 under Article 40 of the Charter of the United Nations,

Having entered into negotiations through the good offices of the Secretary-General of the United Nations for an Interim Agreement concerning the Falkland Islands (Islas Malvinas), U hereinafter referred to as 'the Islands',

Having in mind the obligations with regard to non-self governing territories set out in Article 73 of the Charter O-enc. the dependencies of the United Nations,

Explanatory Notes

The expression 'Falkland Islands (Islas Malvinas)' refers to the Falkland Islands themselves and excludes the Dependencies. This exclusion was unacceptable to Argentina.

Article 73 of the UN Charter says that the interests of the inhabitants of nonself-governing territories are paramount and refers to the need to take due account of the political aspirations of the peoples.

Have agreed on the following:

ARTICLE 1

- (1) No provision of this Interim Agreement shall in any way prejudice the rights, claims and positions of either Party in the ultimate peaceful settlement of their dispute over the Islands.
- (2) No acts or activities taking place whilst this
 Interim Agreement is in force shall constitute a
 basis for asserting, supporting or denying a claim
 to territorial sovereignty over the Islands or
 create any rights of sovereignty over them.

ARTICLE 2

(1) With effect from a specified time, 24 hours after signature of this Agreement (hereinafter referred to as time 'T'), each Party undertakes to cease and thereafter to refrain from all firing and other tile actions.

The effect of Article 1 is to exclude

any undermining of British sovereignty

by the Interim Agreement or while it is

in force. This Article was and accepted

by Argentina.

- (2) Argentina undertakes:
 - (A) To commence withdrawal of its Armed Forces from the Islands with effect from time 'T';
 - (B) To withdraw half of its Armed Forces
 to at least 150 nautical miles away
 from any point in the Islands by time
 'T' + 7 days; and,
 - (C) To complete its withdrawal to at least 150 nautical miles away by time 'T' + 14 days.
- (3) The United Kingdom undertakes:
 - (A) To commence withdrawal of its Armed Forces from the Islands with effect from time 'T';
 - (B) To withdraw half of its Armed Forces to at least 150 nautical miles away

Article 2(3)(A) merely balances 2(2)(A).

from any point in the Islands by time
'T' + 7 days; and,

(C) To complete its withdrawal to at least 150 nautical miles away by time 'T' + 14 days.

ARTICLE 3

With effect from time 'T', each Party undertakes to lift the exclusion zones, warnings and similar measures which it has imposed in the region.

ARTICLE 4

On the completion of the steps for withdrawal specified in Article 2, each Party undertakes to refrain from reintroducing any Armed Forces into the Islands or within 150 nautical miles thereof.

Article 5

ch Party undertakes to lift with effect from time

Argentina wanted the British Task

Force to withdraw to its usual

operating areas.

'T' the economic measures it has taken against the other and to seek the lifting of similar measures taken by third parties.

ARTICLE 6

- (1) Immediately after the signature of the present
 Agreement, Argentina and the United Kingdom shall
 jointly sponsor a draft Resolution in the United
 Nations under the terms of which the Security
 Council would take note of the present Agreement,
 acknowledge the role conferred upon the SecretaryGeneral of the United Nations therein, and authorise
 him to carry out the tasks entrusted to him therein.
- (2) Immediately after the adoption of the Resolution referred to in paragraph (1) of this Article, a United Nations Administrator, being a person acceptable to Argentina and the United Kingdom, shall be appointed by the Secretary-General and ill be the officer administering the government of the Islands.

A Security Council Resolution is a necessary procedure to enable the Secretary-General to appoint a UN Administrator.

The United Nations Administrator shall have the authority under the direction of the Secretary-General to ensure the continuing administration of the government of the Islands. discharge his functions in consultation with the Executive and Legislative Councils in the Islands and shall act through the competent officials and institutions of the traditional local administration. The Executive and Legislative Councils on the Islands will each be enlarged by the addition of one representative from among the Argentine population resident on the Islands, to be appointed by the United Nations Administrator. The Administrator shall exercise his powers in accordance with the terms of this Agreement and in conformity with the spirit of the laws and practices previously observed by the traditional.

Article 6(3), except the first sentence, was unacceptable to Argentina, which wanted to remove the whole structure of the traditional administration and to make provisions allowing Argentine people and businesses to settle in the Islands without limit.

There would thus be 10 Members of the Executive Council and 7 of the Legis-lative Council, one member of each being from among the Argentine population of the Islands.

The last sentence of Article 6(3) would ensure that the character of government and society in the Islands could not be changed while the Interim Agreement was in force, for instance by an influx of people or businesses from outside.

local administration.

-7-

- (4) The United Nations Administrator shall verify the withdrawal of all armed forces from the Islands,

 Fas well as their non-reintroduction.

 and during an alfaliar relation of the control of the cont
- (5) The United Nations Administrator shall have such

 the United Kingdom to be necessary for the performance
 of his functions under this Agreement.

ARTICLE 7

Except as may be otherwise agreed between them, the Parties shall, during the currency of this Agreement, reactivate the Exchange of Notes of 5 August 1971, together with the Joint Statement on communications between the Islands and the Argentine mainland referred to therein. The Parties shall accordingly take appropriate steps to establish a special consultative committee to care out the functions entrusted to the special ensultative committee to care out the functions entrusted to the special

The method of verification was discussed with the Secretary-General. The UK was willing to accept that surveillance aircraft from third countries, such as the United States, might be used.

Article 7 opens the way for reestablishing the arrangements that existed before the Argentine invasion for travel, transport, postage, etc. A new special consultative committee is needed because the old one was staffed by the British Embassy in Buenos Aires, now closed.

ARTICLE 8

The Parties undertake to enter into negotiations in good faith under the auspices of the Secretary—General of the United Nations for the peaceful settlement of their dispute and to seek, with a sense of urgency, the completion of these negotiations by 31 December 1982. These negotiations shall be initiated without prejudice to the rights, claims or positions of the Parties and without prejudgement of the outcome.

ARTICLE 9

This Interim Agreement shall enter into force on signature and shall remain in force until a definitive agreement about the future of the Islands has been reached and implemented by the Parties. The Secretary-General will immediately communicate its text to the Security Council and register it in accordance with Article 102 of the Charter of the United Nations.

The second half of the first sentence would have kept the interim arrangements in being after 31 December 1982 even if a final settlement had not been agreed by that date. This position was unacceptable to Argentina.

- 9 -

For Argentina

For the United Kingdom





01-989 SEPERIT 233 8378

Ref: B06495

CABINET OFFICE 70 WHITEHALL LONDON SW1A 2AS

14th May 1982

Dear David,

OD(SA)(82) 30th Meeting, Item 1, Conclusion 1, which correctly recorded approval of paragraph 10 of OD(SA)(82) 45, mistakenly referred to the air defence of Ascension Island (which was dealt with by Conclusion 2 of OD(SA)(82) 29th Meeting). The Conclusion should read -

"1. Invited the Defence Secretary to authorise Rules of Engagement against surveillance aircraft on the basis proposed in paragraph 10 of the note attached to OD(SA)(82) 45."

Jun, ever Potent

R L WADE-GERY

D B Omand Esq. Ministry of Defence.

Distribution - as for OD(SA) papers

PRIME MINISTER

MEETING OF OD(SA) ON TUESDAY 18 MAY

The meeting of OD(SA) planned for next Tuesday morning is of course a critical one, and given the decision which we at present think Ministers will have to take on that occasion, the CDS would like to have the other three Chiefs of Staff with him at the meeting. Mr Nott supports this request.

Agree that all four Chiefs of Staff should be at next Tuesday's meeting of OD(SA) ?

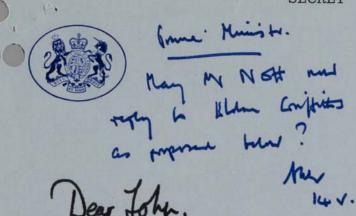
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Saw.

14 May 1982

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Foreign and Commonwealth Office

London SW1A 2AH

Lo 14 May, 1982

Mr Pym has seen a copy of your letter of 1/2 May to Nick Evans in the MOD.

He understands the reasons for making the proposed reply to Mr Botha warmer, but nevertheless has some reservations about the idea. The South Africans are always anxious to seize on the slightest indication that our attitude to them may be changing and quick to exploit politically any request we might put to them. There is thus a real danger that they would deliberately leak the message from the Prime Minister which could be represented as implying that we were likely to ask for facilities. Such a leak could have serious repercussions in terms of the loss of international support for our position over the Falklands, both in the UN and elsewhere. In Mr Pym's view, it would be preferable to avoid this risk unless there is a much clearer likelihood than now seems to be the case that we shall in fact need to approach the South Africans for naval or other facilities.

Furthermore, despite the relatively forthcoming message already given to Mr Eldon Griffiths there is still a real risk (to which Mr Pym drew attention in his minute of 5 May) that the South Africans might either reject or seek to attach unacceptable political conditions to any offer of assistance. Mr Pym has been reinforced in this view by the unsympathetic South African response to our request to them to suspend the supply of arms and ammunition to Argentina. In their reply (which we understand was considered by the South African Cabinet) the South Africans indicated that their cooperation could depend on a guarantee by HMG to supply arms to South Africa in contravention of the UN mandatory arms embargo (Cape Town telnos 326 and 327 refer). (The South Africans have however told us that there is no question of their supplying EXOCET to Argentina).

In the light of these indications of South Africa's inclination to turn the Falklands issue to its own political advantage, Mr Pym considers that the response to Mr P W Botha should be couched in the more neutral, but still friendly, terms originally suggested by Mr Nott in his minute of 29 April, with the addition of the Prime Minister's endorsement. Mr Pym has noted from Nick Evans's letter that Mr Eldon Griffiths professed himself 'entirely content' with the terms of that reply.

Finally, and subject to Mr Nott's views, we might perhaps

/suggest

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Catalogue Reference:prem/19/647



suggest to Mr Eldon Griffiths that in replying to the South Africans he should add that the most immediate and tangible help that the South African Government could give us would be to take all possible steps, without preconditions, to ensure that for the duration of the conflict no arms or other war material reaches Argentina from or through South Africa.

son over.

Private Secretary

A J Coles Esq Private Secretary 10 Downing Street

cc: N Evans Esq, MOD

SECRET



s/s mos letter todephoned to Switcomed 15/1.

With the compliments of

THE PRIVATE SECRETARY

F.N. RUCHARDS

Ref Telecon with Duty CIAL.

14.5.82

Power Effice

FOREIGN AND COMMONWEALTH OFFICE SW1A 2AH



Covering SECRET AND PERSONAL UK COMMS



MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB

Telephone 01-218 2111/ (birect Dialling)
01-218 9000 (Switchboard)

MO 5/21

14th May 1982

Dear Francis

Defence Dept for action (received here 142100h

As we discussed over the 'phone I am' sending over to you the letter my Secretary of State has sent to M. Hernu. The text was signalled to Paris in advance and I am also enclosing the signal reply we have since received from HMA which indicates that the message has to some extent achieved its purpose.

While the letter is marked Secret and Personal I do not think that there would be any objection to showing it to the French Ambassador on an "In Confidence" basis. Perhaps you would then forward it to Paris in the normal way.

J RIDLEY) (MISS

F N Richards Esq

Covering SECRET AND PERSONAL UK COMMS

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PERSONAL FOR APS/SECRETARY OF STATE FOR DEFENCE FROM AMEASSADOR YOUR SICASP OF 121730Z MAY 82

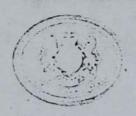
1. THE TEXT OF MR NOTT'S LETTER WAS PASSED TO M. HERNU YESTERDAY ACRAING UITER COVER OF A LETTER FROM HE TO THE MINISTER. M. HERMU SELT ME A REPLY YESTERLAY EVENING CONFIRMING RECEIPT OF MR NOTT'S LETTER. HE ASKED HE TO PASS HIS WARNEST THANKS TO MR NOTT AND STRESSE

HOW TOUCHED HE HAD BEEN BY HIS NESSAGE. HE SAID THAT, WHILE RECOGNISTING THAT THE LETTER HAD BEEN ALTRESSED PERSONALLY TO HIM, HE HAD TAKEN THE LIBERTY OF TRANSMITTING THE TEXT TO N.MITTERRAND

FRETWELL..

APS/SOFS Action

SECRET



MINISTRY OF DEFENCE WHITEHALL LONDON SWIA 2HB

TELEPHONE 01-218 9000
DIRECT DIALLING 01-218 2111/3

MO 5/21

13th May 1982

Dear Munister

I sincerely regret that certain reports in London newspapers have recently criticised France for providing the weapons which were responsible for the sinking of HMS SHEFFIELD. These allegations are a considerable embarrassment to me and my colleagues and we are treating them with the contempt they deserve.

In my letter of 22nd April, I made clear how much we appreciated your agreement to provide us with information on French manufactured equipment in service with the Argentine armed forces. I can now say that this information has been of the greatest possible value. I am also most grateful for your Government's recent help in the field of export controls.

I will, of course, continue to ensure that the extent of your assistance, and the information provided, is treated with the utmost discretion. However, at an early opportunity I intend to make clear publicly that I believe that the recent press criticisms of France to be disgraceful and entirely without foundation.

Your generous help in this whole matter has marked France out as a true ally, with a mutual understanding of the need for all nations to stand firm against military aggression.

Kind est repards
Solu Wolt

Monsieur Charles Hernu Le Ministre de la Defense

SECRET

PRIME MINISTER

LANDING ON THE FALKLAND ISLANDS

Sir Frank Cooper asked to see me this evening to follow up one point arising from this morning's presentation which is continuing to give him and, he said, the Chief of the Air Staff a good deal of concern. This is the weakness of the air defence of our ships.

He said that he is now convinced that once our amphibious force is ashore on the Falkland Islands, they will be all right. He said that both the Chief of the General Staff and the Chief of the Air Staff are now happy on this score. But the Argentinian air attacks on our ships at sea over the last couple of weeks have thrown into stark relief our difficulty in defending our ships from air strikes. We have lost SHEFFIELD. We were very lucky that the bomb which hit GLASGOW passed through her without exploding. He told me - and it was the first time that I had heard this - that BRILLIANT also had a close shave in the same attack when one of the Sky Hawks' bombs literally bounced over her bows.

Admiral Fieldhouse himself made no bones at this morning's presentation about the sport-comings of the See Part single-force in the sport-comings of the sport-comings of

Admiral Fieldhouse himself made no bones at this morning's presentation about the short-comings of the Sea Dart air defence missile system and about the limitations of the Sea Harrier in air combat at low levels.

Sir Frank Cooper is not suggesting that these worries should in any way have a decisive effect on whether to undertake a landing or not. But his concern is that Ministers should understand that there is a real possibility that just before or in the course of the landing we might well lose two or three ships due to air attack. He thinks that it would be a good idea if you were to touch on this possibility with the Chief of the Defence Staff on Sunday morning. He does not believe that this is something which you would want to raise in front of the whole of OD(SA). Rather he suggests that you might like to bring it up informally after the meeting, perhaps over a drink, with the Defence Secretary, the CDS and himself. I suggest that you might draw the Home Secretary into the circle too if you wish to do what Sir Frank Cooper is proposing.

/If you are





- 2 -

If you are minded to raise the matter, I think that you could easily broach it with the CDS by saying that you had been reflecting carefully over what Admiral Fieldhouse had said during the presentation about the short-comings of the Sea Dart system and the Sea Harrier's air combat capability.

tall.

14 May 1982

SECRET,

Ref: B06496



Termid Mageners,

PRIME MINISTER

c Sir Robert Armstrong

Falklands: OD(SA) on 16th May

Military Issues

Your meeting at Chequers at 10.00 am on Sunday should begin in the normal way with a report from the <u>Chief of the Defence Staff</u> on the latest military situation.

1 xedraf

- 2. The <u>Defence Secretary</u> should then introduce his paper OD(SA)(82) 50 proposing a Ministry of Defence broadcasting operation in Spanish aimed at the Falklands garrison. The <u>Foreign and Commonwealth Secretary</u> and <u>Home Secretary</u> should explain their doubts on this, to which they referred briefly this morning. A decision is urgent if the broadcasts are to start before the landing; the essence of the case for them is that they may reduce British casulaties.
- 3. No need for other military decisions is foreseen. Rationalisation of the Rules of Engagement has been agreed to the satisfaction of the Foreign and Commonwealth Office as well as the Ministry of Defence, as
 OD(SA)(82) 47 records.

forder 1

4. You may wish to probe the <u>Chief of the Defence Staff</u> on Admiral Fieldhouse's statement today that he could not recommend going ahead with Sutton if a carrier is lost before D-Day. Does that mean we should have to give up the military option altogether?

Diplomatic Issues

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5. The Foreign and Commonwealth Secretary should introduce his paper - OD(SA)(82) 51, suggesting the draft agreement we might table in New York and subsequently publish to show how reasonable we had been. Internationally this would help shift the blame for the breakdown onto Argentina; domestically it might prove divisive. The Home Secretary should comment on the latter consideration; and Sir Antony Parsons and Sir Nicholas Henderson on the former.

