

42 + 7
ADVANCE COPIES: FALKLAND ISLANDS GENERAL

Seen By pm
IMMEDIATE [FYPTST]

(6)
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
HE/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

FM UKMIS NEW YORK 141650Z MAY 82
TO IMMEDIATE FCO
TELEGRAM NUMBER 751 OF 14 MAY
INFO KATHMANDU, NEW DELHI

YOUR TELNO 407 : FALKLANDS : GURKHAS

1. DOCUMENT A/AC.207/L.6/ADD.2 OF 1981 DOES NOT SEEM TO US TO BE THE RIGHT DOCUMENT TO QUOTE. IT WAS ONE SECTION OF A DRAFT REPORT, AND WAS SUPERSEDED BY THE FINAL REPORT OF THE COMMITTEE TO THE GENERAL ASSEMBLY (A/36/43 - SEE PARAGRAPH 35).
NOR DO WE THINK THAT TOO MUCH SHOULD BE MADE OF THIS PARAGRAPH WHICH IS ONLY A SUMMARY OF POINTS MADE IN A GENERAL DEBATE, LARGELY BY CHITURVEDI (INDIAN MFA LEGAL ADVISER) AND NOT QUESTIONED BY OTHER DELEGATIONS. DURING THIS YEAR'S SESSION OF THE AD HOC COMMITTEE, THE INDIAN SEAT WAS MAINLY EMPTY AND THE QUESTION OF THE RIGHT OF STATES TO RECRUIT NON-NATIONAL PERSONNEL FOR THEIR ARMED FORCES WAS NOT DISCUSSED DIRECTLY.
2. IN OUR VIEW THE IMPORTANT POINT TO MAKE IS THAT THIS YEAR IN THE COMMITTEE THERE WAS WIDESPREAD AGREEMENT THAT THE DEFINITION OF "MERCENARY" CONTAINED IN ARTICLE 47 OF THE FIRST HUMANITARIAN LAW PROTOCOL OF 1977 SHOULD BE ADHERED TO. THIS OF COURSE.

2000 BY 6/11
OF 'MERCENARY' CONTAINED IN ARTICLE 47 OF THE FIRST HUMANITARIAN
LAW PROTOCOL OF 1977 SHOULD BE ADHERED TO. THIS, OF COURSE,
DOES NOT INCLUDE GURKHAS.

PARSONS

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WALD 15/10