

CONFIDENTIAL

Action

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OO UKMIS GENEVA

GRS 313

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FM FCO 142130Z MAY 82

TO IMMEDIATE UKMIS GENEVA

TELEGRAM NUMBER 170 OF 14 MAY

INFO BERNE, UKMIS NEW YORK, MODUK (FOR DS11 AND DS5)

THE ARGENTINE SHIP 'BAHIA PARAISO'

14 MAY 1982

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1. PLEASE APPROACH THE INTERNATIONAL COMMITTEE OF THE RED CROSS ON THE FOLLOWING MATTER.
2. ON 7 MAY WE LEARNED FROM OUR EMBASSY IN BERNE THAT THE GOVERNMENT OF ARGENTINA HAD NOTIFIED THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) THAT IT INTENDED HENCEFORWARD DURING PRESENT HOSTILITIES TO DESIGNATE THE NAVAL AUXILIARY VESSEL 'BAHIA PARAISO' AS A HOSPITAL SHIP WITHIN THE MEANING OF THE GENEVA CONVENTION. AS THE ICRC ARE WELL AWARE, THIS CONVENTION LAYS DOWN A NUMBER OF STRICT PROVISIONS WHICH ARE TO BE OBSERVED IF SUCH A SHIP IS TO ENJOY THE PROTECTION AFFORDED BY THE CONVENTION UNDER INTERNATIONAL LAW.
3. WE NOW HAVE GOOD REASON TO BELIEVE THAT, DESPITE THIS NOTIFICATION AND THE VESSEL'S EXTERNAL MARKINGS AS A HOSPITAL SHIP, THE GOVERNMENT OF ARGENTINA MAY BE LOADING THE 'BAHIA PARAISO' AND IN OTHER WAYS EMPLOYING HER IN A MANNER CONTRARY TO THE RELEVANT PROVISIONS OF THE GENEVA CONVENTION.
4. IN THE CIRCUMSTANCES THE BRITISH GOVERNMENT FORMALLY REQUESTS THE ICRC TO APPOINT A REPRESENTATIVE TO INSPECT THIS VESSEL AND TO REPORT WHETHER SHE IS IN ALL RESPECTS COMPLYING WITH THE PROVISIONS OF THE GENEVA CONVENTION. WE ALSO REQUEST THAT AN ICRC REPRESENTATIVE REMAIN ABOARD THE 'BAHIA PARAISO' DURING ANY FUTURE ACTION BY THAT SHIP DURING CURRENT HOSTILITIES.
5. (FOR BERNE). PLEASE ASK THE SWISS TO INFORM THE ARGENTINES THAT WE HAVE MADE THIS COMMUNICATION TO THE ICRC. IN DOING SO, WE SHOULD LIKE THE SWISS TO ADD THAT IF THE 'BAHIA PARAISO' IS FOUND BY BRITISH FORCES WITHIN THE EXCLUSION ZONE ESTABLISHED AROUND THE FALKLAND ISLANDS EQUIPPED, LOADED OR IN OTHER WAYS BEHAVING IN A MANNER CONTRAVENING THE RELEVANT PROVISIONS OF THE

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GENEVA CONVENTION GOVERNING HOSPITAL SHIPS WE SHALL NOT (NOT)
REGARD THE 'BAHIA PARAISO' AS ENJOYING THE PROTECTION UNDER INTER-
NATIONAL LAW AFFORDED BY THAT CONVENTION.

PYM