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- 6. Sir Antony Parsons should then say when and in what circumstances he expects the United Nations negotiations to break down. Can the Secretary General be dissuaded from tabling his own compromise proposals? What more could we do to place the blame where it belongs? When and with what result will the Security Council meet? What will then happen at the United Nations.
 - a. between breakdown and D-Day (which could be as long as 10 days)?
 - b. after D-Day?
- 7. Sir Nicholas Henderson should follow this with an estimate of how the United States Government will behave, in private and in public, over the same period; and how American public opinion will evolve. What is General Walters up to? What influence are Mrs Kirkpatrick and the "hemisphere lobby" having on the White House? When will Mr Haig want to get back into the negotiating act (as he has told us he expects to do at some stage)? Looking further ahead, what attitude will the Americans take on decolonisation, independence and other long-term solutions? How far can they be expected to underwrite the Islands security? Are they interested in them strategically?
- 8. The Foreign and Commonwealth Secretary is now expected to circulate to tomorrow a paper (OD(SA)(82) 52) on the consequence of the Falklands crisis for British interests and subjects in Latin America. This will be for information only, but will be relevant to Sunday's meeting. The Foreign and Commonwealth Secretary should therefore be asked if he wishes to speak to it.
- 9. The Foreign and Commonwealth Office paper on possible references to the Labor 2. International Court of Justice (OD(SA)(82) 48) has been circulated for information, not decision. But <u>Sir Ian Sinclair</u> could no doubt speak to it if required.

SECRET



Next Meeting

10. The military decision-taking meeting has been arranged for 9.30 am on Tuesday 18th May, when the Foreign and Commonwealth Secretary will be back; all four Chiefs of Staff will be present. In Mr Pym's absence, a meeting at 10.00 am on 19th May would be possible if required but does not at present look necessary.

PRL

14th May 1982

R L WADE-GERY

TOP SECRET

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UK EYES A HVCCO

Ref. A08436

PRIME MINISTER

Copy No. of 3 Copies

Argentina and the Falkland Islands

You asked for an investigation of the role of intelligence in the events leading up to the Argentine invasion of the Falkland Islands.

2. Mr. D.R. Nicoll, whose earlier reports you will remember, was asked to undertake a new investigation, with the following terms of reference:

"The task is:

first, to examine -

- (a) all the information available from 1 July 1981 to 2 April 1982
 relating to Argentinian intentions towards the Falkland Islands,
 with particular reference to indications that Argentina might be
 considering taking military action or be more inclined than in the
 past to contemplate military action;
- (b) the JIC assessments made during the same period; second, in the light of the information available and of developments within Argentina, and internationally, to answer the following questions:
 - (1) Would it have been reasonable to expect the JIC during that period to have offered a new, or a renewed, judgment as to Argentine intentions?
 - (2) Could earlier warning have been given of an impending Argentinian invasion?"
- _ 3. I attach Mr. Nicoll's report. I think that he has done an excellent job of work.
 - 4. The report has been considered by the JIC. The JIC concur generally with Mr. Nicoll's conclusions and recommendations, but they believe that these should be studied further in the light of the conclusions reached by the parallel

-1-

TOP SECRET UK EYES A HVCCO

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UK EYES A HVCCO

detailed investigations under way in the FCO and the DIS. When these are available, it will be necessary to consider certain matters for the future. The main question would seem to be what improved arrangements should be made to ensure that the political indications of a developing threat to British interests anywhere in the world are brought to notice and assessed at the earliest possible moment.

5. Mr. Nicoll's report will of course be valuable material for the proposed inquiry, when that is set up.

ROBERT ARMSTRONG

(dichated by S. RAmstrong and signed on his behalf).

14th May, 1982

-2-





CONFIDENTIAL

MR/CLOKE

2. Miss Stephens (No10)

The following will be at Chequers on Sunday 16 May for the OD(SA) meeting at 10. am.

Foreign & Commonwealth Secretary

Defence Secretary

Chancellor of the Duchy

Attorney General

Chief of the Defence Staff

Sir Antony Acland

Sir Michael Palliser

Sir Frank Cooper

Sir Ian Sinclair

Mr Wade-Gery

Mr Facer

Brigadier Eyre

I have cleared Sir Frank Cooper's attendance with Mr Whitmore.

R L L FACER

14 May 1982

CONFIDENTIAL

TOP SECRET

Ref: B06497

COPY NO OF 5 COPIES

Prime Minister.

ALLI

HEV. P.L.

MR WHITMORE

c Sir Robert Armstrong o/r

Argentine Mainland

After this morning's briefing I asked Admiral Fieldhouse whether (leaving aside one rather different possibility of which you are aware) he now foresaw any circumstances in which he would want to seek authority to attack the Argentine mainland. His answer was No. His view on this had changed since he briefed members of OD(SA) at Northwood on 25th April. It had not done so for political reasons - though he was wellaware of these but for military ones. Air attacks on Argentine air bases were unlikely to do much permanent damage; and using Vulcans would for air-tankering reasons, inhibit his all-important Nimrod reconnaissance flights.

14th May 1982

R L WADE-GERY

SECRET

To su



010

MINISTRY OF DEFENCE

MAIN BUILDING WHITEHALL LONDON SW1A 2HB

Telephone 01-218 2111/3 (Direct Dialling)

01-218 9000 (Switchboard)

MO 5/21

14th May 1982

m

NON-COMBAT AIRCRAFT: CONTINGENCY PRESS RELEASE

Further to my letter of 12th May on this subject I am now attaching an amended version of the draft Press Release which has been approved by my Secretary of State. I hope that it now takes into account Lord Cockfield's concern that the 707s engaged in surveillance would be military aircraft and should be clearly described as such. If, in the event, the aircraft concerned had Argentine Air Force markings - a point raised by Sir Robert Armstrong - this could also be put into the Release.

I should be grateful for your confirmation that the Trade Secretary is now content.

I am copying this letter to John Coles (No 10), Brian Fall (FCO) and David Wright (Cabinet Office).

(JE RIDLEY)(MISS)

J Rhodes Esq

SECRET .

DRAFT PRESS RELEASE FOR ARGENTINE 707/C130 ENGAGEMENT

We warned the Argentine authorities on 23rd April and again on 7th May that all Argentine aircraft engaging in surveillance of British forces would be regarded as hostile and were liable to be dealt with accordingly.

The intelligence gained from this type of surveillance operation can be used to direct air, surface ship and submarine attacks against our forces, with consequent risk to British lives.

The need for such action in our self-defence can easily be avoided if Argentina heeds our public warnings in future.

mt

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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM No.81, 14 May 1982 (Folio 48)	
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GCHQ signal ZEM 151140Z May 82, 15 May 1982 (Asio 44c)	
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RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	10 May 2012 Mayland
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PIECE/ITEM (one piece/item number)	Date and sign
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CLOSED FORYEARS UNDER FOI EXEMPTION	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
MODUK INTSUM NO. 79,	
13 may 1982 (Asio 41)	
CLOSED FORYEARS UNDER FOI EXEMPTION	*
RETAINED UNDER SECTION 3(4)	10 May 2012
OF THE PUBLIC RECORDS ACT 1958	10 May 2012 Mayland
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PIECE/ITEM (one piece/item number)	Date and sign
Extract/Item details: Minute from Amstrong to Prime Minister dated 13 May 1982 (forio 40A)	
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MR. WHITMORE

In the of the landing on

Falklands: Decisions Timetable Thursday & wer with

Since my minute of 10th May (A08373) the COBR briefing on the landing has been moved to 8.00 am on Friday, 14th May. Meetings and 13.0. decisions thereafter are complicated by the fact that the Prime Minister and the Foreign and Commonwealth Secretary will be in Scotland until the evening of Saturday 15th May; and Mr. Pym is then due to leave for the Luxembourg NATO meeting (at which Mr. Haig will be present) at 3.00 pm on Sunday, 16th May, returning only at lunchtime on Tuesday, 18th May; and that he may have to leave London earlier on Sunday if he has also to fit in an EC meeting on sanctions renewal (nothing is yet fixed).

- 2. This suggests that OD(SA) should meet immediately after the Prime Minister's Questions on Tuesday, 18th May, to take a decision on the landing, unless either the earliest landing date has by then slipped because of adverse weather, as it may; or the United Nations negotiations have produced an agreement.
- 3. The only time OD(SA) could meet with Mr. Pym present between Friday morning and Tuesday afternoon looks like being Sunday morning (unless he is then at an EC sanctions meeting). Subject to emergencies (in which case Mr. Pym would have to be represented by Sir Antony Acland) I recommend that at this stage we fix no OD(SA) meetings in that period.
- 4. Thereafter I suggest OD(SA) should resume its daily meetings at 9.30 am, with other sessions arranged ad hoc if necessary. Once a landing had begun, OD(SA) might need to meet in the COBR, so that any major military developments which were reported to London during meetings could be fed in via the CCTV.
- 5. This leaves the problem when and how far to consult the Cabinet. We have Cabinet meetings provisionally arranged for 11.00 am on Tuesday, 18th May and 10.30 am on Thursday, 20th May. Mr. Pym will not be present on the Tuesday morning, unless summoned home early from Luxembourg

(which could be bad for security); but the meeting on Thursday morning would be two days after the landing decision had to be taken by OD(SA), if the landing was to take place at the earliest possible time. The morning of Thursday, 20th May would be before a landing could actually go in. In theory, if the Cabinet was told of the landing plan on Thursday, 20th May and reacted adversely, the plan could be cancelled or postponed; but by that time our forces would have spent $l^{\frac{1}{2}}$ days exposing themselves to danger, in preparation for it. At the Cabinet meeting on 22nd April the Secretary of State for the Environment, with general support, specifically asked that the Cabinet should be consulted before the landing was finally authorised. The Prime Minister's reply left it open whether they would actually be consulted before the decision or merely told about it before execution. At today's meeting it seemed to be generally accepted that it would be for OD(SA) to take the decision, but the Prime Minister did not rule out the possibility of informing the Cabinet, if a suitable opportunity arose at a meeting called in the ordinary course of business, or at a time when Parliament was sitting.

- 6. If the negotiations in New York had not by early next week led to an agreement, or unless the weather forces a slow-down in the military timetable, the options would be -
 - (a) to ask Mr. Pym to return early on the morning of Tuesday, 18th May, in order to attend a decision-taking meeting of OD(SA) followed by a decision-ratifying meeting of the Cabinet;
 - (b) to tell Cabinet only on Thursday, 20th May;
 - (c) to refuse to give the military their green light until Wednesday,

 19th May (i.e. 24 hours after they want), at the risk of postponing
 the earliest time at which a landing can take place, and postpone
 Tuesday's Cabinet meeting until then.

From the point of view of military secrecy (b) would be preferable; non-OD(SA) colleagues would then only know of the landing decision about 12 hours before the landing takes place, rather than $2\frac{1}{2}$ days ahead.

Robert Armstrong

13th May 1982

-2-

SECRET AND PERSONAL



Ref: B06494



, 39

PRIME MINISTER

c Sir Robert Armstrong

The Falklands: Military Briefing Friday 14th May, 8 am in the Cabinet Office Briefing Room

ATTENDANCE

- 1. The briefing will be given by the staff of Admiral Sir John Fieldhouse, Commander in Chief Fleet. The list of those taking part is at Annex.
- 2. All members of OD(SA) and the Attorney General will be present. The Chiefs of Staff, Sir Antony Acland, Sir Frank Cooper, Sir Michael Palliser and Mr Patrick Wright (Chairman of the JIC) will be in attendance.

HANDLING

- 3. The Chief of the Defence Staff will make a brief introduction; Admiral Fieldhouse and his team will then give a presentation, lasting about 45 minutes, on the preferred military option for re-taking the Falklands. While you and your colleagues may wish to ask questions on specific points in the briefing, it might be best to leave most questions and discussion until the end; there should be 45 minutes available for this before the regular meeting of OD(SA) is due to start (in No. 10) at 9.30 am, though it would be possible to delay the start of OD(SA) until 10 am. The Defence Secretary has to leave London by 11.30 am.
- 4. The briefing is likely to set out the implications of the preferred option, an assault landing on East Falkland by the Amphibious Group as soon as the Task Force Commander judges that conditions are right; the preferred date is likely to be the night of 20th/21st May but this could be delayed by bad weather either before then (which would delay the arrival of the Amphibious Group at the rendezvous with the Task Force) or at the time.



- 5. You will not wish to take any military decisions at this briefing, but it will be important to ensure that the professional views of each of the Chiefs of Staff are obtained on the full implications of repossessing the Islands by force; particularly on
 - how long it is likely to take;
 - what British military losses, in men and major equipment, are to be expected;
 - the probable damage to civilian lives and property;
 - the risk of failure.

RX

13th May 1982

R L WADE-GERY



ANNEX

List of Military Participants

Admiral Sir John Fieldhouse, Commander in Chief Fleet
Air Marshal Curtis, Air Officer Commanding, 18 Group RAF
Major General Moore, Royal Marines
Vice Admiral Herbert, Flag Officer Submarines
Captain Walwyn, RN
Lieut. Colonel Stevenson
Group Captain Tinley, RAF
Captain Read, RN



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Extract/Item details: MQDUK INTSUM No.78, 13 May 1982 (folio 38)	
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FOR CXK

INMEDIATE/INMEDIATE 1221302 MAY 8

FROM HMS BRILLIANT TO CTG 317.8 INFO CTF 317 KODUK NAVY

SECRET

SIC 19F

OPERATION CORPORATE

SUMMARY OF AIRCRAFT ATTACKS 12 MAY

1. AT 16352 TH POSH 51555 5757W APPROX 15MILES SOUTH OF PORT

STANLEY BRILLIANT AND GLASGOW (WHO HAD BEEN PATROLLING AS A PAIR

NO ENGAGING SELECTED SHORE POSITIONS WITH NGS) WHERE ATTACKED

BY TWO GROUP OF A4 AIRCRAFT. THERE WERE FOUR AIRCRAFT IN EACH

GROUP. A THIRD GROUP APPROACHED THE FALKLANDS ISLANDS BUT DID NOT

PRESS HOME AN ATTACK

2. IN EACH CASE THE ARG AIRCRAFT WERE DETECTED BY BRILLIANT OVER

THE LAND ON TYPE 967 RADAR AND PASSED ON LINK 10 TO GLASGOW.

GLASGOW RECEIVED LINK TRACKS BUT WAS UNABLE TO ENGAGE EITHER

GROUP WITH SEADART DUE TO FAULTS IN LAUNCHER LOGIC CIRCUITS.

3. BRILLIANT ENGAGED FIRST GROUP WITH SEAMOLF. TWO OUT OF THE

PAGE 2 RBDFSUN 023 S E C R E T

FOUR AIRCRAFT WERE HIT WHILE A THIRD AIRCRAFT FLEW INTO THE SEA

ATTEMPTING MISSILE EVASION. ALL AIRCRAFT WERE AT EXTREME LOW LEVEL

FOUTH AIRCRAFT ESCAPED BACK TOWARDS LAND AIRCRAFT RELEASED A

HUMBER OF BONBS ALL OF WHICH MISSED

F. WHEN SECOND WAVE CLOSED IN A SIMILAR MANNER SEAWOLF INITIALLY.

RESPONDED SATISFACTORILY BUT AFTER ALERTING TO THE BEARINGS WAS

CONFUSED BY MULTI CONTACT SITUATION AND FAILED TO ARUIRE. ALL

FOUR AIRCRAFT WHERE IN VERY CLOSE FORMATION

F. ALL AIRCRAFT RELEASED BONGS ONE OF WHICH PASSED DIRECTLY THROUGH

CLASGON ENTERING AER DAMAGING TYME ENGINE UPTAKES AND SOME

AUXILLIARY EQUIPMENT. HIL CASUALTIES. GLASGOW RAPIDLY CONTAINED

DAMAGE AND FLOODING, AND HAS NOW REGAINED ONE CHANNEL SEA DART FIRE

F. BOTH SHIPS NOW REJOINING MAIN GROUP

F. CLASGON DAMAGE REPORT 19F/19D 122011Z MAY

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FOR CXK

IMMEDIATE/IMMEDIATE 122811Z MAY 8

FRON HMS GLASCOM
TO CTG 317.8
THEO CTF 317
MODUK HAUY
HMS BRILLIANT

SECRET SIC 19F/19D BANAGE SITREP 3

1. BONB ENTERED AFTER ENGINE ROOM AT FRAME 35 STBD JUST ABOVE NATER LINE AND EXITTED AT FRAME 36 PORT AT SAME LEVEL

2. STRUCTURAL BANASE: HOLE STARBOARD AND PORT SIDE, FRAME DAMAGE STARBOARD SPLINTER HOLES AFTER BULKHEAD OF AER

 BONB CARRIED ANAY HP AIR BOTTLES, TYNE INTAKES, FUEL FILLING TRUNK AND MIZHE ODG RU TANK

4. STARBOARD HOLE SUCCESSFULLY SHORED ACCESS TO PORT HOLE MORE DIFFICULT AND PRESENTLY APPLYING MORE SUBSTANTIAL SHORING BY CUTTING AWAY DAMAGED MACHINERY AND SURROUNDS.

PAGE 2 REDFSKD 691 S E C R E T

- 1. MACHINERY STATE: A: PORT AND STED OLYMPUS SERVICEABLE, TYNE INTAKES CARRIED AWAY AND ENGINE STATE NOT KNOWN
- B. GEARBOX SERVICEABLE
- C.GEARDRIVEN LUB OIL PUMPS SERVICABLE, MD P?-

5!20.84)27\$

- · LEFT LANE SEADART HAS LOGIC EARTH
- B.OTHER SYSTEMS SERVICEABLE
- 7. COMMAND ASSESSMENT FLOODING UNDER CONTROL, AANR DRY, AER
 8 BILGES 2 FEET WATER STEADY. ALTHOUGH ONLY ONE ODG AVAILABLE
 81 AND K2 EXPECTED TO BE READY WITHIN TWO HOURS PREPAIRING
 MORE SUBSTANTIAL REPAIR TO HOLES WITH STEEL SHEET PATCH.
 EXPECT TO BE ABLE TO START APPLYING IN ABOUT ONE HOUR.

