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10 DOWNING STREET

From the Private Secretary

13 May 1982

CAPTAIN ASTIZ

Thank you for your letter of 12 May.
As I told you last night, the Prime Minister
agreed whole-heartedly with the action which
the Foreign and Commonwealth Secretary proposes.

I am copying this letter to David Omand
(Ministry of Defence).

A J COLES

J.E. Holmes, Esq.,
Foreign and Commonwealth Office.

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Foreign and Commonwealth Office

London SW1A 2AH

12 May 1982

Dear John,

Captain Astiz

Among the Argentine POWs due to be flown out of Ascension Island at 3 am London time tomorrow morning for return to Argentina via Montevideo is a Captain Astiz. There has already been press and parliamentary interest in this man because of the Swedish Government's wish to interview him in connection with the shooting and disappearance of a Swedish girl in Buenos Aires in 1977. When the Swedish Government formally approached us for access to Astiz, or at least that we should ask him whether he would be willing to answer questions about the alleged incident, we replied (after Mr Nott had been consulted) that we would prefer the Swedes to approach the ICRC on the point because of our delicate position in relation to the treatment of Argentine POWs. The ICRC have apparently not been receptive to the Swedish request that they raise this matter with Astiz.

We have today received two formal approaches from the French Government about the same man. M Cheysson's office have told our Embassy in Paris that the French Government wished formally to ask the British Government not to transfer Astiz into ICRC protection as the French wish to consider criminal proceedings against him, apparently in connection with the killing of two French nuns. The French Ambassador raised the same matter with Sir Antony Acland this afternoon. *Passage deleted and retained under Section 3(4). @Wayland, 17/4/82* Cheysson's office have added that the French Foreign Minister may have to answer questions about Astiz later today and in that case would say that an approach had been made to the British Government.

/This case



This case obviously requires careful handling presentationally. From the legal angle we are under no obligation to return POWs until the end of hostilities. On the other hand a POW is not under any obligation to answer questions other than about his rank, name and number and must not be subjected to duress. But in the light of the French approach and Ministers' imminent contacts with M Cheysson, M Mauroy and President Mitterrand, Mr Pym thinks there is a strong case for reconsidering the line we have so far taken over Astiz. He therefore proposes that we should instruct our people at Ascension Island not to hand over Astiz with the other POWs at 3 am tomorrow morning when the other POWs become the formal responsibility of the ICRC and are repatriated by air. We should then tell the French and the Swedes (and if necessary take the line publicly) that Astiz's repatriation has been delayed for a few days to consider carefully the implications of the approaches by those two Governments. We should then either permit the French and/or Swedish representative to interview Astiz at Ascension or at the very least we should ask him ourselves whether he would be prepared to answer questions passed to us by the French and the Swedes. If, as seems almost certain, Astiz were to decline on both counts (as strictly speaking he is entitled to do as a POW) we should have to explain this both to the French and Swedes and publicly; and probably then to repatriate him after an interval of a week or two. But at least we should have put ourselves in a better position politically and in terms of public relations. It is even possible that we could turn the matter to good account in terms of the British journalists still detained in Argentina. Mr Pym does not believe that to act as he has suggested would prejudice the current prospects for negotiations in New York. But if we are to act, we must do so quickly.

I am copying this letter to David Omand at the Ministry of Defence.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

11 MAY 1962

