

FALKLANDS SELECTIVE ADVANCES

(38) [PLEASE RETURN COPY TO TYPISTS]

PS  
PS/MR HURD  
PS/MR ONSLOW  
PS/PUS  
MR BULLARD  
SIR I SINCLAIR  
MR GIFFARD  
MR WRIGHT  
MR GILLMORE  
MR URE  
MR BARRETT  
HS/S AM D  
HD/DEF D  
HD/PLANNING STAFF  
HD/UND  
HD/NEWS D  
HD/ERD  
HD/ECD(E)  
HD/PUSD  
~~EMERGENCY ROOM~~  
~~RESIDENT CLERK~~

IMMEDIATE

ADVANCE COPY

PS/NO 10 DOWNING STREET (2 copies)  
PS/S OF S DEFENCE  
PS/HOME SECRETARY  
PS/HOME SECRETARY (c/o NO 10 DSt)  
PS/ATTORNEY GENERAL  
PS/CHANCELLOR DUCHY OF LANCASTER  
PS/SIR R ARMSTRONG )  
PS/SIR M PALLISER, )  
PS/SIR A DUFF ) CABINET  
MR WADE-GERY )  
MR FULLER ) OFFICE  
MR O'NEILL HD ASSESS- )  
MENTS STAFF )  
DIO  
MR J M STEWART AUSD STAFF MOD  
ADMIRAL SIR ROY HALLIDAY DGI MOD  
DIRECTOR G.C.H.Q. (via Room 8).

OO FCO  
OO MODUK  
OO PARIS  
OO STOCKHOLM  
OO ASCENSION ISLAND

GRS 220  
CONFIDENTIAL  
FM UKMIS GENEVA 131240Z  
TO IMMEDIATE FCO  
TELNO 239 OF 13 MAY 1982  
INFO IMMEDIATE MODUK, PARIS, STOCKHOLM, ASCENSION ISLAND  
YOUR TEL 60 TO ASCENSION  
REPATRIATION OF POWS

1. JOSSERSON (ICRC) CALLED TODAY (13 MAY) CONCERNING OUR  
DECISION TO RETAIN LT.COMMANDER ASTIZ ON ASCENSION. HE HANDED



DECISION TO RETAIN LT.COMMANDER ASTIZ ON ASCENSION. HE HANDED TO US A NOTE (TEXT IN MIFT TO FCO AND MOD ONLY).

2. JOSSERSON SAID THAT TSCHIFFELE, THE DELEGATE IN CHARGE OF THE ICRC REPATRIATION TEAM, HAD TELEPHONED GENEVA FROM ASCENSION DURING THE NIGHT ABOUT THE DECISION. ICRC WISHED TO RESPOND QUICKLY TO THIS DEVELOPMENT AND WOULD BE HANDING A SIMILAR NOTE TO THE ARGENTINIANS HERE. THEY HAD ALREADY RECEIVED A LOT OF ENQUIRIES FROM THE PRESS AND WOULD BE ANSWERING THEM ON THE LINES OF THE NOTE.

3. JOSSERSON SAID THAT THE DECISION TO HOLD ASTIZ DID NOT (NOT) PRESENT ANY LEGAL DIFFICULTIES. THE UK WAS FULLY ENTITLED TO HOLD POWS UNTIL THE END OF HOSTILITIES. BUT ICRC HAD TO POINT OUT THAT RETAINING HIM WAS OUR SOLE RESPONSIBILITY AND THAT HE WAS STILL ENTITLED TO COMPLETE PROTECTION UNDER THE 3RD GENEVA CONVENTION. THIS INCLUDED ICRC ACCESS TO ASTIZ.

4. SPEAKING UNOFFICIALLY JOSSERSON SAID THAT THE ICRC WOULD NOT OPPOSE ANY FUTURE JUDICIAL PROCESS AGAINST ASTIZ BY THE PROTECTING POWER. BUT IF HE WERE TO BE HANDED OVER TO ANOTHER POWER THAT WOULD AMOUNT TO EXTRADITION. ICRC ARE CURRENTLY CONSULTING THE CONVENTIONS TO DECIDE THEIR STANCE ON SUCH OUR ISSUE IF IT WERE TO ARISE.

5. GRATEFUL FOR DETAILS OF TELEPHONE CONVERSATION WITH THE FCO MENTIONED IN THE ICRC NOTE.

6. SEE MIFT.

MARSHALL

NNNN

SENT AT 13/131320Z.-%