PAGE 3 RBDFSKD 691 S E C R E T
PRESENT COURSE DOWN SEA ASSESSED AS SAFE UNTIL STEEL PATCHES
APPLIED. FURTHER SITREP FOLLOWS.
BT

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      1. DNLY CASUALTY 1
20
                          MAN SHOCKED
      2. DAMAGE 3FT DIA HOLES BOTH SIDES AAMR, BULKHEAD AAMR-AER
      BREADCHED ABOVE WATERLINE. TYNE INTAKES AND MISC MACHINERY ABOVE
3
                                                                                   0
      LEVEL OF ENGINES DESTROYED. NO FIRE, PUMPING AND PLUGGING HOLES FOR
      ALL WE ARE WORTH.
      3. MY POSIT 52 00.8 S(5) 057 02.6W (0) CO 090-SP 13.WITH
      BRILLIANT KEEING STATION 1000 YDS ASTERN
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$10 19F/19D
BAHAGE SITREP 4
1. 0DG J2, H2 ON LOAD
2. PORT GEARBOX, PORT CPP, PORT LUB OIL AND MI ODG AVAILABLE
BUT GIVE CAUSE FOR CONCERN
3. STEAK HEATING AND FRESH WATER MAKING WILL TAKE UP TO 24 HOURS
TO RESTORE BUT HO INHEDIATE CONCERN
4. FLOODING IN AER REMAINS UNDER CONTROL ALTHOUGH SMALL INCREASE
IN LEVEL WHILE FIRST AID PLUGGING IS REPLACED BY MORE SUBSTANTIAL
REPAIR.
5. SPEED RESTRICTED TO 18 KHOTS WHILE DAMAGE CONTROL CONTINUES
6. GHS 30 TAKEN TO MAINTAINANCE TO REPAIR LEFT LANE FIRST ESDUR
& HOURS.
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       HODUK HAUN
       CIF 317
       HES INVINCTELE
       HMS BRILLIANT
INFO
SECRET
$10 13F719D
DAMAGE SITPEP 5.
1. AER SHOPING HOW MORE SUBSTANTIAL BUT PORTSIDE MEEDS CONSOLIDATIN.
TO REDUCE MATER FLOID
2. HAVE STARTED RESTORING DATERTIGHT INTECRITY GAMEZEME EULKHEGO
3. SLOWLY LOSING HE ATE SYSTEM PRESSURE ONE COMPRESSOR ONLY
AVAILABLE ATTEMPTING TO IDENTIFY AND ISCLATE LEAKS
4. ALL PROPULSION SYSTEM ELECTRICAL AUXILIARIES UNSERVICEABLE
FOLLOWING IMMERSION.
5. REQUEST ROVER GAS TURPINE FUMP, 7X12 IN X2 IN AND SMAINMAIN
TIMBER AND I SHEET THREE QUAFTER INCH PLY
6. PROPULTION SYSTEMS CENERATORS AND HE AIR ALL OF LOW INTEGRITY
MORE PERMENANT REPAIR OF HOLES IN SHIPS SIDE RECUIRES CALM WATER
PAGE 2 RBDFSKD 733 S E C R E T.
IN MEANTINE SPEED RESTRICTED TO 14 KNOTS MAXIMUM BUT MOULD PREFER
16 KHOTS RAS ASTERN POSSIBLE BUT NOT AFRAM ALTHOUGH MEAPON
SYSTEM SERVICEABLE REGRET GLASGON IS UNFILE TO MEET PRESENT
OPERATION COMMITMENT
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Ref. A08394

MR COLES

A. J. C. =

I sent you a minute on 6 May (Ref. A08332)

proposing a draft letter to the Ministry of Defence about possible electronic counter-measures against Exocet missiles.

2. I send this minute simply to record that my minute and the draft were overtaken in OD(SA) and we agreed that there was no need to proceed further with the matter. I gather that action of the kind envisaged may indeed have been taking place since I sent you my minute.

KUT

ROBERT ARMSTRONG

12 May 1982



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MoDUK INTSUM No. 761 12 May 1982 (Brio 35a)	
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12 May 1982

Falkland Islands

Thank you for your letter of 12 May enclosing two draft telegrams to New York containing the future instructions required by Sir Anthony Parsons. The Prime Minister approved the drafts subject to the various amendments which I conveyed to you, in the interests of speed, on the telephone.

JOHN COLES

John Holmes, Esq., Foreign and Commonwealth Office.

085



Foreign and Commonwealth Office London SW1A 2AH

12 May, 1982

Dear John,

Falkland Islands

Following ODSA's discussion of the further instructions for Sir A Parsons now required, I enclose two draft telegrams to New York, the first covering the various points raised during yesterday's discussions between Sir A Parsons and the Secretary General and a second covering South Georgia. In the interests of speed, I am sending the first telegram over in rough draft form only. Obviously the need is to get these telegrams off to Sir A Parsons as soon as possible.

The Attorney General has been consulted about the terms of the first telegram and is content.

(J E Holmes) Private Secretary

A J Coles Esq Private Secretary No 10 Downing Street

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		. The Argentine	e formula on so	overeignty is a
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		remain, particular Dependencies and	irly, as you say interim of \administrat	t serious problems of the question of the cive arrangements, during
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903 64		that the Argentin	es may, having	g apparently given way on
			CONFIDENTIA	T

'non prejudging', try to engineer changes in conditions on the Islands during the interim period so as considerably to reduce the chances of any outcome unfavourable to them.

- 2. In further discussions with the Secretary General you should be guided by the following points:
- than earlier ones and we could probably accept it at the end of the day, including the reference to the UNGA resolutions, although you should, in part for tactical reasons, continue to say that we may have reservations about these references. Furthermore although the last sentence of the formula is legally sound it might cause us difficulties in presentation. There is for example leaves into mention of self-determination. You should tell the Secretary General that it would help to remove continuing doubts in our minds about Argentine intentions, in the negotiations, if they were to cease making statements in public which suggest that sovereignty is not negotiable.
- b. Position after 3 December 1982, if no definitive solution is agreed by then. This is a key point. We cannot allow a vacuum, which might tempt the Argentines to further adventures. Nor can we accept any arrangement which would require the Security Council to

- 3 -

CONFIDENTIAL.

8 in your telno 713 would do he trick. Both

Gengin, Mich is unarceptate (see separate telepam)

approve the continuation of the interim period, since the Russians may veto it, thus leading to the vacuum we must avoid. For this reason we should avoid the in Article 7(3) of your telno 713, even though it might be said to be governed by Article 8. If it is to be included it would need to be amended to read "If no agreement has been reached by December 1982, the Secretary General shall submit a report to the Security Council about the progress achieved in the negotiations, together with any recommendations about their future conduct". It would seem best here to the outral target date in order to avoid giving c. Distance of Withdrawal. like Ahmed's ideas, though we cannot make any serious exactly what he means. He appears to be including SmIT comment until-we-have-seen-them-on-a-map. ↑ You should argue for the language in Article 2 of your telno 713.

Verification of withdrawal and non-introduction of how these are forces. A major anxiety is the verification of withdrawal and non-reintroduction of forces is to be Our preferences would be for multilateral guaranteed. with verification arrangement, to include US involvement, by need nov though we do not think we can stop the Secretary General from pursuing the matter with the Canadians, but Flease ask the Secretary General precisely how he sees this being done. Latest intentions and do all You can to influence them towards some Tychema e Administrative arrangements on the Islands during Intern

the Interim period. The Argentine proposals are

clearly unacceptable. The minumum we could accept

would be the formulation in Article 6(4) of your telno

713/ though even this, referring as it does only to

'consultation' with the Executive and Legislative

Councils, would be very difficult for us.

We see a real dilemma over the role of the UN

Administrator. If we allow him wide terms of reference there is a risk that he would assume powers and responsibilities which would be quite unacceptable to us. But if we try now to negotiate detailed terms of reference it could spin out negotiations and lead to major difficulties.

Please tell the Secretary General that we assume that Argentine withdrawal will include withdrawal of any administration, whether military of supposedly civil, that may be instituted on the Islands since the invasion. Our view is that the UN Administrator would then assume the role of officer administering the Government in the manner previously conducted by the Governor, ie acting through the administration personnel remaining since which before the invasion plus some officers, such as the Chief Secretary, who may return.

It would be helpful to have these ideas reflected in by revised versions of paragraphs the agreement, perhaps on the following lines of the following lines and 4 of Article 6 of your draft on the following lives:

CONFIDENTIAL

- (3) A UN Administrator, being a person acceptable to Argentina and the UK, will be appointed by the Secretary-General and will be the officer administering the Government of the Islands.
- (4) The United Nations Administrator will have authority under the direction of the Secretary-General to ensure the continuing administration of the Government of the Islands. He shall despatch his functions in consultation with the Executive and Legislative Councils in the Islands and shall act through the competent officials and institutions of the traditional local administration. He shall exercise his powers in accordance with the terms of this Agreement and in conformity with the spirit of the laws and practices previously observed by the traditional local administration.

We assume that before the UN Administrator takes up his duties he will need terms of reference more clearly defined than such formulation. We should be grateful if you could ask the Secretary General what his plans are on this, making clear to him that we could not agree to open ended arrangements for the Administrator, Such which might lead to a significant alteration in the character of life on the Islands during the interim period.

f. Freedom of transit, residence etc. The Argentine requirements set out in paragraph 5 of your telno 704 are unacceptable (for the reasons explained in my para l above). We have no wish to revert to the complicated formulae in the Haig drafts. We could however accept wording to the effect that, during the period of interim administration, the provisions of the 1971 Communications Agreement should continue to apply, except as may be otherwise agreed between the parties. The 1971 Agreement does not of course give any general rights to residence or to acquisition of property by

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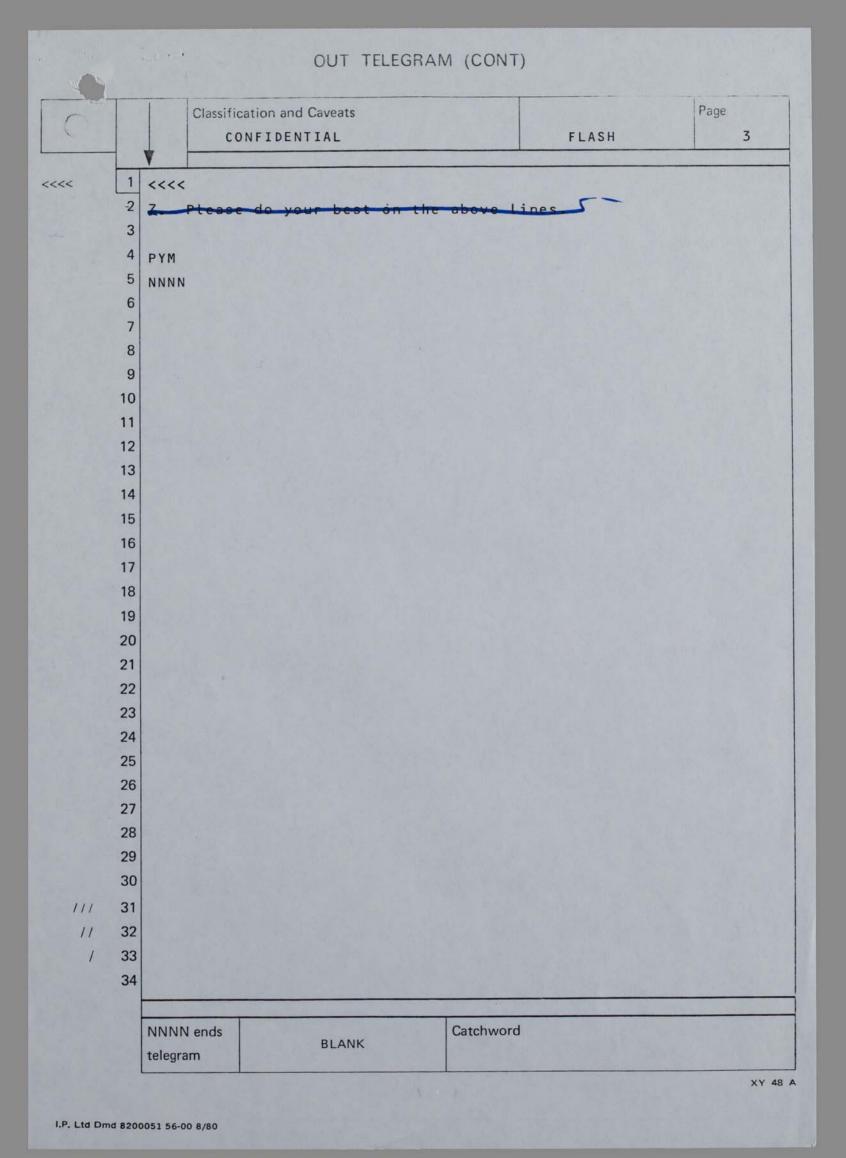
Argentines; our position should be that this aspect should be dealt with in the negotiations for a definitive settlement. The Agreement requires that decisions relating to the Agreement should be taken by a Joint Consultative Committee (of representatives of the Argentine MFA and the British Embassy). Since this Committee no longer exists, special arrangements would have to be made to reconstitute it; might this possibly be done by using the British and Argentine observers? (You should bear in mind Argentine assertions during the South Georgia incident that the Communications Agreement covered the Dependencies: this, however, has no basis.)

- g. Dependencies: see separate telegram.
- 3. Further comments on the draft agreement in your telno 713 follows shortly.

OUT TELEGRAM

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Classification and Caveats Page CONFIDENTIAL FLASH 2 <<<< 1 <<<< WENR 2 South Georgia's administration to be handled by the UN administrator during the interim period. It would have to be 3 done from London. We might also have to deal again with the 4 Davidoff contract or similar requests. And we about at wish to sa 5 4. All these considerations point most strongly to South 6 Georgia's exclusion. The Argentines were able at least to 8 contemplate at an earlier stage the exclusion of the Dependencies from proposed agreements (para 1 of Washington 10 telno 1686). You should argue with the Secretary General that the very real practical considerations outlined above mak inappropriate for the Dependencies to mol-mul be dealt with in the interim agreement now under discussion. park 2 alis not realistic to think that satisfactory arrangements can be 5 negotiated in the time available. They would introduce a new 16 factor of great complexity. Much the best course is to with the 17 concentrate on the Falklands only. 18 You should make it clear to the SYG at the same time that Mal-il-19 we are not repeat not necessarily saying that the future of wouldhe the Dependencies should be excluded from the definitive 20 21 negotiations which will follow the present agreement. last resort we might be able to agree to their inclusion in 22 23 the substantive negotiations although for your own information, we have it in mind that the Dependencies might be treated quite 25 differently from the Falkland Islands as regards their future, 26 You could put it to the Secretary General that if the 27 question of South Georgia is not included in his interim 28 agreement, we may be prepared to overlook for the present 29 the South Sandwich Islands, although 30 Included in the subsequent negotiations. 111 31 ation ome contemplat we were g ver to to vithdrawal 11 32 in the terim, we should Sout h Geo gia have to upon 33 gentine ithdrawal from Southern 34 NNNN ends Catchword BLANK telegram 17. XY 48 A



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SECRET AND PERSONAL on Thursday

A-J. C. 11

PRIME MINISTER

The Falkland Islands

The military briefing on the landing option is to take place on Thursday, 13th May 1982 at 5.00 pm in the Cabinet Office Briefing Room.

- 2. It will of course be important to have the tactical intelligence which should then be available about the numbers, state and disposition of the Argentine defence forces on the Islands. But it is not only a matter of tactical intelligence: there will remain a number of major questions to which Ministers will need and should seek answers before deciding whether to commit British forces to a landing, if the attempts to negotiate a ceasefire and mutual withdrawal break down. Clearly the assessment of the prospects for a landing could have a bearing upon the conduct of attempts to negotiate a ceasefire and withdrawal agreement.
- 3. First, what would be the objective of a landing? The Chiefs of Staff have several times insisted that the task of the Task Force has been and still is to conduct operations "with a view to re-possession" of the Islands, not to repossess them. Does that mean that, if the objective is to repossess the Islands, the Force Commander needs more resources at his disposal? Intelligence now suggests that there are some 12,000 Argentinians on the Islands (of whom 9,500 are soldiers and the other 2,500 are marines, sailors and airmen). Once 5 Brigade arrives, we should have some 8,000 to 8,500. There will thus be, on paper, a numerical superiority for the Argentines. That may be offset to some degree by the fact that many of the Argentines are young conscripts, whereas all our people will be professional soldiers, and possibly by poor morale among the Argentine troops. But the questions to the Chiefs of Staff must be:
 - (i) If they were given the task of repossessing the Islands, do they assess that they would have a reasonable chance of success with an acceptable level of casualties with the forces already at their disposal?

