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MY TELNO 128: YOUR TELNO 80 AND KYLES/SQUIRE TELECON OF 30 MARCH:
ARGENTINE NEXT OF KIN VISIT

CALLED ON CHANCERY LATE YESTERDAY AFTERNOON. WE NEED INSTRUCTIONS ON THE DETAILED POINTS IN PARA 7 BELOW.

2. JOSSERON BEGAN BY STATING THAT ICRC HAD GIVEN CAREFUL CONSIDERATION TO THE REQUEST THAT ONE OF THEIR REPRESENTATIVES ACCOMPANY THE UK NEXT OF KIN PARTY TO THE FALKLANDS. ICRC RESOURCES WERE, HOWEVER, FULLY STRETCHED AT PRESENT. MOREOVER, THEY DID NOT BELIEVE THEIR ABSENCE WOULD IN ANY WAY HINDER THE SUCCESSFUL OUTCOME OF THE VISIT. THEY HAD THEREFORE RELUCTANTLY TO DECLINE THE INVITATION (COPY OF ICRC LETTER FOLLOWS BY BAG). JOSSERON POINTED OUT HOWEVER THAT AS AN ICRC DELEGATION WOULD BE IN MONTEVIDEO FROM 4 APRIL (INSPECTIONS PRISONS), A REPRESENTATIVE WOULD BE MOST WILLING TO MEET THE UK NEXT OF KIN BEFORE THE SHIP DEPARTS ON THE EVENING OF 5 APRIL. THEY WOULD REQUIRES ONLY 24 HOURS NOTICE.

3. ON THE PROPOSED ARGENTINE NEXT OF KIN VISIT, JOSSERON MADE CLEAR THAT ICRC HAD NOT YET DISCUSSED WITH DESTEFANIS ANY OF THE CONDITIONS CONTAINED IN YOUR TUR. THEY WISHED FIRST TO DISCUSS WITH US THE DETAILS OF EACH CONDITION, AND THE DEGREE TO WHICH WE WISHED THEM INVOLVED. IN PARTICULAR, THE WORD "ORGANISE", IN ITS STRICT SENSE, CAUSED THEM DIFFICULTY. JOSSERON MADE IT CLEAR THAT ICRC DID NOT (REPEAT NOT) HAVE THE RESOURCES AVAILABLE EITHER TO FIND A SHIP (AND BY IMPLICATION A CREW) OR TO FINANCE THE JOURNEY. THEY WOULD HOWEVER BE FULLY PREPARED TO SUPERVISE THE ENTIRE VISIT AND WOULD INSPECT THE SHIP AS WE REQUIRED. THEY AGREED, WITHOUT CONDITION, TO THE FLYING OF THE RED CROSS FLAG. JOSSERON WENT ON TO POINT OUT THAT ACCORDING TO VARIOUS REPORTS. DESTEFANIS SEEMED TO HAVE PREPARATIONS ALREADY WELL UNDERWAY. WHILE THIS PRESUMABLY IMPLIED BOTH AN ARGENTINE SHIP AND CREW (TWO OF THE CONDITIONS UNACCEPTABLE TO US), JOSSERON GAVE THE CLEAR IMPRESSION THAT ICRC WERE QUITE PREPARED TO ACCEPT SUCH ARRANGEMENTS. THIS VIEW IS NO DOUBT GOVERNED BY THE FACT THAT ICRC SEE NO OTHER PRACTICAL ALTERNATIVE WITHIN THE SHORT TIME AVAILABLE. WHATEVER THE CIRCUMSTANCES, THEY WOULD HAVE NO PROBLEM IN COMMUNICATING TO US THE NAME OF THE VESSEL.

4. AS REGARDS DESTEFANIS HIMSELF, ICRC REPEATED THEIR POSITION AS DISCUSSED WITH LONG ON 25 MARCH (PARA 5 OF MY TELNO 122). WE EXPLAINED THAT OUR INSTRUCTIONS REMAINED AS SET OUT IN PARA 3(D) OF YOUR TUR. WE AGREED HOWEVER TO RE-EMPHASISE THEIR VIEWS WITH YOU ON THIS POINT.

