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OD(SA)(82)47
14 May 1982

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DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND
THE FALKLAND ISLANDS

RATIONALISATION OF RULES OF ENGAGEMENT

Note by the Secretaries

At its meeting on 12 May (OD(SA)(82)32nd Meeting, Minute 1) the Sub-Committee instructed the Secretary of the Cabinet to arrange for early interdepartmental consideration of the proposals in the paper by the Ministry of Defence attached to OD(SA)(82)46, with a view to reaching agreement below Ministerial level if possible.

2. Officials of the Foreign and Commonwealth Office, Ministry of Defence and Cabinet Office have now agreed that the revised Rules of Engagement proposed in OD(SA)(82)46 should come into effect on receipt of signals sent at approximately 1400 London time on 12 May. This agreement was based on the following understandings:

- a) The MOD are satisfied that the Rules of Engagement are designed to preclude attacks on hospital ships whether by surface ships or submarines.

- b) To avoid the possibility of attacks in error against Russian conventional submarines near Ascension Island, the proposed extension of the high seas limit in which attacks on conventional submarines not positively identified as Argentine would be permitted in the area 5° - 60° South and 5° - 70° West will not come into force until 24 hours after receipt by the Soviet Union of a warning to keep its conventional submarines out of the area: this warning was given to the Soviet Foreign Ministry by the British Embassy in Moscow at 6.30 pm

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British Summer Time on 12 May and the new geographical limits therefore came into effect at 6.30 pm BST on 13 May.

- c) To avoid any risk of attacking Chilean submarines in error the Rules of Engagement in Annex C to OD(SA)(82)46 have been amended to ensure that conventional submarines are not attacked within 200 nautical miles of the coast of Chile (as well as of Brazil and Uruguay) unless they are positively identified as Argentine: and Chile is being asked to keep her submarines on the Chilean side of the equidistance line between Argentine and Chilean territorial waters.
- d) In view of the problems which would be created for our relations with Chile, Brazil or Uruguay if any naval action took place within what they regard as their territorial waters, the Ministry of Defence will give at least 24 hours' warning to the Foreign and Commonwealth Office of any intention by any British forces to engage targets within the claimed territorial seas of 200 nm from the coasts of Brazil, Uruguay or Chile. It would then be open to the Foreign and Commonwealth Office to seek agreement to prevent engagements in these areas; but in the absence of a positive decision so to restrain him, the Force Commander would have authority to engage targets in these areas after expiry of the 24 hour period. If operations in these waters become necessary, it is most probable that they would be undertaken by submarines rather than by surface ships.

Signed ROBERT ARMSTRONG
R L WADE-GERY
R L L FACER

Cabinet Office

14 May 1982

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