-1-

- (ii) If the answer to that question is no:
 - (a) What further forces would they need in order to ensure a reasonable chance of success?
 - (b) Could those forces be found? If so, from where, and at what cost in terms of diversion from other tasks? Could those forces be deployed to the Falkland Islands? When could they get there? Could they be adequately supplied?
- 4. This is not just a matter of men and equipment, but also and crucially of air power. Once on the Islands, the landing force would be within range of land-based Argentine air attack. The roles would then be reversed: we have been bombing and shelling the Argentine garrison, but then the Argentines would be seeking to bomb and shell our landing force. The Argentines have on paper a larger number of aircraft at their disposal than we have, though they may not all be as serviceable or as effectively operated as ours. If we could not secure and maintain air superiority over the landing force, there would be a risk of heavy casualties and losses of equipment from air attack, which would be politically damaging at home and could prejudice the success of the operation. So another set of questions to the Chiefs of Staff an important sub-group of the first set should be:-
 - (i) Do they assess that, with the air and anti-aircraft power available to the Task force, we have a reasonable chance of securing and maintaining air superiority over the Argentines during a landing on the Falkland Islands.
 - (ii) If not, what reinforcements would be required, could those reinforcements be found, and how, by when and where could they be deployed?
 - (iii) Would the maintenance of air superiority over the Falkland

 Islands require and depend upon operations against Argentine
 mainland air bases? There is of course a political dimension
 to that question, but there is also a military dimension: is
 there any form of attack on mainland bases which would promise

such a high degree of effectiveness to justify the political as well as the military risks? There appear to be three possible forms of attack:

- (1) Vulcan bombers from Ascension.
- (2) Sea Harriers from the Task Force.
- (3) Special forces.

Vulcan bombers can be deployed only one at a time, and at great cost in terms of flight refuelling demands; experience with Port Stanley airfield does not suggest that much more sophisticated airfields could easily be put out of action this way. The use of Sea Harriers would surely be a risky diversion and exposure of aircraft whose primary task ought to be the maintenance of air cover over the Falkland Islands.

Passage deleted and retained under Section 3(4) OMayland, 10 May 2012

There is one other obvious question about the landing. How dangerous will it be if there are still Argentine submarines at large? Could we for example lose Canberra?

- 5. There is also a further set of questions to be asked about the impact of a landing on the lives and property of the Falkland Islanders:
 - (i) If the Task Force were required to minimise casualties to the Falkland Islanders, would that inhibit operations and prejudice success?
 - (ii) If the Task Force were required to avoid damage to property of the Falkland Islanders, would that inhibit operations and prejudice success? In particular, if Port Stanley had to be assaulted, could that be done without unacceptable damage to the buildings there?
- 6. In my judgment these are questions which should be put specifically to the Chief of the General Staff, as well as to the Chief of the Defence Staff.

- 7. These are all questions about the landing and repossession of the Falkland Islands. There is a further set of questions to be put to the Ministry of Defence about the aftermath of a successful landing. Once repossessed, the Falkland Islands would have to be garrisoned and protected against renewed Argentine attack, by sea or air, unless and until it was possible to reach a definitive settlement which removed the threat of such an attack or relieved us of the obligation of protecting the Islands against it. What forces should we have to maintain in the South Atlantic for this purpose? And at what cost, in terms of diversion from other tasks, impairment of our contribution to NATO, and financial burden on the defence budget?
- 8. There is a yet further set of questions, to which Ministers will need to address themselves during the next few days, about the long-term objective. You and your colleagues in OD(SA) agree that British public opinion would not accept that our forces should be put to all the effort and risks involved in a repossession, if thereafter the Falkland Islands were simply handed over to Argentine sovereignty. You yourself reject the notion of such sovereignty in any circumstances: but I think you also believe that it will not be possible for us simply to revert to the status quo ante of colonial status. You therefore consider it necessary to think in terms of United Nations administration or some similar arrangement that could lead to eventual independence and to the repopulation and development of the islands.
- 9. So far as we know, the Argentine objectives are to prevent the restoration of British colonial administration of the Falkland Islands and sooner or later to secure Argentine sovereignty over them. They may be prepared to put the achievement of sovereignty into suspense for an interim period, and perhaps for longer than that, if they are either assured of ultimate sovereignty or believe that they can see their way to securing it either by diplomacy or renewed force. There may be an element of trade-off between the two objectives. But it seems inconceivable that the present Junta or any other conceivable successor government in Buenos Aires will ever positively and formally renounce or abandon the claim to sovereignty over the Falkland Islands.

- 10. In parenthesis, the dependencies <u>may</u> be different. The Argentine claim to South Georgia is relatively recent, our title to it strong. It probably does not matter to them politically as much as the Falkland Islands do. They <u>might</u> be prepared to contemplate a deal whereby they kept South Sandwich and we kept South Georgia. Ought the implications of such a deal to be explored? Should we ask for a full assessment of the strategic and economic case for retaining South Georgia? And for a similar assessment of the strategic and economic disadvantages of abandoning our claim to South Sandwich?
- 11. It seems to me that in the end no definitive settlement is possible in which the Argentine Government is not prepared at least to acquiesce. This is for two reasons:-
 - (a) The United Nations, where (as you saw from your Venezuelan visitor) there will be a majority of countries who sympathise with the Argentine claim for sovereignty over the Falkand Islands, will not agree, and would not be able, to impose a settlement in which Argentina was not prepared to acquiesce.
 - (b) The future of the Falkland Islands as an independent territory will depend upon their status as an independent country being acceptable to the international community (and specifically to the United Nations) and upon their economic development. The two are interrelated. Investment is unlikely to be attracted there so long as there is political uncertainty (by which is meant essentially the threat of Argentine occupation because of failure to achieve a settlement in which Argentina is prepared to acquiesce).
- 12. At this stage of events the Argentine Government is very unlikely to acquiesce in an "independence" outcome for negotiations; the most they may be perhaps expected to accept is that the negotiations should be without any preconditions or prejudice on the question of sovereignty. Hence no doubt Sir Anthony Parsons's view that, the less we proclaim United Nations trusteeship or independence as our objective in the negotiations, the more likely we are to

get a ceasefire and withdrawal agreement now. That of course has the consequence of leaving the question open for subsequent argument in the negotiations. But if the points in paragraph 11 above are valid, the question is inescapable in those negotiations, whether the negotiations follow a ceasefire and withdrawal agreement now or a successful military repossession of the Falkland Islands, because the facts of geography (and the unreliability of United States support on a long-term basis) give Argentina an inescapable voice on the future of the Islands.

13. For these reasons I do not believe that it is possible for us at this stage to guarantee an outcome which is consistent with the long-term objective of independence. What we have to do at the moment is to put ourselves into a position where we can conduct negotiations for a definitive settlement, which will inevitably have to involve the Argentines. We can be in that position as a result of a ceasefire and withdrawal agreement now; or failing that we can aim to be in that position as a result of a successful repossession of the Falkland Islands. What could be the worst possible outcome, in military and political terms, and leave us in the worst position to achieve our objectives in long-term negotiations, would be so to play the hand as plausibly to be held responsible for the failure of diplomatic efforts to get a ceasefire and withdrawal agreement now and then not to be able to repossess the Falkland Islands: to end up either in a stalemate with continuing attrition and casualties ("Gallipoli") or in a withdrawal. And that is why the briefing about a landing, and the questions to the Chiefs of Staff about the prospects of a successful landing and repossession, are crucial not only militarily but also politically.

MAT

Robert Armstrong

11th May 1982



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM No.75, II May 1982 (1800 31)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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PRIME MINISTER

c Sir Robert Armstrong

Falklands: OD(SA) on 12th May

Military Issues

- 1. After the military briefing, and any issues arising from overnight developments, you should establish whether any member of the Sub-Committee is discontent with the rationalised (and slightly extended) Rules of Engagement proposed by the Ministry of Defence in OD(SA)(82) 46. The rationalisation is blameless; and the only extensions are accurately listed in paragraph 2 of the Ministry of Defence cover note.
- 2. The Foreign and Commonwealth Office were consulted on these extensions. They are briefing the Foreign and Commonwealth Secretary to question three points of detail.
 - really

 Should merchant ships/be sunk without warning

 a. by non-submarines between 150 and 200 miles from the
 - centre of the Falklands (limiting ourselves to 150 miles meant that even if there was a navigational error of a few miles we would still be well inside the TEZ)?
 - b. by submarines anywhere (submarines, by their nature, cannot tell whether a surface ship is or is not blockade-running)?
 - ii. If the area covered by the new Rules of Engagement goes as far north as latitude 5° South and as far east as longitude 5° West, is there not a danger of our submarines sinking a Soviet non-nuclear submarine (which they are allowed to assume to be Argentine)? One such Soviet submarine was recently in Conakry, which is roughly latitude 10° North and longitude 15° West ie only about two days' passage from the new zone.

7



iii. Our submarines are not allowed to engage other submarines within 200 miles of Brazil or Uruguay (for fear of sinking a Brazilian). But should our other units really be free to engage Argentine units inside what Brazil and Uruguay claim as their territorial waters?

Diplomatic Issues

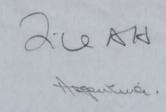
3. Decisions will depend on the overnight telegrams from New York.

Varsh

11th May 1982

R L WADE-GERY





10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

FALKLAND ISLANDS

I have shown the Prime Minister your minute A08373 of 10 May 1982 and she is content to proceed in accordance with the timetable you propose, at least until a change in circumstances dictates otherwise.

taw.

11 May 1982

DA

UK TOP SECRET UMBRA

Pole

Copy No. 2 of 2 copies

28

11 May 1982

ENFORCING THE FALKLANDS BLOCKADE

Thank you for your letter of 8 May. The Prime Minister has noted its contents, in particular the fact that your Secretary of State has authorised the Force Commander to deal without warning with fishing or merchant vessels within 150nm of the centre of the TEZ which appear to be engaged in the resupply of the Islands.

A. J. COLES

David Omand, Esq., Ministry of Defence

UK TOP SECRET UMBRA

SB







10 DOWNING STREET

From the Private Secretary

11 May 1982

SOUTH AFRICA

Thank you for your letter of 8 May.

The Prime Minister believes that the response to Mr. Botha should be a little warmer than is suggested by paragraph 4 of your Secretary of State's minute of 29 April, particularly since we may need the South African facilities at some point.

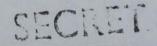
Mrs. Thatcher would like the reply to include the thought that there may come a time when we shall have a need for the facilities and that she is accordingly very grateful to Mr. Botha to hear that they may be offered.

I am copying this letter to John Holmes (Foreign and Commonwealth Office) and David Wright (Cabinet Office).

A J. COLES

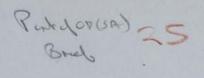
Nick Evans, Esq., Ministry of Defence







PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM No. 74, 11 May 1982 (Forio 26)	
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RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	10 May 2012 Mayland
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NUMBER NOT USED	



FALKLAND ISLANDS : FCO SITREP (DETAILED VERSION): 0730, 11 MAY

US

Washington telno.1686)

Mr Haig's Views

- South Georgia: the Argentine wish for its inclusion is surprising US Ambassador Walters (due to travel to Argentina, 10 May) will do what he can. President Galtieri: through a third party Haig had received a message that Galtieri does not wish to become dependent on the Soviet Union; the US and UK should be Argentina's best friends. Internal Dissent: there is considerable unrest, particularly in the Argentine Army and Air Force. Soviet Union: indications that the Soviet Union may have been involved in the decision to invade. The Soviet Union is now working actively with the Peronistas. British Action: we should maintain maximum military pressure while, if possible, avoiding attacks on the mainland which might involve civilian targets. Argentine Garrison on Falklands: severe supply difficulties soon and if combined with casualties they may surrender. Ambassador Walters' Mission to Argentina: objectives are to probe the possibility of an alternative government there; to emphasise to Galtieri the danger of Soviet penetration; and to indicate US economic help would be forthcoming in the event of a UK/Argentine agreement. UN Negotiations: the Argentines may not be engaged in a charade, there may be something more to it.
- 2. <u>US Guarantee</u>: Haig did not volunteer an American guarantee within the context of a UN plan. HM Ambassador judges that the prospects for a US guarantee depends on some measure of US involvement in any interim settlement.

UN

(UKMIS New York telno.704)

Washington

telno.1690)

UKMIS New York

telno.703)

- (a) Argentine Position Paper
- 3. The Secretary-General has given us an Argentine paper which is viewed by them as a 'package'. The Secretary-General told the Argentines it would be unacceptable to the UK.
- (b) <u>Further Details which emerged from Discussion with</u>
 <u>Secretary-General</u>
- 4. Prejudging the Outcome: Sir A Parsons disagreed with the Secretary-General's assessment that the Argentine language met our concerns. Secretary-General agreed to convey to the Argentines the points made by Sir A Parsons in rebuttal and to try to 'clarify' the Argentine position on non-prejudgement. South Georgia: Sir A Parsons declined the Secretariat suggestion that withdrawal would be a 'painless gesture'. Interim Administration: Argentine proposal was unacceptable. The Secretariat suggested that the UK viewpoint might be met if the Councils, or at least the Legislative Council, were retained in an advisory capacity. Sir A Parsons agreed to

/put

SECRET

put this to London. Verification: Secretary-General responded positively to idea of UN using surveillance aircraft of neutral state. Size of Zones for Withdrawal: Argentines are now proposing total withdrawal of UK forces to a point 2,000 nautical miles from the Islands in parallel with their own partial withdrawal of 150 miles. Target Date for Conclusion of Negotiations: Argentines have referred specifically to the negotiations perhaps needing to continue until February 1983.

- (c) Conclusions of the Meeting Sir A Parsons/Secretary-General
- 5. Sir A Parsons said we still hope to reach the stage where the Secretary-General could produce proposals of his own on the basis of the UK and Argentine positions. Meanwhile, the question of non-prejudgement was for us the key to everything. The Argentine formula was not acceptable. We had to insist on the additional phrase 'without prejudicing the outcome of the negotiations'. Sir A Parsons says that the Secretary-General is in a sombre mood and he believes the Secretary-General has concluded that he is not engaged in a serious negotiation with a genuine chance of a successful outcome.

(UKMIS New York telno.705)

(UKMIS New York telno.705 at E)

- (d) Sir A Parsons' Assessment and Recommendations
- 6. Sir A Parsons is close to believing that the Argentines are not interested in reaching a negotiated settlement in terms which would be acceptable to us and that it is rapidly becoming a question of who wrong foots whom when the negotiations break down. Sir A Parsons recommends that his tactics should be to give the Argentines a last chance to demonstrate a genuine change of heart and, if the negotiations are to fail, leaving us on the right foot. Specifically he would tell the Secretary-General today:-
 - (a) we would only negotiate details of interim arrangement when we were sure we were discussing a genuine interim arrangement;
 - (b) there would be no point in his proposing further language on interim arrangements before the Secretary-General extracts a specific Argentine formulation on non-prejudgement of negotiations;
 - (c) that the Argentine formulation ((b) above) would be referred to London to see if it offered hope of a satisfactory outcome on this basic point. In the light of our review we would then decide whether it would be worth continuing with the present exercise.

Instructions to Sir A Parsons (FCO Telno.377 of 10 May) are at Flag F.

/Comments:

Comments

- 7. Mr Haig's assessment of the situation has, to say the least, odd features: and the actual purpose of General Walters's journey to Buenos Aires today is far from clear. What is apparent is that the American assessment of the situation gives first weight to their own strategic and regional interests: and that Haig is determined to stay in the act.
- 8. The Argentine position with the Secretary-General has so far provided no evidence for Mr Haig's belief in a genuine Argentine willingness to compromise. The Argentine paper seems entirely tactical and designed to win maximum presentational marks in the UN forum. Sir A Parsons has rightly focussed on the essential need for acceptable language on the terms of reference for negotiations: the risk is that we shall be seen in the UN to be threatening the outcome of the Secretary-General through semantic quibbling.
- 9. Sir A Parsons's insistence on an improved formulation on non-prejudgment of an outcome to negotiations has for the moment put the ball back in the Secretary-General's court. But we shall be required to react quickly to the package as a whole once the Secretary-General has reported back. Points for immediate consideration are:
- (a) whether in a package we should insist on the exclusion of the Dependencies;
- (b) the Secretary-General's suggestion that the Executive and Legislative Councils should exist in an advisory capacity;
- (c) paragraph 5 of the Argentine paper (freedom of transit and residence);
- (d) paragraph 4 of the Argentine paper which introduces the concept of UK and Argentine 'observers' and flags;
- (e) how far we could go on distance of withdrawal of the task force.
- 10. We shall need to send Sir A Parsons further instructions today.

P R Fearn Emergency Unit

11 May 1982



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PRIME MINISTER

c Sir Robert Armstrong

Falklands: OD(SA) on 11th May

You have three items on tomorrow's agenda, which you could conveniently handle as follows.

I. Military issues

- a. Current situation. Briefing by the Chief of the Defence Staff
- b. Operational decisions. No notice has been given that any are sought. Attempts to seek them without notice should only be permitted when they are clearly urgent and unforeseen.
- c. Presentational issues. The <u>Defence Secretary</u> and the <u>Chief of the Defence Staff</u> should report on the latter's and Sir Frank Cooper's meeting with Editors. What further measures are necessary?

II. Diplomatic Issues

- a. Current situation. Sir Antony Acland should introduce the overnight crop of telegrams.
- b. Decisions.
- The Foreign and Commonwealth Secretary should indicate what instructions Sir Antony Parsons needs. This will of course be the heart of what could be a crucial meeting.
- Questions which the Foreign and Commonwealth Secretary should address include
 - i. Timing. When is the crunch coming in New York?
 Is there any danger of it not coming before our invasion window opens (19th May)? If so, how do we speed things up?
 - ii. Prospects. Does a real settlement look possible?

