

PS
 PS/MR HURD
 PS/MR ONSLOW
 PS/PUS
 MR BULLARD
 SIR I SINCLAIR
 MR GIFFARD
 MR WRIGHT
 MR ADAMS
 LORD N G LENNOX
 LORD BRIDGES
 MR URE
 MR GILLMORE
 HD/PUSD
 HD/S AM D
 HD/DEF DEPT
 HD/NEWS DEPT
 HD/ERD
 HD/ECD(E)
 HD/UND
 HD/PLANNING STAFF
 MR ANTHONY WILLIAMS W60
 EMERGENCY ROOM
 RESIDENT CLERK

PS/NO 10 DOWNING ST (2)
 PS/S OF S FOR DEFENCE
 MR J STEWART AUSD STAFF MOD
 PS/CHANCELLOR)
 MR ILETT) TREASURY
 MR LITTLER)
 SIR R ARMSTRONG)
 SIR M PALLISER) CABINET
 MR WADE-GERY) OFFICE
 MR FULLER SAPU/DIO)
 DIO)

[RM 8 FOR MODUK C IN C FLEET]

CONFIDENTIAL

DESKBY 131730Z

IMMEDIATE

ADVANCE COPY

FM PARIS 131608Z MAY 82
 TO IMMEDIATE FCO
 TELEGRAM NUMBER 482 OF 13 MAY 1982
 INFO PRIORITY MODUK, STOCKHOLM, ASCENSION ISLAND AND UKMIS GENEVA

FALKLANDS: ASTIZ

1. DIRECTOR FOR LATIN AMERICA AT THE QUAI TOLD MINISTER THIS AFTERNOON THAT THE FRENCH GOVERNMENT WERE VERY GRATEFUL FOR BRITISH AGREEMENT TO RETAIN COMMANDER ASTIZ ON ASCENSION. FRENCH PUBLIC OPINION WAS VERY INTERESTED IN THE CASE. THE FRENCH GOVERNMENT HOPED THAT HE COULD BE HELD LONG ENOUGH FOR THEM TO INITIATE PROCEEDINGS.

2. THE PROCEEDINGS WHICH THE FRENCH APPARENTLY CONTEMPLATE WOULD CONSIST OF:

(A) THE ASSEMBLY, BY THE BEGINNING OF NEXT WEEK, OF A DOSSIER CONTAINING SUFFICIENT EVIDENCE OF ASTIZ'S INVOLVEMENT IN THE DISAPPEARANCE OF THE TWO FRENCH NUNS TO JUSTIFY A FORMAL PRELIMINARY INVESTIGATION BY A MAGISTRATE:

(B) THE INVESTIGATION WOULD THEN BE CARRIED OUT (APPARENTLY BY ...)

(B) THE INVESTIGATION WOULD THEN BE CARRIED OUT (APPARENTLY BY
BRITISH PERSONNEL)

(C) DEPENDING ON THE RESULTS, FURTHER LEGAL STEPS WOULD BE TAKEN
TO BRING ASTIZ TO JUSTICE. DORIN ADMITTED THAT THE FRANCO-BRITISH
EXTRADITION TREATY DID NOT PROVIDE FOR EXTRADITION FOR A CRIME
COMMITTED IN A THIRD COUNTRY BUT HE THOUGHT THAT THERE WERE PREC-
EDENTS FOR HANDING OVER ACCUSED PERSONS IN SUCH CASES.

3. PETRIE OBSERVED THAT THIS SCENARIO MIGHT CONTAIN SOME CONFUSION
BETWEEN FRENCH AND BRITISH LEGAL PRACTICE. NO DOUBT THE FRENCH
EMBASSY IN LONDON WOULD ALREADY BE ADVISING THE QUAI ON THE
RELEVANT PROVISIONS OF BRITISH LAW. BUT IN ANY CASE HE SUGGESTED
THAT THE FRENCH GOVERNMENT SHOULD PROCEED WITH ALL POSSIBLE SPEED
SINCE IT WAS NOT AT ALL CLEAR HOW LONG IT WOULD BE POSSIBLE TO
HOLD ASTIZ.

FRETWELL

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SENT/RECD AT 131635Z JC/HK