5. JOSSERON THE RAISED THE QUESTION OF VERIFICATION OF THE NEXT OF KIN. ICRC WERE QUITE PREPARED TO VERIFY. AS FAR AS

5. JOSSERON THEN RAISED THE QUESTION OF VERIFICATION OF THE NEXT OF KIN. ICRC WERE QUITE PREPARED TO VERIFY, AS FAR AS POSSIBLE, ANY LIST PROVIDED BY DESTEFANIS. THE FINAL DECISION ON WHO WERE ACCEPTED WOULD REST WITH HMG. JOSSERON POINTED OUT THAT ICRC WOULD NOT (REPEAT NOT) ACCEPT RELATIVES OF EITHER THE CREW OF THE BELGRANO OR THE AIRCREW. WHERE NEXT OF KIN OF UNIDENTIFIED INFANTRYMEN WERE INVOLVED, THEY WOULD CROSS CHECK THE RELATIVES' CLAIMS WITH THEIR OWN RECORDS AND WITH THE ARGENTINE MILITARY AUTHORITIES.

6. ON THE REMAINING CONDITIONS, JOSSERON REAFFIRMED THEIR ACCEPTANCE OF THESE AS SET IN IN PARA 3(B), (E), (F), (H) AND (I) OF YOUR TUR.

7. ICRC NOW WISH TO CONVEY TO DESTEFANIS, AS SOON AS POSSIBLE, OUR AGREED CONDITIONS. BUT BEFORE DOING SO, THEY WISH US, GIVEN THEIR ABOVE COMMENTS TO CLARIFY THE FOLLOWING POINTS:

A) WITHIN THE TERMS OF HMG'S STATEMENT, HOW IN SPECIFIC TERMS DO WE WISH ICRC TO ORGANISE THE JOURNEY?

B) CAN WE IN ANY CIRCUMSTANCES ACCEPT THE USE OF DESTEFANIS' SHIP? (IF SO, WE WOULD PRESUMABLY REQUIRE THAT IT FLEW ONLY THE RED CROSS FLAG)

C) CAN WE CLARIFY FURTHER OUR POSITION ON THE NATIONALITY OF THE CREW?

D) IF DESTEFANIS IS UNWILLING TO ACCEPT THE IDEA THAT HE SHOULD NOT TRAVEL AT ALL, CAN WE ACCEPT ICRC'S SUGGESTION THAT HE SHOULD BE ALLOWED TO TRAVEL BUT NOT DISEMBARK?

8. AS MENTIONED IN THE TELECON UNDER REFERENCE, ICRC WILL HAVE A REPRESENTATIVE ON CALL IN GENEVA THROUGHOUT THE EASTER BREAK SHOULD WE WISH THEM TO CONTACT DESTENFANIS DURING THAT PERIOD.

COMMENT

9. ICRC FULLY AGREE WITH HMG THAT THE VISIT SHOULD BE PURELY HUMANITARIAN; AND SHOULD BE ORGANISED IN SUCH A WAY AS TO AVOID ANY POSSIBILITY OF UNTOWARD ACTIVITY BY THE ARGENTINE PARTY. THEY REALISE THAT THIS WOULD REFLECT ON THEM. THEIR WILLINGNESS TO FLY THE RED CROSS FLAG GIVE US SOME LEEWAY OVER OUR OTHER CONDITIONS E.G. THE PROBLEM OF THE SHIP'S AND CREW'S NATIONALITY. YOU WILL I KNOW HAVE IN MIND THE POINT THAT, HAVING MADE PUBLIC OUR WILLINGNESS, IN PRINCIPLE, TO SEE A STRICTLY HUMANITARIAN VISIT PROCEED WE SHOULD NOT ALLOW

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A STRICTLY HUMANITARIAN VISIT PROCEED, WE SHOULD NOT ALLOW
DESTEFANIS THE OPPORTUNITY TO ARGUE THAT OUR CONDITIONS CANNOT
BE FULFILLED BEFORE WINTER SETS IN: ESPECIALLY AS HE APPEARS
TO HAVE A SHIP, CREW AND PASSENGERS READY TO SET SAIL ON 16
APRIL.

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MARSHALL

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SENT AT 311022Z AA