

Ref: B06815

PRIME MINISTER

c Sir Robert Armstrong

Argentine Next of Kin Visit to the Falklands
(OD(EM)(83) 3)

BACKGROUND

Flag A

When you saw the letter from the Foreign and Commonwealth Secretary's Private Secretary dated 24th June about action to promote a visit to the Falklands by Argentine next of kin, you asked for a discussion in OD(EM) on the basis of a detailed paper. The Foreign and Commonwealth Secretary has now circulated a note (OD(EM)(83) 3) covering a paper by officials.

2. The Foreign and Commonwealth Secretary proposes that the Government should now take an initiative via the Swiss with the Argentine Government to propose a next of kin visit on clearly specified conditions, which are set out in paragraph 23 of the officials' paper. In presenting these to the Argentines, the Swiss would not indicate that any of them were negotiable. While it would be a condition that the ship transporting the relatives should not be Argentine and should fly the Red Cross flag, we would not make it a pre-condition that it should fly the Union flag as a courtesy flag: flying the courtesy flag is not mandatory under international law.

3. Account has thus been taken of the point you made on the Foreign and Commonwealth Secretary's Private Secretary's letter that the approach to the Argentines then proposed appeared to some extent to leave the terms of the visit open for negotiation. It is now recommended that the basic conditions should be set out without any advance indication that they might be negotiable. The paper also explains why officials favour making our approach through the Swiss, about which you also expressed some doubt.

4. The Home Secretary, the Attorney General, the Chief of the Defence Staff and the Second Legal Adviser at the Foreign and Commonwealth Office, Mr John Freeland, have been invited.

See my
separate
note.

A.J.C. $\frac{5}{7}$

HANDLING

5. You should invite the Foreign and Commonwealth Secretary to introduce his paper. Points to be addressed in the subsequent discussion are -

- a. Should we continue to rest on the statement made on 28th March, that we have no objection in principle to a next of kin visit provided that it is organised and supervised by the International Committee of the Red Cross (ICRC) and is purely humanitarian in nature; or has the time come to go further and seek actively to promote such a visit in the next Falklands summer?
- b. If it is in our interests to promote a visit, for the sake of our international standing on the wider Falklands question and in order to strengthen our hand in refusing further "private enterprise" arrangements, should we make a formal proposal to the Argentines through the Swiss or make our intentions known in some other way, eg by making a public statement in Parliament, leaving the Argentines to take up the running if they wish?
- c. Whatever the form of the approach, what are the conditions on which we should insist? Obviously we could not permit the use of an Argentine ship: should we, as the paper recommends, rule out a British ship? Are there any other countries whose ships we would wish to rule out, and could we accept a ship from any Latin American country?
- d. Are we prepared to allow press representatives to sail and, if so, would we wish to exercise any control over their composition and numbers?
- e. Are we prepared not to insist upon the courtesy flag, and could we sell this to the islanders?
- f. Should we be prepared, as we were with Destefanis, to waive the normal immigration formalities?
- g. Should any approach to the Argentines be confidential or should there be a public announcement?

CONFIDENTIAL

7. You will wish to ask the Defence Secretary whether the garrison would find any difficulty in coping with a visit organised on the proposed lines.

CONCLUSION

8. Subject to the discussion, you may wish to guide the Sub-Committee
- a. to agree the Foreign and Commonwealth Secretary's proposals;
 - b. to decide whether the initiative should be taken in confidence or announced publicly;
 - c. to invite the Foreign and Commonwealth Secretary to report to the Sub-Committee on the reactions of the Argentine Government, the ICRC and the islanders when they have been obtained.

David Goodall

5th July 1983

A D S GOODALL

PRIME MINISTER

Argentine Next-of-Kin Visit

There is one point which I believe OD(EM) will need to discuss but which is not brought out in the attached papers.

If the committee decides that we should try to arrange an Argentine next-of-kin visit to the Falklands, do we approach the Falkland Islanders before or after the initial approach to the Argentines via the Swiss?

I can see arguments both ways. But there must be some danger that if we approach the Argentine Government first, this will leak and the Islanders will be upset that they were not consulted first. You may wish to put this point to the committee.

A.J.C.


5 July 1983

Argentina

Prime Directive

The crucial point of timing is when we approach the Argentines - it may then become public.

So we do it in July or September?

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