 If so, see iii. below. If not, what tactics are needed to pin the blame for failure onto the Argentines?

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iii. Bottom line. If there is a prospect of a settlement, what are our real breaking-points? These must be unambiguously distinguished from desirable objectives which in the last resort we could live without.

iii. Botto what are o unambiguous which in the sell-out. They to be time Your colleagues will be keenly aware that we cannot accept a They will also have in mind that there is unlikely to be time for another try at a negotiated settlement before our military timetable requires us to attempt repossession; that, unless Argentine moral cracks (which it may), repossession will be costly in terms of life and property, with no guarantee against failure; and that, as the Defence Secretary was arguing this morning, victory could be turned to defeat if Argentina counter-attacked in force after the bulk of our Task Force had gone home.

> Before summing up you will need to decide how to handle the subsequent Cabinet meeting. How much should they be given by way of information? What specific decisions, if any, should be sought from them?

III. Longer-term Issues

Sir Michael Palliser's paper (OD(SA)(82) 38) underlines the crucial distinction between settlements with Argentina's consent and settlement without. The latter would have to be policed by us, without adequate communications, at great cost and some risk of renewed humiliation; and/or by the Americans. An American guarantee, directed against a hostile Argentina, would reduce both the cost to us and the risks; but it is unlikely to be negotiable on terms we could accept, since in the long run the United States cannot afford to incur the permanent enmity of so large a hemisphere neighbour as Argentina for the sake of what would be seen by American opinion as a peripheral matter, once memories of the moral issue involved in 1982 had faded. This suggests that the Sub-Committee should focus on the list in the paper's paragraph 13: Antarcticisation, condominium, United Nations trusteeship or leaseback. Each of these had obvious drawbacks; and each might well prove incompatible with self-determination.

- b. The Foreign and Commonwealth Office paper on United Nations trusteeship (OD(SA)(82) 43) suggests that the Sub-Committee need to consider two major pitfalls in this route. First, there seems (paragraph 4) to be no way in which a trustee administration directly or indirectly under the United Nations could keep out Argentine immigrants; so the trust could readily end with an immigrant majority opting for union with Argentina. Second, a trust administration would only come under the Security Council, rather than the General Assembly, if the Security Council itself agreed which the Russians could prevent; but if it came under the General Assembly, there would be no means of stopping the pro-Argentine majority there from bringing it to an end, thus creating a vacuum which Argentina would geographically be best placed to fill.
- c. General considerations

Paragraph deleted and retained under Section 3(4). Othayland 10 May 2012

The effect of the crisis. We tend to assume that when the crisis is over the Islanders will all wish to stay/return and will all remain opposed to a settlement on Argentine terms.

That may well be so. But can we wholly rule out the possibility that the experience of being conquered and then violently reconquered will persuade many of them that they would be better off in future either in New Zealand (if compensated) or under some form of Argentine suzerainty (with local autonomy)?

RL

R L WADE-GERY

10th May 1982

DEDIP

FM WASHINGTON 101620Z MAY 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 1686 OF 10 MAY

INFO IMMEDIATE UKMIS NEW YORK (PERSONAL FOR AMBASSADOR)

FALKLANDS

- 1. WHEN I SAW HAIG TODAY I GAVE HIM A GENERAL ACCOUNT OF HOW PARSONS WAS GETTING ON IN NEW YORK. HE WAS NOT SURPRISED TO HEAR ABOUT THE DIFFICULT ISSUES EXCEPT THAT OF SOUTH GEORGIA. IT HAD ALWAYS PEEN UNDERSTOOD IN THE LATER PROPOSALS THAT SOUTH GEORGIA WOULD NOT BE INCLUDED IN ANY SETTLEMENT.
 - 2. I ASKED HAIG TO DO WHAT HE COULD TO GET THE ARGENTINIANS TO GO BACK TO SQUARE ONE ON THAT POINT. PERHAPS HE COULD INSTRUCT GENERAL WALTERS TO TALK ACCORDINGLY ON HIS VISIT TO BUENOS AIRES. HAIG SAID THAT WALTERS WAS GOING DOWN THERE TONIGHT AND HE WOULD CERTAINLY DO WHAT HE COULD ABOUT SOUTH GEORGIA.

3. HAIG ASKED ME IF I KNEW THAT THE SO-CALLED CIVILIANS WHO HAD OSTENSIBLY GONE TO SOUTH GEORGIA ON SCRAP METAL BUSINESS WERE IN FACT ARGENTINE NAVAL PERSONNEL DELIPERATELY SENT THERE AS PART OF THE INVASION PLAN. THE SOUTH GEORGIA OPERATION HAD BEEN MASTERMINDED BY COSTA MENDEZ. HAIG COUNSELLED ME SEVERAL TIMES TO BE AWARE OF

- HAIG ELABORATED A BIT ON HIS VIEWS ABOUT THE PRESENT SITUATION IN BUENOS AIRES. HE SPOKE OF CONSIDERABLE INTERNAL DISSENT, GALTIERI HAD SENT HIM A MESSAGE THROUGH A THIRD PARTY THAT HE DI NOT WANT TO BECOME MORE DEPENDENT ON THE SOVIET UNION AND THAT THE US AND THE UK SHOULD REALLY BE ARGENTINA'S FEST FRIENDS, HAIG ALSO SPOKE OF ANOTHER CONTACT REPRESENTING THE ARGENTINE ARMY AND THE CHIEF OF STAFF OF THE AIR FORCE, WITH LINKS TO VIOLA: THEY CLAIMED TO SPEAK ON BEHALF OF THE MODERATES WHO INCLUDED MANY CORPS COMMANDERS AND THE CHIEF OF STAFF OF THE ARMY. THEIR VIEW WAS THAT THER ADDITIONS OVER, VEERING HEAVILY TOWARDS THE SOVIET UNION.
- 5. HAIG THEN LOWERED HIS VOICE, THOUGH THERE WAS NO-ONE ELSE IN THE ROOM, TO TELL ME OF THE EXTENT OF SOVIET INVOLVEMENT. HE HAD INDICATIONS LEADING HIM TO BELIEVE THAT THE SOVIETS MAY HAVE BEEN INVOLVED IN THE DECISION TO INVADE THE FALKLAND ISLANDS. THE PLAN IN WHICH SOTA M
- PLAN IN WHICH COSTA MENDEZ HAD PLAYED AN IMPORTANT PART, HAD BEEN A TWO-PRONGED ONE TO INVADE THE FALKLAND ISLANDS AND THE BEAGLE CHANNEL ISLANDS. THE ARGENTINIANS HAD EXPECTED THE SOVIETS TO VETO THE SECURITY COUNCIL RESOLUTION AND HAD BEEN SURPRISED WHEN THEY HAD NOT DONE SO. THE ARGENTINIANS HAD ALSO BEEN SURPRISED BY THE UK REACTION AND THE USA DECISION TO COME DOWN ON THE BRITISH SIDE.
 - 6. ACCORDING TO HAIG, THE SOVIETS HAD SWUNG LAST WEEK FROM EXPRESSING SUPPORT FOR THE JUNTA TO INDICATING BACKING FOR THE ARGENTINIAN PEOPLE. ACCORDING TO AMERICAN INFORMATION, THE SOVIETS WERE NOW WORKING ACTIVELY WITH THE PERONISTAS, BELIEVING THAT THEIR FUTURE BEST LAY WITH THEM.
 - 7. THIS LED HAIG TO THE CONCLUSION THAT THE AMERICANS MUST DO ANYTHING THEY CAN TO ENCOURAGE A SETTLEMENT BY SOME OF THE MILITARY LEADERS. THIS WILL PROBABLY MEAN THAT GALTIERI WILL HAVE TO GO. THE AMERICAN HOPE IS THAT THERE CAN BE SOME MILITARY LEADERSHIP THAT WILL AVOID THE PERONISTAS TAKING OVER.
 - B. HAIG SUGGESTED THAT THE US DECISION OF 30 APRIL TO COME DOWN ON THE BRITISH SIDE HAD BEEN A MAJOR EXERCISE OF PRESSURE ON ARGENTINA AND HAD DONE A LOT TO STIMULATE THE PRESENT OUTBREAK DE SIGTING.

- 9. HAIG SAID THAT IN THIS ATMOSPHERE IT WOULD BE HELPFUL IF THE BRITISH MAINTAIN MAXIMUM MILITARY PRESSURE ON THE TALKLAND ISLANDS. HE DID NOT WANT TO INTERFERE WITH OR GIVE US ADVICE ABOUT MILITARY OPERATIONS BUT OBVIOUSLY IF WE COULD AVOID ATTACKS ON THE MAINLAND THAT MIGHT INVOLVE CIVILIAN TARGETS, THAT WOULD AVOID A POSSIBLE SETBACK TO THE PROSPECTS FOR THE MODERATE FORCES.
- 10. HAIG'S CONVICTION WAS THAT THE ARGENTINIAN GARRISON ON THE FALKLAND ISLANDS WOULD VERY SOON HAVE SEVERE SUPPLY DIFFICULTIES. THIS WOULD NOT BE ENOUGH TO MAKE THEM YIELD, BUT IF THEY ALSO SUFFERED CASUALTIES HE THOUGHT THEY HIGHT WELL BE PREPARED TO SURRENDER.
- 11. I ASKED HAIG WHAT WALTERS'S INSTRUCTIONS WOULD BE FOR HIS
 MISSION TONIGHT. HE SAID THAT HE WOULD BE GOING LARGELY TO PROBE
 THE POSSIBILITIES HE HAD MENTIONED OF AN ALTERNATIVE GOVERNMENT
 AND HE WOULD TRY TO BRING HOME TO THE PRESENT RULERS THE URGENCY
 OF THEM REACHING AN AGREEMENT. HE WOULD IMPRESS UPON GALTIERI
 THAT IF THE SOVIETS SUCCEEDED IN PENETRATING ARGENTINA THIS WOULD
 POSE A THREAT TO THE WHOLE AMERICAN ATMOSPHERE. HE HAD NO ALTERNAT—
 IVE BUT TO COMPROMISE ON THE ISSUES UNDER NEGOTIATION. HAIG SAID
 THAT HE WOULD BE TELLING THE ARGENTINIANS THAT IF THEY WERE
 PREPARED TO COME TO A REASONABLE AGREEMENT, THE US ATTITUDE
 WOULD CHANGE COMPLETELY AND THEY WOULD BE READY TO HELP ON A MAJOR
 SCALE ECONOMICALLY WITH ARGENTINA'S DOMESTIC PROBLEMS.
 - 12. HAIG SPOKE OF THIS CONCERN ABOUT THE ATTITUDE IN LATIN AMERICA GENERALLY. HE THOUGHT A MORE SOBER ATMOSPHERE WAS BEGINNING TO PREVAIL. HE GAVE THIS AS AN EXPLANATION FOR THE PRESIDENT'S ''DISTATEFUL'' LETTER OF 2 MAY. HE SAID HE HAD NOT SEEN IT IN DRAFT BUT WAS NEVERTHELESS RESPONSIBLE FOR IT. I TOLD HIM THAT IT WAS DEPLORABLE.
 - 13. I ASKED HAIG WHAT HE THOUGHT ABOUT THE CURRENT TALKS BETWEEN PEREZ DE CUELLAR AND ROS. WAS IT A MERE CHARADE TO WIN TIME FOR THE ARGENTINIANS AND CREATE THE IMPRESSION THAT THEY WERE INTERESTED IN REGOTIATION WHILE AVOIDING ANY COMMITMENTS ABOUT SO VEREIGHTY ETC QUERY. RATHER TO MY SURPRISE HAIG SAID HE WAS NOT SO SURE. HE THOUGHT THERE MIGHT BE SOMETHING MORE TO IT, A REFLECTION I THINK OF HIS CONVICTION THAT THERE IS A GROWING RELIEF IN DUENDS AIRES AMONG A LARGE BODY OF MILITARY LEADERS THAT THEIR INTERESTS WILL NOT BE SERVED BY PURSUING A COURSE THAT WILL GET THEM INCREASINGLY DEPENDENT UPON THE SOVIET UNION AND THAT THERE IS A WAY OUT THAT COULD AVOID DISHONOUR.

939 370 F VI

TO IMMEDIATE F C O
TELEGRAM NUMBER 1690 OF 10 MAY
INFO IMMEDIATE UKMIS NEW YORK (PERSONALS FOR AMBASSADOR)

YOUR TELNO 950: FALKLANDS

- 1. I RAISED THE SUBJECT OF A GUARANTEE WITH HAIG TODAY, BUT THIS WAS DEFORE I RECEIVED YOUR TELEGRAM UNDER REFERENCE. HIS IMMEDIATE RESPONSE WAS TO SAY THAT THE U N COULD NOT GUARANTEE ANYTHING AND THAT THERE WAS ONLY ONE COUNTRY THAT COULD DO SO. HE DID NOT VOLUNTEER READINESS ON THE PART OF THE AMERICANS TO UNDERTAKE A GUARANTEE AND, ON THE BASIS OF OUR PREVIOUS DISCUSSION ON THE SUBJECT, I RATHER DOUBT WHETHER HE WOULD BE WILLING TO FOLLOW DOWN THIS LINE. THE TROUBLE AS YOU KNOW IS THAT A GUARANTEE OF THIS KIND WOULD REQUIRE THE SPECIFIC AUTHORISATION OF CONGRESS WHICH MIGHT NOT BE PLAIN-SAILING IN THE POST VIETNAM CLIMATE.
- 2. AS YOU KNOW THE WAY THE AMERICANS DEALT WITH THE GUARANTEE PROBLEM AT THE TIME OF DISCUSSIONS ON THE U.S./PERUVIAN PLAN WAS TO FINESSE IT BY TWO MEANS. THE FIRST WAS THE STIPULATION IN THE AGREEMENT THAT TROOPS SHOULD NOT ONLY BE WITHDRAWN BUT NOT REINTRODUCED. THE SECOND WAS THE COMMITMENT THAT THE CONTACT GROUP, OF WHICH THE U.S. WOULD BE MEMBERS, WOULD HAVE RESPONSIBILITY TO ENSURE THAT NO ACTIONS WERE TAKEN WHICH CONTRAVENED THE AGREEMENT AND THAT ALL PROVISIONS OF THE AGREEMENT WERE RESPECTED.
- 3. IT IS A SOMEWHAT DIFFERENT MATTER NOW IF WE ARE NOW THINKING OF GETTING THE U.S. TO MAKE SOME GUARANTEE RELATING TO A U N PLAN AND A U N FORCE.
- 4. ALTHOUGH OBVIOUSLY THE PRESENT DISCUSSIONS OF THE U N MUST CONTINUE AND MAY LEAD TO SOMETHING WORTHWHILE, THE PROSPECT OF A U.S. GUARANTEE IN MY VIEW CONTINUES TO DEPEND ON SOME MEASURE OF U.S. INVOLVEMENT IN ANY INTERIM SETTLEMENT.

HENDERSON

NHNN

NYFC 004/11

CO FCO (DESKEY 110700Z)

GRS B

CONFIDENTIAL

DESKBY 110700Z

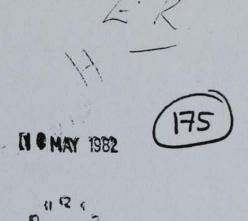
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TO IMMEDIATE FCO

TELEGRAM NUMBER 704 OF 10 MAY.

INFO IMMEDIATE WASHINGTON.

MIPT: FALKLANDS.



1. FOLLOWING IS THE SECRETARIAT'S TRANSLATION OF THE ARGENTINE PAPER WHICH PEREZ DE CUELLAR GAVE ME THIS EVENING (12 MAY):

BEGINS

- .1. THIS AGREEMENT IS CONCLUDED WITHIN THE FRAMEWORK OF THE CHARTER OF THE UNITED NATIONS AND TAKING INTO ACCOUNT SECURITY COUNCIL RESOLUTION 502 (1982) AND THE RELEVANT RESOLUTIONS OF THE GENERAL ASSEMBLY.
 - 2. THE AGREEMENT TO WHICH THE PARTIES COMMIT THEMSELVES SHALL BE WITHOUT PREJUDICE TO THE RIGHTS, CLAIMS OR POSITIONS OF THE PARTIES.
 - 3. THE GEOGRAPHICAL SCOPE OF THIS AGREEMENT SHALL COMPRISE THE THREE ARCHIPELAGOS CONSIDERED BY THE UNITED NATIONS.
 - 4. THE GOVERNMENT AND THE ADMINISTRATION SHALL BE THE EXCLUSIVE RESPONSIBILITY OF THE UNITED NATIONS. THE OBSERVERS OF THE PARTIES MAY FLY THEIR RESPECTIVE FLAGS.
 - 5. THERE SHALL BE FREEDOM OF TRANSIT AND RESIDENCE FOR CITIZENS OF THE PARTIES, WHO SHALL ENJOY THE RIGHT TO ACQUIRE AND DISPOSE OF REAL ESTATE.
 - 6. THE WITHDRAWAL OF FORCES SHALL BE EFFECTED UNDER THE SUPERVISION OF THE UNITED NATIONS.
 - 7. THE PARTIES COMMIT THEMSELVES TO UNDERTAKE IN GOOD FAITH NEGOTIATIONS UNDER THE AUSPICES OF THE SECRETARY-GENERAL WITH A VIEW TO PEACEFUL SETTLEMENT OF THE DISPUTE AND, WITH A SENSE OF URGENCY, TO COMPLETE THESE NEGOTIATIONS BY 31 DECEMBER 1982.

