

Ref: B06491



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ms.

PRIME MINISTER

c Sir Robert Armstrong

Falklands: OD(SA) on 12th MayMilitary 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.
 - i. 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.



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.

11th May 1982

R L WADE-GERY