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OD(SA)(82) 38th Meeting

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DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND
THE FALKLAND ISLANDS

MINUTES of a Meeting held at
10 Downing Street on
WEDNESDAY 19 MAY 1982 at 9.30 am

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon William Whitelaw MP
Secretary of State for the
Home Department

The Rt Hon Francis Pym MP
Secretary of State for Foreign
and Commonwealth Affairs

The Rt Hon John Nott MP
Secretary of State for Defence

The Rt Hon Cecil Parkinson MP
Chancellor of the Duchy of
Lancaster and Paymaster General

THE FOLLOWING WERE ALSO PRESENT

The Rt Hon Sir Michael Havers QC MP
Attorney General

Admiral of the Fleet
Sir Terence Lewin
Chief of the Defence Staff

Sir Antony Acland
Foreign and Commonwealth Office

Sir Michael Palliser
Cabinet Office

SECRETARIAT

Sir Robert Armstrong
Mr R L Wade-Gery
Mr R L L Facer
Brig J A C G Eyre

SUBJECT

1. MILITARY ISSUES
2. DIPLOMATIC ISSUES

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1. MILITARY ISSUES

The Sub-Committee had before them a memorandum by the Defence Secretary (OD(SA)(82) 35) on the public presentation of military operations; and a letter of 18 May from the Defence Secretary's Private Secretary to the Prime Minister's, about the case of Lieutenant Commander Astiz.

THE CHIEF OF THE DEFENCE STAFF briefed the Sub-Committee on the latest military situation.

THE DEFENCE SECRETARY said that news of the Amphibious Group having joined up with the Carrier Group had not been meant to leak out. Its effect might be helpful, however, in demonstrating that military options had not been being foregone for diplomatic reasons.

THE PRIME MINISTER, summing up the discussion, said that the Sub-Committee welcomed the proposal in the Defence Secretary's memorandum on public presentation and would consider its implications further at their next meeting. The case of Lt. Cdr. Astiz was not an easy one, in terms of public opinion, Anglo-French relations and Britain's obligations under the Geneva Conventions on the treatment of prisoners of war. The Attorney General had advised that there could be no question of his extradition to France or Sweden. Further consideration would need to be given to when he should be repatriated and by what route. Meanwhile Argentina had been asked, through Brazil as the protecting power, to agree that he should be questioned by the French and Swedish authorities; failing that he would be questioned by the British authorities on their behalf; but in either case he was unlikely to respond to such questioning and could not be compelled to do so.

The Sub-Committee -

Took note.

2. DIPLOMATIC ISSUES

The Sub-Committee had in front of them telegrams nos. 769, 777-8 and 780-1 from the British Representative at the United Nations, Sir Antony Parsons, reporting on the negotiations in New York with the

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United Nations Secretary General, Senor Perez de Cuellar; telegrams nos. 1796 and 1803 from Her Majesty's Ambassador in Washington reporting the attitude of American officials; and other telegrams relating to the position as regards the European Community's economic sanctions against Argentina.

THE PRIME MINISTER, summing up the discussion, said that it had been confirmed that the Secretary General had duly transmitted to the Argentines on 17 May the draft interim agreement embodying Britain's final offer. In response they had now given the Secretary General a document containing comments and proposals which were clearly unacceptable and thus amounted to a rejection of the British draft. The negotiations in New York were now near their end, but the final stages would need to be carefully managed. If possible, arrangements would be made for the news of the final breakdown to be released in New York at 11 pm London time that evening. The British draft could then be tabled in Parliament at about midday on 20 May. It should be accompanied by a commentary making clear that the British offer had been a sincere attempt to reach agreement which would avert further bloodshed; to this end it had not insisted on what would otherwise have been Britain's full and just demands; but it had involved no compromise on the rule of law and representative institutions in the Falklands during the interim period, and no prejudgement of the longer-term future. Full play would need to be made with the unreasonableness of the Argentine attitude, and it was desirable for this to be as explicitly documented as possible. The stage would thus be set for the proposed debate in Parliament on the evening of 20 May. Meanwhile Sir Antony Parsons would need appropriate instructions for his dealings both with the Secretary General and with the press; and for the handling of subsequent proceedings in the Security Council.

The Sub-Committee -

Invited the Foreign and Commonwealth Secretary to be guided by the Prime Minister's summing up in sending instructions to Sir Antony Parsons and in making arrangements for the tabling of documents in Parliament on 20 May.

Cabinet Office

19 May 1982

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