EN DS

PARSONS

(140)

PEREZ DE CUELLAR HAD SAID THAT THE PAPER WOULD BE UNACCEPTABLE TO

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FM UKMIS NEW YORK 110140Z MAY 82
TO IMMEDIATE FCO
TELEGRAM NUMBER 703 OF 10 MAY
INFO IMMEDIATE WASHINGTON.

US BUT THAT HE WOULD CONVEY IT TO ME.

YOUR TEL NO 377: FALKLANDS.

ER X

0310

1. I HAD NEARLY TWO HOURS WITH THE SECRETARY GENERAL AND HIS TEAM
THIS EVENING (10 MAY). IT WAS A VERY DISCOURAGING MEETING.

2. PEREZ DE CUELLAR SAID THAT, AS PROMISED, HE HAD LAST NIGHT PUT
TO ROS OUR NEED FOR LANGUAGE WHICH WOULD MAKE IT CLEAR THAT THE
OUTCOME OF THE SUBSTANTIVE NEGOTIATIONS WAS NOT BEING PREJUDGED.
THIS AFTERNOON ROS HAD GIVEN HIM A PAPER SETTING OUT THE ARGENTINES'
IDEAS, OF WHICH THE SECRETARIAT'S TRANSLATION IS IN MIFT. LATER IN
THE CONVERSATION, PEREZ DE CUELLAR SAID THAT, ALTHOUGH ROS HAD
CONTACTED BUENOS AIRES OVERNIGHT, THE PAPER HAD NOT ORIGINATED IN
BUENOS AIRES BUT HAD BEEN DRAFTED IN THE COURSE OF THE
DISCUSSIONS HERE. IT WAS THEREFORE QUOTE NEGOTIABLE UNQUOTE. ROS HAD
TOLD HIM THAT THE ARGENTINES SAW THE PAPER AS A QUOTE PACKAGE UNQUOTE
AND THOUGHT IT BETTER TO DISCUSS ALL THESE POINTS AT THE SAME TIME.

US BUT THAT HE WOULD CONVEY IT TO ME. 3. I SAID THAT I WAS PUZZLED AND DISAPPOINTED BY ROS'S PAPER: ARY WAS CUT OF PHASE WITH THE TALKS I HAD BEEN HAVING WITH THE SECRET GENERAL: IT WAS ANALAGOUS TO THE MESSAGE YOU HAD SENT PEREZ DE CUELLAR FOUR DAYS AGO: IT WENT BACK TO GENERAL HEADINGS (AND, IN ITS PARAGRAPH 5, ADDED A MAJOR NEW POINT), WITHOUT THE DETAIL ON WHICH I THOUGHT PEREZ DE CUELLAR AND I HAD BEEN MAKING PROGRESS. PEREZ DE CUELLAR SAID HE THOUGHT THAT PARAGRAPH 2 OF THE ARGENTINE PAPER SHOULD MEET OUR CONCERN ABOUT NOT PREJUDGING THE OUTCOME OF THE NEGOTIATIONS: IN HIS VIEW IT COVERED THE WHOLE EXERCISE, INCLUDING THE NEGOTIATING PROCESS. ROS HAD NOT LIKED OUR LANGUAGE BECAUSE IT IMPLIED THAT THE ARGENTINES MIGHT CHEAT. I REJECTED THIS: THE PROBLEM WAS THAT THE ARGENTINES HAD SAID SO OFTEN THAT SOVEREIGNTY WAS NOT NEGOTIABLE THAT WE HAD TO HAVE ABSOLUTELY CLEAR EVIDENCE IN THE AGREEMENT THAT THIS WAS NO LONGER THEIR POSITION. WE HAD TO KNOW WHETHER WE WERE TALKING ABOUT A GENUINE INTERIM AGREEMENT OR MERELY ABOUT A PROCEDURE FOR THE DECAYED TRANSFER OF SOVEREIGNTY TO ARGENTINA AT THE END OF THE INTERIM PERIOD. I HAD INSTRUCTIONS TO STAND FIRM ON THE LANGUAGE I HAD PUT FORWARD YESTERDAY. ANYTHING I SAID ON THE OTHER ASPECTS WAS CONTINGENT ON OUR BEING SATISFIED ON THIS CENTRAL POINT. WHAT WORRIED ME WAS THAT THE ARGENTINES HAD NOT ADMITTED THAT THEY QUOTE CLAIM UNQUOTE SOVEREIGNTY: THEY SAY THAT THEY HAVE IT AND THAT IT HAS ALWAYS BEEN THEIRS. THE ARTICLE 40 LANGUAGE IN THE SECRETARY GENERAL'S AIDE MEMOIRE AND IN POINT 2 OF THE ARGENTINE PAPER WAS NOT THEREFORE ENOUGH TO PROTECT US AGAINST ARGENTINE REFUSAL TO INCLUDE SOVEREIGNTY IN THE DIPLOMATIC NEGOTIATIONS. WE HAD TO HAVE UNEQUIVOCAL LANGUAGE TO THE EFFECT THAT THE OUTCOME OF THOSE NEGOTIATIONS WOULD NOT BE PREJUDGED. 4. I MADE THESE POINTS AGAIN AND AGAIN TO PEREZ DE CUELLAR. HE AND

- 4. I MADE THESE POINTS AGAIN AND AGAIN TO PEREZ DE CUELLAR. HE AND HIS STAFF TRIED TO ARGUE, WITH CONSPICUOUS LACK OF CONVICTION ON HIS PART, THAT THE ARGENTINE LANGUAGE MET OUR REQUIREMENTS. DE SOTO PRODUCED LANGUAGE ON THE LINES OF: QUOTE ALL ASPECTS OF THIS INTERIM AGREEMENT SHALL BE IMPLEMENTED WITHOUT PPEUUDICE TO THE RIGHTS, CLAIMS AND POSITIONS OF THE PARTIES UNQUOTE, BUT I SAID THAT THIS WOULD NOT DO. AT THE END OF THE MEETING, PEREZ DE CUELLAR SAID THAT HE WOULD AGAIN CONVEY TO ROS WHAT I HAD SAID AND TRY TO QUOTE CLARIFY UNQUOTE HIS POSITION ON MON-PREJUDGEMENT OF THE OUTCOME.
- 5. THIS ARGUMENT TOOK UP ABOUT HALF THE MEETING. I ALSO MADE TO THE SECRETARY GENERAL THE POINTS IN PARAGRAPHS 4 AND 7 15 OF YOUR TUR. WITH THE FOLLOWING RESULTS:
- (A) DEPENDENCIES
- AT THE END OF THE MEETING DE SOTO SAID THAT AS THE DEPENDENCIES HAD BEEN INCLUDED IN OUR EARLIER NEGOTIATIONS WITH THE ARGENTINES THEY COULD NOT BE EXCLUDED FROM THE NEXT ROUND. DID HE UNDERSTAND THAT I WANTED TO EXCLUDE THEM FROM THE INTERIM ARRANGEMENTS? SURELY, WITHDRAWAL FROM SOUTH GEORGIA, WHERE WE HAD FEW TROOPS, WOULD BE A 'PAINLESS GESTURE'. I DENIED THIS FIRMLY. I WOULD REPORT WHAT HE HAD SAID BUT AS FAR AS WE WERE CONCERNED, THE AGREEMENT UNDER DISCUSSION RELATED TO THE FALKLAND ISLANDS ALONE.

 (B) INTERIM ADMINISTRATION
- LAID PARTICULAR STRESS ON THE UNACCEPTABILITY OF DENYING THE
 DISLANDERS ANY MEANS OF EXPRESSING THEIR VIEWS DURING THE INTERIMAL
 PERIOD AND ON THE UNACCEPTABILITY OF THE UN DISMANTLING
 REPRESENTATIVE INSTITUTIONS WHICH HAD BEEN DEVELOPED UNDER ARTICLE
 73 OF THE CHARTER. PEREZ DE CUELLAR WONDERED WHETHER NEW ELECTIONS
 OR A PLEBISCITE MIGHT BE THE ANSWER. DE SOTO, RIGHTLY CALCULATING
 THAT THIS WOULD BE UNACCEPTABLE TO THE ARGENTINES, SUGGESTED
 THAT MY POINT COULD BE MET IF THE COUNCILS, OR AT LEAST THE
 LEGISLATIVE COUNCIL, WERE RETAINED IN AN ADVISORY CAPACITY.
 I POINTED OUT THAT THE ARGENTINES HAD REJECTED THIS YESTERDAY
 (PARAGRAPH 6 OF MY TELNO 694) BUT SAID THAT I WOULD PUT THE
 SUGGESTION TO YOU. BUT I THOUGHT THAT IT WOULD BE MUCH BETTER FOR
 BOTH COUNCILS TO REMAIN IN BEING, WITH THE ARGENTINES' WORRIES
 ABOUT PREJUDICE BEING COVERED BY THE KIND OF LANGUAGE WE HAD PUT
 FORWARD YESTERDAY (PARAGRAPH 9 OF MY TELNO 694).

FORWARD YESTERDAY (PARAGRAPH 9 OF MY TELNO 694).

(C) VERIFICATION

PEREZ DE CUELLAR RESPONDED POSITIVELY TO THE IDEA OF THE UN USING SURVEILLANCE AIRCRAFT PROVIDED BY SOME NEUTRAL STATE.

(D) SIZE OF ZONES FOR WITHDRAWAL

A MAJOR NEW PROBLEM AROSE HERE. AHMED SAID THAT THE ARGENTINES HAD SAID TODAY THAT THE PROPOSALS DISCUSSED WITH HAIG HAD BEEN BASED ON THE COMPLETE WITHDRAWAL OF THE BRITISH TASK FORCE TO ITS BASES IN THE UK. HE THEN READ OUT WHAT SEEMED TO BE THE SECRETARIAT'S TRANSLATION OF A SPANISH TEXT OF THE PROPOSALS IN PARAGRAPH 2 OF YOUR TELNO 765 TO WASHINGTON EXCEPT THAT THE UK FORCES WOULD BE WITHDRAWN TO A DISTANCE OF AT LEAST 2,000 NAUTICAL MILES (NOT 1,750) BY DAY 7. I SAID THAT THIS PROPOSAL HAD NEVER BEEN AGREED BY HM GOVERNMENT. IN ANY CASE, I THOUGHT THAT IT HAD BEEN PUT TOGETHER WHEN THE TASK FORCE WAS STILL THOUSANDS OF MILES FROM THE FALKLANDS, ABOUT A MONTH AGO. SINCE THEN, THE SITUATION HAD CHANGED ENORMOUSLY AND THERE WAS NO QUESTION OF CUR ACCEPTING SUCH! AN ARRANGEMENT. IT WAS TOTALLY IRRELEVANT TO THE REAL SITUATION. THE ARGENTINES SEEMED TO HAVE CREATED A VERY WIDE NEW GAP. (E) TARGET DATE FOR CONCLUSION OF FUTURE NEGOTIATIONS PEREZ DE CUELLAR SAID THAT HE HAD BEEN ENCOURAGED THAT ROS HAD REFERRED SPECIFICALLY TO THE NEGOTIATIONS PERHAPS NEEDING TO CONTINUE UNTIL FEBRUARY 1983. I SAID THAT I WAS GLAD THAT ROS WAS NOT INSISTING ON AN ABSOLUTE DEADLINE. FOR US IT WAS IMPORTANT THAT THE SECRETARY GENERAL SHOULD HAVE DISCRETION TO RECOMMEND WHAT FURTHER STEPS SHOULD BE TAKEN IF NO AGREEMENT WAS IN SIGHT TOWARDS THE END OF THE INTERIM PERIOD. I SAID THAT THE ARGENTINE PAPER RAISED TWO NEW POINTS -

PARAGRAPH 5. AND THE REFERENCE IN PARAGRAPH 4 TO THE UK AND ARGENTINE OBSERVERS FLYING THEIR FLAGS. WE WERE PUZZLED TO FIND PARAGRAPH 5 IN THE CONTEXT OF A SHORT INTERIM AGREEMENT. IT.

SEEMED TO OPEN THE POSSIBILITY OF THE ARGENTINES TRYING TO THE ARGENT THE A

ARGENTINE OBSERVERS FLYING THEIR FLAGS. WE WERE PUZZLED TO FIND PARAGRAPH 5 IN THE CONTEXT OF A SHORT INTERIM AGREEMENT. IT SEEMED TO OPEN THE POSSIBILITY OF THE ARGENTINES TRYING TO CREATE NEW DEMOGRAPHIC FACTS DURING THE INTERIM PERIOD. PEREZ DE CUELLAR SAID THAT THE ARGENTINES HAD COMPLAINED ABOUT RESTRICTIONS ON THE PURCHASE OF LAND AND ON ACCESS TO THE ISLANDS.

7. SUMMING UP, I SAID THAT WE STILL HOPED TO REACH THE STAGE WHEN PEREZ DE CUELLAR COULD PRODUCE PROPOSALS OF HIS OWN, ON THE BASIS OF WHAT WE AND THE ARGENTINES HAD TOLD HIM: MEANWHILE, THE QUESTION OF NON-PRE-JUDGEMENT WAS FOR US THE KEY TO EVERYTHING. IN ADDITION, THERE WAS STILL MUCH GROUND TO COVER ON THE DEPENDENCIES, THE NATURE OF THE INTERIM ADMINISTRATION, THE SIZE OF THE ZONES OF WITHDRAWAL AND DISCRETION FOR THE SECRETARY GENERAL TO RECOMMEND FURTHER STEPS IF AGREEMENT HAD NOT BEEN REACHED BY THE TARGET DATE.

B. PLEASE SEE MY SECOND IFT FOR COMMENT AND RECOMMENDATIONS.

PARSONS

CCN ... PARA 2 LAST LINE WA WOULD - CONVEY IT TO ME ETC

NNNN

00 FCO (DESKBY 110700Z)

GRS 750

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FM UKMIS NEW YORK 110142Z MAY 82
TO IMMEDIATE FCO
TELEGRAM NUMBER 705 OF 10 MAY
INFO IMMEDIATE WASHINGTON.

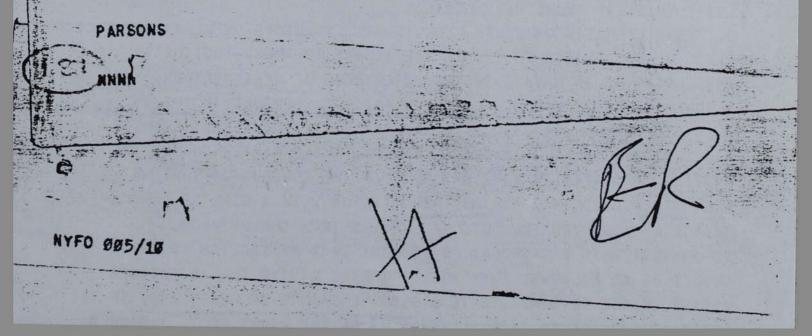
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MY 2 IPTS: FALKLANDS.

