

CABINET

DEFENCE AND OVERSEA POLICY (OFFICIAL) COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND THE FALKLAND ISLANDS

ARGENTINIANS IN THE UNITED KINGDOM AND OTHER POSSIBLE
REQUIREMENTS FOR LEGISLATION

Note by the Home Office

This paper discharges the remit identified at serial 9 of Annex A to ODO(SA)(82)6.

- direction of
2. The attached Note by Officials has been circulated by/the Home Secretary to the Defence and Oversea Policy Committee. It outlines the contingency drafting work in hand on subordinate and primary legislation to meet requirements so far known to the Home Office.
 3. There is no requirement at present for either internment or expulsion of large numbers of Argentinians. Of the two, expulsion is greatly to be preferred on both resource and political grounds. And the Home Office has made it clear that neither police nor prison officers would be available for this purpose. No action is being taken to prepare possible internment camps.
 4. At Sir Robert Armstrong's meeting on 5 April (Annex C of ODO(SA)(82)4), it was said that the Security Service were preparing an assessment of the risk to key points in the UK, though it seemed unlikely that any would be found to be particularly at risk. The assessment by the Security Service is that the threat to key points so far remains unchanged. They would not expect Argentina or any other Government so far supporting her to have the capability or the will to carry out attacks on installations in this country; the possibility always exists that terrorist groups could use our current pre-occupation as an opportunity to carry out acts of sabotage in this country, but there is no evidence at present that this is the case.

FALKLAND ISLANDS: POSSIBLE REQUIREMENTS FOR LEGISLATION

Note by Officials

This note considers first the range of action (some requiring primary legislation) which could be taken in connection with Argentinian citizens in this country, and then the range of powers for which an Emergency Bill might be needed.

Argentians in the UK

2. The most obvious step would be to terminate the visa abolition agreement with Argentina, and control admission of Argentinians to the UK by requiring a visa. This could be done by a statement of change in the Immigration Rules, which would be subject to annulment in Parliament. Such a statement is being drafted and could be tabled quickly.
3. There are about 1,000 Argentinians with indefinite leave to stay here. And there are perhaps 4,000 more with limited leave to stay, of whom about 1,000 are registered with the police; for most of the rest, no records of addresses are held. The next step might be to make an Order requiring all Argentinians with limited leave to register with the police, or curtailing their stay, and to amend the Immigration Rules to require all Argentinians arriving in this country to register with the police. These instruments are being drafted, ready for introduction if required.
4. There are no security reasons for taking action to intern Argentinians, or expel them from this country. And any such action would invite reciprocal action against our citizens in Argentina. But if our citizens there were interned or expelled, it might be politically necessary for us to act. Either internment or the expulsion of large numbers of Argentinians would require emergency legislation. These powers are not required at present, but a contingency Emergency Bill is being drafted in case it is needed.

Other possible requirements for emergency legislation

5. The Emergency Bill being drafted on a contingency basis will enable regulations to be made for the following purposes identified by Departments: to requisition ships and aircraft, and property other than land; to control ports

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and airports, and sea navigation; to prevent ships and aircraft leaving this country; to take possession of land; to interfere with certain contracts; and to restrict the transfer of goods or supply of services.

6. A first draft of the Bill is being prepared by Parliamentary Counsel and will be with Departments very soon after Easter. The aim is to have it ready for consideration by Ministers, if required, by Friday 16 April.

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8 April 1982