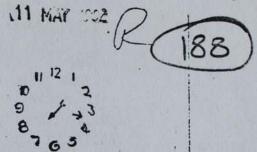
- 1. AFTER THE EXPERIECES OF THE PAST WEEKS, I DO NOT THINK THAT ANY OF US RATED VERY HIGH THE CHANCES THAT THE ARGENTINES WOULD BE PREPARED TO NEGOTIATE SERIOUSLY WITH PEREZ DE CUELLAR ANY MORE THAN THEY DID WITH HAIG AND THE PERUVIANS. TODAY'S EXPERIENCE BRINGS ME VERY CLOSE TO BELIEVING THAT THEY ARE STILL NOT INTERESTED IN REACHING A NEGOTIATED SETTLEMENT ON TERMS WHICH WOULD BE ACCEPTABLE TO US, AND THAT IT IS RAPIDLY BECOMING A QUESTION OF WHO WRONG-FOOTS WHOM WHEN THE NEGOTIATIONS BREAK DOWN.
- 2. QUITE APART FROM THEIR TOTALLY UNCHANGED AND UNSATISFACTORY RESPONSE ON THE QUESTION OF PREJUDGING THE OUTCOME OF THE NEGOTIATIONS IN THE INTERIM PERIOD, I AM FORTIFIED IN THIS BELIEF BY THEIR RENEWED INSISTENCE ON INCLUDING SOUTH GEORGIA, BY THEIR REINJECTION OF THE NOTION OF FREEDOM OF IMMIGRATION AND PURCHASE OF PROPERTY, AND BY THE FRIVOLITY OF THEIR INSISTENCE ON OUR TOTAL WITHDRAWAL TO A POINT 2,888 NAUTICAL MILES FROM THE ISLANDS IN PARALLEL WITH THEIR PARTIAL WITHDRAWAL OF 158 MILES. ON THIS POINT, THEY KNOW PERFECTLY WELL THAT THE 2,888 MILE CONCEPT WAS INTRODUCED AT A TIME WHEN THE TASK FORCE WAS AT LEAST THAT FAR FROM THE FALKEANDS.
- 3. THE IR EMPHASIS ON SOUTH GEORGIA AND EXCLUSIVE UN ADMINISTRATION LEADS ME TO BELIEVE THAT THEY ARE AIMING TO WRONG-FOOT US BY PRESENTING US AS HAVING DESTROYED CHANCES OF AGREEMENT ON GROUNDS, WHERE THEY COULD COUNT ON MAJORITY SUPPORT IN THE UN.
- 4. J DID NOT HAVE A CHANCE TO HAVE A PRIVATE CONVERSATION WITH PEREZ DE CUELLAR THIS EVENING, BUT HIS WHOLE MANNER DURING THE MEETING INDICATED THAT HE HAS COME TO THE CONCLUSION THAT WE ARE NOT ENGAGED IN A SERIOUS NEGOTIATION WITH A GENUINE.
- SHOULD BE AS FOLLOWS. THEY WOULD COMBINE GIVING THE ARGENTINES
 A LAST CHANCE TO DEMONSTRATE A GENUINE CHANGE OF HEART AND, IF THE

A LAST CHANCE TO DEMUNDINALE A GLAUTE NEGOTIATIONS ARE TO FAIL, LEAVING US ON THE RIGHT FOOT. I SHOULD CONFIRM TO PEREZ DE CUELLAR, AS I EFFECTIVELY DID THIS EVENING, THAT WE COULD NOT NEGOTIATE THE DETAILS OF AN INTERIM ARRANGEMENT UNTIL WE WERE SURE THAT WE WERE DISCUSSING A GENUINE INTERIM ARRANGEMENT AND NOT SIMPLY A BRIEFLY DELAYED TRANSFER OF SO X-EIGNTY AND POSSESSION TO ARGENTINA. I SHOULD CONFIRM TO HIM, AGAIN AS I SUGGESTED THIS EVENING, THAT IT WOULD NOT BE WORTH MY PRODUCING FRESH LANGUAGE ON THE DETAILED POINTS IN THE INTERIM ARRANGEMENT UNTIL HE HAD EXTRACTED A SPECIFIC FORMULATION FROM ROS ON THE QUESTION OF THE NON PREJUDGEMENT OF THE OUTCOME OF THE NEGOTIATIONS. I WOULD STUDY THIS FORMULATION AND REFER IT TO YOU FOR COMMENTS IN ORDER TO SEE WHETHER THERE WAS A POSSIBILITY OF A SATISFACTORY AGREEMENT ON THIS BASIC POINT. IF THERE WAS, WE COULD THEN GO ON TO NEGOTIATE THE DETAILS OF THE AGREEMENT. IF THERE WASNOT, WE WOULD HAVE TO REVIEW THE SITUATION AND DECIDE WHETHER OR NOT IT WAS WORTH CONTINUING WITH THE PRESENT EXERCISE. 6. AS REPORTED IN MY FIRST IPT, I EXPLAINED REPEATEDLY TO PEREZ DE CUELLAR THAT THE PHRASE QUOTE WITHOUT PREJUDICE TO THE RIGHTS CLAIMS AND POSITIONS OF THE PARTIES' WAS NOT ENOUGH IN ITSELF. ARGENTINA DID NOT REGARD ITSELF AS QUOTE CLAIMING UNQUOTE SOVER-EIGNTY. THEY REGARDED ARGENTINE SOVEREIGNTY AS AN ACTUALITY WHICH ONLY LACKED RECOGNITION BY US. HENCE, WE HAD TO INSIST ON THE ADDITIONAL PHRASE QUOTE WITHOUT PREJUDGING THE OUTCOME OF THE NEGOTIATIONS UNQUOTE. I ALSO EXPLAINED THAT COSTA MENDEZ'S APPARENTLY POSITIVE REMARKS IN PUBLIC ABOUT SCYEREIGNTY NOT BEING A. PRE-CONDITION REFERRED IN FACT TO THE IMMEDIATE RECOGNITION BY THE UK OF ARGENTINE SOVEREIGHTY BEFORE THE NEGOTIATIONS STARTED. WE WERE NOT DECEIVED BY THIS PHRASE! HENCE OUR INSISTENCE ON THE LANGUAGE I HAD PROPOSED. IF THE ARGENTINES WERE GENUINE, WHY DID THEY OBJECT TO THE INSERTION OF THIS LANGUAGE? NO ONE ON THE OTHER SIDE OF THE TABLE COULD PRODUCE AN ADEQUATE ANSWER TO THIS.



CONFIDENTIAL

SRS 1130 CONFIDENTIAL FM FCO 1014552 MAY 82 TO FLASH UKMIS NEW YORK TELEGRAM NO 377 OF 10 MAY INFO FLASH WASHINGTON



YOUR TELMOS 691, 694 AND 695 : FALKLANDS

1. THANK YOU FOR THESE FULL REPORTS AND FOR YOUR STERLING EFFORTS WITH THE SECRETARY- GENERAL. I ENDORSE IN PARTICULAR YOUR INSISTENCE ON SMOKING THE ARGENTINES OUT ON THE QUESTION OF SOVEREIGNTY AND THE TERMS OF REFERENCE FOR NEGOTIATIONS ABOUT THE FUTURE OF THE ISLANDS.

- 2. IF THE SECRETARY-GENERAL'S EFFORTS WERE TO COLLAPSE BECAUSE ARGENTINA INSISTED ON A TRANSFER OF SOVEREIGNTY OR WOULD NOT AGREE TO A SENSIBLE PROVISION ABOUT WHAT WOULD HAPPEN IF NEGOTIATIONS HAD NOT SUCCEEDED BY A TARGET DATE, ARGENTINA WOULD CLEARLY HAVE BEEN UNREASONABLE AND WE THINK THAT WE COULD DEFEND OUR POSITION SATISFACTORILY IN PARLIAMENT AND INTERNATIONALLY. YOU SHOULD CONTINUE FIRMLY TO REPRESENT OUR POSITION ON BOTH MATTERS. THE QUENSTIONS OF THE DEPENDENCIES AND OF THE TRADITIONAL ADMINISTRATION MAY, AS YOU SAY, BE THE ONES WHERE THE CRUNCH WILL COME, BUT THEY PRESENT VERY GRAVE DIFFICULTIES INDEED. THEY WILL HAVE TO BE CONSIDERED IN RELATION TO THE POSSITION REACHED ON ALL OTHER ELEMENTS IN A POSSIBLE AGREEMENT, AND MEANWHILE YOU SHOULD GIVE NO (NO) INDICATION THAT THERE CAN BE ANY CHANGE OF POSITION.
- 3. MEANWHILE, THE FOLLOWING COMMENTS ON POINTS RAISED IN YOUR TELEGRAMS ARE PROVIDED AS GENERAL GUIDANCE FOR YOUR MEETINGS WITH THE SECRETARY—GENERAL TODAY.

DEPENDENCIES

4. IN ADVOCATING OUR POSITION, YOU SHOULD ARGUE THAT THE STATUS QUO IN THE DEPENDENCIES IS AS IT WAS BEFORE THE UNLAWFUL OCCUPATION AND THAT OUR PURPOSE IN THE PRESENT NEGOTIATIONS IS TO DEAL WITH THE NEW SITUATION CREATED BY THE CONTINUED UNLAWFUL OCCUPATION BY THE ARGENTINIANS OF THE FALKLAND ISLANDS THEMSELVES. (THIS LINE OF ARGUMENT IS EASIER TO SUSTAIN IN RELATION TO AN INTERIM AGREEMENT THAN IN RELATION TO LONG-TERM NEGOTIATIONS. IF UNEXPECTEDLY THE SECRETARY-GENERAL OR THE ARGENTINES WERE TO SUGGEST THAT THE DEPENDENCIES BE COVERED IN THE NEGOTIATIONS ABOUT THE FUTURE BUT NOT IN THE OTHER PROVISIONS OF THE INTERIM AGREEMENT, YOU WOULD NO DOUBT UNDERTAKE TO REPORT THE SUGGESTION BUT ENTIRELY WITHOUT COMMITMENT).

SOVEREIGNTY

- 5. YOU SHOULD CONTINUE TO INSIST ON TWO MAJOR POINTS OF SUBSTANCES
 (A) THAT THE TEXT OF THE INTERIM AGREEMENT MUST NOT PREJUDICE THE
 OUTCOME OF NEGOTIATIONS ABOUT THE FUTURE, AND
- (B) THAT THE ARGENTINES MUST STATE CLEARLY TO THE SECRETARY-GENERAL THAT THEY ACCEPT THIS AND WILL DESIST FROM DECLARING THE OPPOSITE POSITION IN PUBLIC.

CONFIDENTIAL

G. THE LANGUAGE FOR AN INTERIM ACREEMENT SUGGESTED IN PARA 9
OF YOUR TELNO 694 WOULD BE VERY SATISFACTORY FROM OUR POINT OF
VIEW AND YOU SHOULD STAND ON IT TODAY. (LATE, IF ARGENTINA WILL NOT
CONTEMPLATE IT, WE MAY HAVE TO CONSIDER IN THE CONTEXT OF AN
AGREEMENT SATISFACTORY ON OTHER MATTERS, A DIFFERENT VERSION OF
THAT LANGUAGE: OR A COMPLETELY NEUTRAL FORMULA, SUCH AS THAT THE
LONG TERM NEGOTIATIONS WOULD BE ABOUT THE FUTURE OF THE ISLANDS,
COUPLED WITH AN ARGENTINE STATEMENT ON THE LINES OF 5(B) ABOVE).

INTERIM ADMINISTRATION

T. IN CONTINUING TO INSIST THAT THE COUNCILS MUST REMAIN
IN OPERATION, YOU SHOULD CONTEST THE UNSUPPORTED AND ERRONEOUS
ARGENTINE ASSERTION THAT THE INVOLVEMENT OF THE ISLANDERS IN THE
INTERIM ADMINISTRATION WOULD PREJUDGE THE OUTCOME OF NEGOTIATIONS
ABOUT THE FUTURE. YOU SHOULD ALSO MAKE WHAT PLAY YOU CAN WITH
THE THOUGHTS THAT TO EXCLUDE A PEOPLE FROM THE ADMINISTRATION OF
THEIR OWN AFFAIRS IS HARDLY CONSISTENT WITH THE SPIRIT OF THE UNI
AND THAT WE HAVE DEVELOPED THE COUNCILS IN ACCORDANCE WITH
UNI CHARTER OBLIGATIONS (ARTICLE 73(B)) AND THAT IT WOULD BE
CONTRAY TO THE SPIRIT OF THE CHAPTER TO DISMANTLE THEM IN THE
ABSENCE OF ALTERNATIVE ARRANGEMENTS FOR THE EXPRESSION OF THE VIEWS
OF THE ISLANDERS.

WITHDRAWAL PERIOD.

8. WE CONTINE TO BELIEVE THAT 14 DAYS SHOULD BE LONG ENOUGH FOR TOTAL ARGENTINE WITHDRAWAL. IN ANY CASE, WE COULD NOT ACCEPT ANY TREACHEROUSLY ELASTIC PHRASE ALLOWING DELAYS BEYOND THE LIMIT BECAUSE OF 'BAD WEATHER OR OTHER FACTORS'.

VERIFICATION OF WITHDRAWAL.

9. THIS IS DIFFICULT. PLEASE TELL THE SECRETARY-GENERAL THAT A DECLARATION BY EACH SIDE AT TIME 'T' OF SHIPS AND (REPEAT AND) FORCES IN THE ZONE, AND DAILY DECLARATIONS OF WHAT HAD BEEN WITHDRAWN, WOULD HELP. BUT GIVEN ARGENTINA'S INVASION IT IS A LOT TO ASK US TO ACCEPT THAT SHE SHOULD VERIFY HER OWN WITHDRAWAL. YOU SHOULD ASK THE SECRETARY-GENERAL WHETHER HE THINKS THAT THE UN COULD USE SURVEILLANCE AIRCRAFT PROVIDED BY A MEMBER STATE (YOU WILL SEE THAT THIS POSSIBILITY, WHICH MAY DEPEND ON WHETHER ADEQUATE SURVEILLANCE AIRCRAFT CAN BE BORROWED FROM AN ACCEPTABLE COUNTRY LIKE SWEDEN, IS ALSO RAISED IN A SEPARATE TELEGRAM IA AM SENDING TO WASHINGTON).

SIZE OF ZONES FOR WITHDRAWAL.

10. WE ARE CONTENT WITH THE ARGENTINE SUGGESTION OF 150 NAUTICAL MILES RADIUS. YOU HAVE DISCRETION TO ACCEPT 200 NAUTICAL MILES. FOR A ZONE ROUND THE FALKLAND ISLANDS, IF THAT IS RAISED AGAIN. (INDEED, WE PERHAPS COULD ACCEPT A LARGER ZONE ROUND THE FALKLAND ISLANDS, SUBJECT TO FURTHER CONSIDERATION HERE.)

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LIFTING OF ZONES.

11. YOU MAY SAY THAT THE POSSIBILITY OF THEIR BEING LIFTED AT TIME 'T' IS UNDER POSITIVE CONSIDERATION HERE.

LIFTING OF ECONOMIC MEASURES.

12. YOU MAY SAY THAT WE THINK THAT THE UK AND THE OTHER EC MEMBERS COULD AGREE TO LIFT ECONOMIC MEASURES AT TIME 'T'.

TARGET DATE FOR CONCLUSION OF FUTURE NEGOTIATIONS

- 13. WE SEE NO REASON WHY AN INTERIM ARRANGEMENT SHOULD NOT SAY THAT:
- A) NEGOTIATIONS WILL START IMMEDIATELY TO PRODUCE AN AGREEMENT
- BY 'THE TARGET DATE OF 31 DECEMBER 1982':
- B) THE INTERIM ARRANGEMENTS WILL REMAIN IN FORCE UNTIL IMPLEMENTATION
- OF A DEFINITIVE AGREEMENT ABOUT THE FUTURE OF THE ISLANDS:
- C) THE SECRETARY-GENERAL SHOULD REPORT JUST BEFORE THE TARGET DATE ABOUT NEXT STEPS.

14. THE IDEA FOR STARTING LONG TERM NEGOTIATIONS NOTIONALLY AT TIME 'T' WOULD BE PRESENTATIONALLY DIFFICULT FOR US AND YOU SHOULD MAINTAIN A RESERVE ON IT.

VENUE FOR NEGOTIATIONS.

15. WE CAN ACCEPT NEW YORK STATE OTHER THAN NEW YORK CITY ITSELF.

INVOLVEMENT OF JUNTA IN ARGENTINE ADHERENCE TO AN AGREEMENT. 16. YOU WERE RIGHT TO ARGUE THAT ALL THREE MEMBERS OF THE JUNTA SHOULD SIGN THE AGREEMENT. BUT IF THAT LATER PROVED TO BE A STICKING POINT, WE COULD REVERT TO THE SUGGESTION IN PARAGRAPH 64 OF MY TELNO 371, THAT ARGENTINE ADHERENCE TO ANY AGREEMENT MUST CLEARLY BE FULLY BACKED BY THE JUNTA, THIS COULD IMPLY A PUBLIC STATEMENT BY ALL 3 MEMBERS.

PYM

PAINTANDS SELECTIVE HD! SAm D HD/ECD(E) HD/DEF DEPT HD/PLANNING STAFF HD/UND HD/NEWS DEPT HD/E3D FD/PUSD PS/MR HURD PS/MR ONSLOW FS/PUS MR BULLARD SIR I SINCLAIR MR GIFFARD MR WRIGET MP GILLMORE

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CAB OFFICE

PS/SIR R ARMSTRONG

PS/SIR M PALLISER MR WADE GERY

[COPIES SENT TO NO 10 DOWNING ST]

MR FULLER

DIO MR J M STEWART AUSD STAFF MOD SIR P MOORE BUCKINGEAM PALACE

CONFIDENTIAL

Ref. A08373

MR WHITMORE

Content to process on

We spoke this afternoon about the timing of the briefing for the Prime Minister and the members of OD(SA) on the possibilities for a landing on the Falkland Islands.

- 2. I have discussed this with the Chief of the Defence Staff. possible date for a landing is now the night of 20/21 May. This timing has slipped because of the need to divert the assault group to avoid Argentine reconnaissance.
- 3. A final decision on whether or not to go ahead can be deferred if necessary until the afternoon of 18 May at the latest. The assault group is not due to enter the TEZ until 19 May, and could be diverted up to about midnight on 18/19 May. If a decision were deferred as late as that, preparations would continue up to the last moment for a decision to land, so as not to close any options.
- 4. The Chief of the Defence Staff says that Admiral Fieldhouse cannot be ready for the briefing until the afternoon of Thursday 13 May.
- I think that this timing is just about right. As I see it, the timetable 5. would be as follows:

Thursday 13 May, 5,00 pm, military briefing in COBR

Friday 14 May, 9.30 am, meeting of OD(SA)

Monday 17 May, further meeting of OD(SA)

Monday 17 May or Tuesday 18 May, am, Cabinet

The great advantages of this timetable are that it enables us to put the matter to Cabinet on the Tuesday morning, which would seem less like a "crisis" meeting; and that it leaves the weekend for any further work that may need to be done following the meeting of OD(SA) on Friday 14 May. Indeed it would be possible, if it seemed desirable, for a meeting to be held on Sunday 16 May.

SECRET AND PERSONAL

7. All this, of course, relates to the timetable for military decisions. If this is indeed to be the timetable, we should presumably be doing what we can to stretch out the processes of discussion in New York about a possible cease-fire and withdrawal agreement, so that those discussions do not come to "make or break" at least until after OD(SA) has had its military briefing and has had a first discussion in the light of that.

KA

ROBERT ARMSTRONG

10 May 1982





23

MINISTRY OF DEFENCE WHITEHALL LONDON SWIA 2HB

TELEPHONE 01-218 9000
DIRECT DIALLING 01-218

MO 5/21

RULES OF ENGAGEMENT FOR CERTAIN SURVEILLANCE
AND INTELLIGENCE GATHERING VESSELS

4.7.C. = +-c.

You should be aware that the Secretary of State has approved the attached submission, giving CDS the authority to amend the ROE initially for the CONSTANZA and MARIA ALEJANORA and subsequently for other Argentine vessels known to be engaged in surveillance and intelligence gathering operations.

I am copying this letter to Brian Fall (FCO) and David Wright (Cabinet Office).

2000

Miss J E RIDLEY

A J Coles Esq



SECRET

2038/1/4

CNS CGS CAS PUS SECCOS



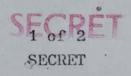
SECRETARY OF STATE

RULES OF ENGAGEMENT FOR CERTAIN SURVEILLANCE AND INTELLIGENCE GATHERING VESSELS

- 1. As you are aware, evidence now obtained from the FV NARWAL has provided conclusive proof of the involvement of two vessels CONSTANZA and MARIA ALEJANORA in intelligence gathering activities under naval direction. In the light of this, CINCFLEET has requested, on behalf of the Task Group Commander, Rules of Engagement (ROE) to allow him to take action against these vessels without warning. The ROE you agreed on Saturday 8 May allowed this action to be taken only against merchant ships and fishing vessels within 150 nautical miles of the centre of the TEZ which appeared to be engaged in resupplying the Falkland Islands.
- 2. The possibility of including these two vessels on the list of Argentine Naval Auxiliaries, thus allowing action to be taken against them without warning within the TEZ, has been considered. However, advice from the Foreign Office legal adviser on the FV NARWAL was that it and similar vessels could not be classified as Naval Auxiliaries. Existing ROE for dealing with surveillance and intelligence gathering vessels allow action to be taken only after the vessels have refused to comply with a warning to leave the area. This carries with it the disadvantage that the surveillance unit can comply with the warning and leave the area only to return at a later date. FV NARWAL had done this and was captured after her re-appearance.
- 3. Bearing in mind the vulnerability of the lines of communication to the Task Force and the Amphibious Group, it is important to allow action to be taken against these vessels both inside and outside the TEZ. It is proposed, therefore, that the existing instructions to all UK Forces engaged in Operation CORPORATE for dealing with Argentine surveillance and intelligence gathering vessels should be amended so far as the CONSTANZA and MARIA ALEJANORA are concerned as follows:

"When positively identified inside or outside the TEZ the vessels named above are to be prevented from continuing that task by the use of minimum force".

Depending on the circumstances this may result in the sinking of the vessel - for example the recent attack by the Sea Harrier on FV NARWAL.



SECRET

4. If other vessels are subsequently identified as falling into the same category as the CONSTANZA and the MARIA ALEJANARO the instructions would be amended to include them. I should be grateful for your approval to issue the revised instruction to the Task Force.

10th May 1982

CHIEF OF THE DEFENCE STAFF

SECRET

2 of 2

SECRET

Covering TOP SECRET

CF 22a

CAN AIRCRAFT LAND ON PORT STANLEY AIRSTRIP?

We know that the airfield has been cratered, but I cannot say to what extent the Argentine forces may have been able to make repairs.

(overing TOP SECRET



Background Note

We were able to fly a photo-reconnaissance mission after the first bombing raid on the Port Stanley airstrip. After the second attack, the Task Force Commander was unable to mount a similar mission. He has been asked to do so as soon as circumstances permit. The intelligence assessment is that aircraft with short take off and landing distances, for instance a lightly loaded Hercules may be able to use Port Stanley airstrip or grass airstrips elsewhere on the island, but we have no information about any such air movement.





PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: Letter from Coles to Ornand dated 10 May 1982	
dated 10 May 1982	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM No.73, 10 May 1982 (Folio 19)	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
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MODUX INTSUM NO.72, 9 May 1982 (HOLIO 18)	
9 May 1982 (4640 18)	
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Extract/Item details:	
MODUK INTSUM No. 71, 9 May 1982	
9 May 1910 2	
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OF THE PUBLIC RECORDS ACT 1958	10 May 2012 Cawayland
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MO 5/21

MINISTRY OF DEFENCE MAIN BUILDING WHITEHALL LONDON SW1

Telephone 01-3030 X002x 218 2111/3

8th May 1982

Dear John,

SOUTH AFRICA

A. V. C. 10:

You will have seen the minute from my Secretary of State to the Foreign Secretary dated 29th April and Mr Pym's reply of 5th May. The Foreign Secretary agreed that a response to Mr Eldon Griffiths should be made in terms of paragraph 4 of my Secretary of State's minute. Mr Griffiths is entirely content with this but has pointed out that the original message which he received had been from Mr Botha himself. He would therefore like to say, when relaying the message to the South Africans, that the Prime Minister was grateful for Mr Botha's message and that she is entirely content with the terms of the reply from Mr Nott, from which it follows that there is no need for any immediate discussion. I should be grateful if you could let me know whether the

Jetter to John Holmes (FCO) and

Method to John Holmes (FCO) and

Mick Evens

(N H R EVANS)

A J Coles Esq was followed to John Holmes

Was a John Holmes

A J Coles Esq was followed to John Holmes

Was a John Holmes

(N H R EVANS)



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
Letter from Omand to Coles dated 8 May 1982 (Aslio 15A)	
dated 8 May 1982 (folio 15A)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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OF THE PUBLIC RECORDS ACT 1958	10 May 2012 BWayland
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PIECE/ITEM 647 (one piece/item number)	Date and sign
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
MODUK INTSUM No. 69	
MODUK INTSUM No. 69 (2 copies, 1 typed)	
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OF THE PUBLIC RECORDS ACT 1958	May 2012 Bloayland
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
MODUK INTSUM No. 68,	
MODUK INTSUM No. 68, 8 May 1982 (Folio 13)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4)	10 May 2012 Wayland
OF THE PUBLIC RECORDS ACT 1958	(K) Wayland
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NUMBER NOT USED	



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
Letter from Omand to Coles	
Letter from Omand to Coles dated 7 May 1982 (folio 12A)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	10 May 2012 Odday land
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Argentina

SIR ROBERT ARMSTRONG

FALKLAND ISLANDS

The Prime Minister has noted the contents of your minute of 6 May concerning briefing for and procedures at the daily meetings of OD(SA).

M. H. COLES

7 May, 1982

A



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
MODUK INTSUM No. 67, 7 May 1982	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
Letter from Coles to Fau dated 7 May 1982 (Folio 10)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MoDUK INTSUM No. 66, 7 May 1982 (folio 9E)	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
Letter from Fall to Coles datel	
7 May 1982, and two endored draft telegrams (Polio 9D)	
draft telegrams (Polio 9D)	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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Ref: A08339

Prine Mile

SECRET

PRIME MINISTER

Falkland Islands

I have been considering, and discussing with the Ministry of Defence and the Foreign and Commonwealth Office, how to ensure that you are fully briefed on military and political developments for the daily meetings of OD(SA), and thus enabled to deal effectively, and from as complete an information base as possible, with the issues that require consideration and decision.

- I have had much in mind that your colleagues on OD(SA), and particularly the Home Secretary and the Chancellor of the Duchy of Lancaster, who do not have Departmental support on these matters, need no less to be brought fully up to date for OD(SA) meetings.
 - 3. I propose as follows:-
 - Meetings of OD(SA) should normally begin at 9.30 am. (a)
 - Each morning, starting 10th May, the Foreign and Commonwealth Office will provide a summary of diplomatic developments and prospects, with the key telegrams attached. These will be available at 9.00 am for you to read in No. 10; for the Home Secretary and the Chancellor of the Duchy to read in the Cabinet Office; and for the Secretary of State for Defence to read in the Ministry of Defence.
 - Each meeting of OD(SA), starting tomorrow, should begin with a comprehensive briefing and updating on military developments by the Chief of the Defence Staff. This would include an account of the intelligence on Argentinian dispositions and movements; an account of our own dispositions and movements; an account of naval or air actions since the previous briefing; and some indication of the plans and intentions of the force and fleet Commanders.
 - (d) This full military briefing should be followed by a short briefing on the diplomatic situation by Sir Antony Acland. This would assume that people had read the written summary described at (b); Sir Antony would pick out salient points and add any last minute up-dating that might be needed.

SECRET

- (e) Policy discussions should be avoided during the briefing stages:

 hence the suggestion that the briefings should be given by the

 professionals, rather than by the two Ministers concerned.
- (f) The Secretary of State for Defence should then introduce any military considerations and decisions on which discussion was needed. So far as possible operational decisions should be considered separately from presentational decisions, and in that order.
- (g) The Foreign and Commonwealth Secretary should similarly introduce any diplomatic decisions needed, observing (so far as possible) a similar distinction between diplomatic operations and public presentation.

KA

Robert Armstrong

6th May 1982

SECRET AND PERSONAL

Prine Nimes

Ref. A08332

MR COLES

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A.J.C.3

A conversation which I had this morning suggested that there were a couple of questions that the Ministry of Defence could usefully be asked about possible electronic counter-measures against Exocet missiles. I think that these questions would come best from No 10. If the Prime Minister agrees, I suggest that you might write on the lines of the draft attached.

KA

ROBERT ARMSTRONG

6 May 1982

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SECRET AND PERSONAL

DRAFT LETTER FROM A J COLES ESQ TO
D B OMAND ESQ, Priv Sec to Secretary of State for Defence

There was some discussion at OD(SA) this morning about defence against Argentine use of Exocet missiles, during the course of which the Chief of the Defence Staff referred, without detail, to electronic counter-measures (ECM).

The Prime Minister has asked two questions on this aspect of the matter:

- (1) Exocet is a French-designed and made missile. The French therefore presumably know what ECM would stop it: they may even have developed a jamming device. Should we, through the existing defence contacts, see if there is anything they could suggest or offer to help? The French Government has been very supportive so far.
- (2) Are there any ECM devices being produced in other contexts for instance, for aircraft which could be effectively used against Exocet missiles and might be sufficiently mobile to be got out quickly to the task force?

I should be grateful if you could let me have early answers to the Prime Minister's questions.

I am sending a copy of this letter to Brian Fall.



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM No. 65, 6 May 1982 (folio 9)	
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PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: Letter from Faul to Coles dated 6 May 1982 and 2 endored draft felegrams (folio 6)	
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Prime Minute
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PRIME MINISTER

- 1. Since we met at O.D.(SA) this morning I have seen the

 Foreign and Commonwealth Secretary's minute to you (PM/82/84) of

 5 May about the circumstances in which we should permit an attack
 on the Argentine carrier. Any advice that I give is not made
 easier by the conflicting reports of the capability of the carrier.

 If, in fact, she carries only 6 aircraft able to fly not more
 than a radius of 200 miles, the situation is transformed. I have
 been advising, as I did this morning, on the basis that she had
 a considerable number of aircraft with a strike range of 500 miles.
- 2. It is not for me to comment on the political considerations discussed in that minute. I can confirm, however, that an attack on the carrier north of the sand close to the coast would be extremely difficult to justify, with any plausibility, as an exercise of an inherent right of self-defence and, unless we are at war, the justification for any attack on Argentine vessels must be brought within the limitations which attach to the exercise of that right and which were covered by our warnings, especially that made on 23 April.
- 3. This leads me to make one comment on what is said in paragraph
 5 of the Foreign and Commonwealth Secretary's minute. If the
 /fighting

SECRET - UK EYES A



fighting has to continue, and particularly if we find ourselves engaged in making an opposed landing on the Falkland Islands, the political considerations clearly change. The legal considerations, however, do not. We shall still have to justify any attack on the carrier by reference to the right of self-defence and this means that we must be satisfied - and preferably be able to satisfy Parliament and reasonable public opinion elsewhere - that, at the time of the attack, the Argentine carrier unless she was within the exclusion zone was in such a position and such a posture that, having regard both to her own speed and mmbility, which might enable her to escape surveillance for a vital period, and to the capacity of her aircraft to launch stand-off weapons, she then represented a direct, imminent threat to our own forces. This means, I think, that even in the circumstances contemplated in paragraph 5 of the minute, we shall still not be free to try to pick the carrier off wherever we may find her: she must still have approached our forces in such circumstances as to make her a threat and therefore a legitimate target.

4. As to the instructions now to be given to the submarine concerned, I recognise of course that what is said in paragraph 6 of the Foreign and Commonwealth Secretary's minute is not intended to convey the precise terms of those instructions. But I hope that when they are issued they will make clear, first, that there can be no question of an attack on the carrier when she is within what we

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SECRET - UK EYES A



would recognise as the territorial sea which the Argentine could legitimately claim, ie twelve nautical miles from the coast, and, secondly, that the mere fact that she has "changed course in a direction which clearly implies hostile intent" is not enough to warrant an attack: she must have brought herself, by the time of the attack, into a position where, on the grounds I have indicated above, she can fairly be regarded as then posing an actual threat to our own forces.

5. I am copying this minute to the Foreign and Commonwealth Secretary, the Home Secretary, the Defence Secretary, the Chancellor of the Duchy of Lancaster and Sir Robert Armstrong.



Law Officers' Department.
ROYAL COURTS OF JUSTICE

6 May, 1982

SECRET - UK EYES A



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details: MODUK INTSUM NO. 64, 6 May 1982	
CLOSED FORYEARS UNDER FOI EXEMPTION	
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PM/82/34

PRIME MINISTER

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- 1. We agreed at Cabinet this morning that, if the Cabinet accepted the latest United States proposals, it should be on the basis that instructions to ceasefire should not be issued until an agreement had been formally concluded, and that there was no immediate need to change the rules of engagement for our forces in the South Atlantic. I am content with that; but I am strongly of the view that we should look again at the position of the Argentine aircraft carrier during this phase of the diplomatic discussions.
- 2. We have good reason to believe that she is in, or very close to, Argentinian territorial waters, heading North and so away from the Falkland Islands and our task force, and that her attack capability is reduced to six aircraft with a radius of only 200 miles. Thus the carrier in her present posture can hardly be regarded as a direct or imminent threat to our task force.
- 3. I know that the Attorney General considers that, so long as the carrier is on its present course and in its present posture, our justification for attacking it would be questionable.
- 4. I am in no doubt whatever about the political consequences of an attack upon the carrier in that posture, while we were waiting for the Argentine response to the proposals which Cabinet endorsed this morning. International opinion would be outraged. We should, I believe, forfeit much of our Parliamentary and public support at home. We should make it impossible, at least in the short term, for Argentina to accept an agreement of the kind envisaged. And,

/most



most important, we should be thought by the Americans, and by Mr Haig in particular, to have deliberately destroyed the prospects of an initiative to which we had just given our conditional agreement. I believe that the consequences of that for American public opinion and the American Government's support could be incalculably grave.

- 5. No doubt we should have to accept these consequences if the carrier represented an imminent military threat to our people in the South Atlantic; and clearly, if the fighting in the South Atlantic has to continue, and particularly if we have to make a landing and try to repossess the Falkland Islands by force of arms, it will be important to eliminate the threat posed by the carrier. But there is not in my judgement an immediate military need to attack the carrier in its present posture. In the next few days, therefore, so long as the latest initiative is running, I think we need to have possible political consequences of an attack on the carrier at the front of our minds.
- 6. Thus I should like to urge that the instructions to the submarine concerned should now be modified, at least until we know whether the Argentines are going to accept the Haig proposals, to the effect that the submarine should not attack the aircraft carrier so long as she continues on a northerly course in or close to Argentine territorial waters. During this period the submarine Commander might be authorised to attack the carrier only if she has moved out of the vicinity of Argentine territorial waters and has changed course in a direction which clearly implies hostile intent.
- 7. I am sending copies of this minute to the Home Secretary, the Secretary of State for Defence, the Chancellor of the Duchy of Lancaster, the Attorney General and Sir Robert Armstrong.

F.

Foreign and Commonwealth Office
5 May 1982

(FRANCIS PYM)



PIECE/ITEM 647 (one piece/item number)	Date and sign
Extract/Item details:	
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Ref. A08322

PRIME MINISTER

I understand that the Foreign and Commonwealth Secretary may be sending you and other colleagues in OD(SA) a minute about the Argentine aircraft carrier. He accepts that, if the fighting went on, it would be very important to try to take it out; but he thinks that, if we were to attack it while the new initiative was alive, we really should lose a great deal of international support; and above all we should greatly upset the Americans and risk losing their support.

- 2. I believe that the Foreign and Commonwealth Secretary is not the only member of OD(SA) to have this view, and that the Home Secretary and the Chancellor of the Duchy of Lancaster may well share it. Twice during the course of today the Attorney General has said that, while the aircraft carrier is in or very close to Argentine territorial waters and is sailing North, it becomes more difficult to justify an attack.
- 3. As you know, we also have intelligence that its attack capability is currently limited to six aircraft with a radius of 200 miles.
- 4. Obviously if it were to change course in a direction which seemed to threaten an attack on the task force, the submarine ought to be free to attack. But there would be something to be said for making sure that the aircraft carrier was not attacked except in those circumstances, at any rate until we know whether the Argentinians are going to accept the ceasefire proposals or not. HANDLING
- 5. You will presumably want to discuss this at OD(SA) tomorrow morning. The Secretary of State for Defence will not be there, because he is in Brussels; but Sir Frank Cooper will be there, with the Chief of the Naval Staff, and he will no doubt be able to report his Secretary of State's views.

5th May, 1982

ROBERT ARMSTRONG

SECRET AND PERSONAL

PART 4 ends:-

4.5.82

PART 5 begins:-

5.5.82