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FROM COMMCEN FCO LONDON
TO CIVIL COMMISSIONER FALKLANDS

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FM FCO 301600Z JUNE 82
TO ROUTINE CIVIL COMMISSIONER FALKLANDS
TELEGRAM NUMBER 14 OF 1 JULY

CLAIMS AGAINST ARGENTINA

1 WE ARE GIVING CONSIDERATION TO THE POSSIBILITY
OF CLAIMING AGAINST THE ARGENTINE GOVT AT SOME APPROPRIATE
STAGE FOR DAMAGE TO PROPERTY, BOTH PRIVATE AND PUBLIC, IN THE
FALKLANDS RESULTING FROM ARGENTINA'S AGGRESSION AGAINST THE
ISLANDS. FOR THIS PURPOSE, WE SHOULD BE GRATEFUL IF YOU WOULD
MAKE ARRANGEMENTS TO COMPILE A RECORD OF SUCH DAMAGE AND LET
US HAVE IT IN DUE COURSE. IT WILL BE IMPORTANT TO DISTINGUISH
BETWEEN (A) DAMAGE AND LOSSES, EG FROM LOOTING, CAUSED BY THE
OCCUPYING ARGENTINE FORCES, AND (B) DAMAGE ARISING FROM ACTIONS
OF THE BRITISH FORCES, EG DAMAGE TO PROPERTY CAUSED BY AIR-RAIDS
OR SEA BOMBARDMENT OR WHICH OCCURRED DURING THE LAND ASSAULTS
ON STANLEY AND THE OTHER CENTRES. THE RECORD SHOULD GIVE THE
PERSONAL PARTICULARS OF THE PERSONS AFFECTED AND FULL DETAILS
OF THE DAMAGE/LOSSES SUFFERED TO THE VARIOUS TYPES OF PROPERTY,
AS WELL AS THE CIRCUMSTANCES IN WHICH LOSS OR DAMAGE OCCURRED,
SO FAR AS THESE ARE KNOWN, AND WHERE POSSIBLE AN ESTIMATE OF THE
MONETARY VALUE OF THE LOSS/DAMAGE. WE SUGGEST THE FOLLOWING
HEADINGS MIGHT BE APPROPRIATE:-

- (A) RESIDENTIAL PROPERTY
- (B) COMMERCIAL, INDUSTRIAL OR PROFESSIONAL PREMISES, MACHINERY,
STOCK IN TRADE, ETC

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- (C) FARM PREMISES, LIVESTOCK, AGRICULTURAL IMPLEMENTS ETC
- (D) MOVEABLE PROPERTY, SUCH AS FURNITURE, HOUSEHOLD AND PERSONAL EFFECTS, MOTOR VEHICLES.

ANY DAMAGE TO OFFICIAL BUILDINGS AND THEIR CONTENTS SHOULD ALSO BE NOTED, AS SHOULD ANY PURPORTED REQUISITIONING OF PRIVATE PROPERTY BY THE ARGENTINIANS (IN WHICH CASE DETAILS OF ANY PAYMENTS MADE BY THE ARGENTINIANS WILL BE REQUIRED). IN ADDITION, THERE SHOULD BE RECORDED ANY INSTANCES OF ILL-TREATMENT OF FALKLAND ISLANDERS BY THE ARGENTINIANS (INCLUDING DETENTION AND FORCED LABOUR).

2 WE MUST STRESS THAT OUR OBJECT AT THIS STAGE IS MERELY TO COLLECT DETAILS OF THE DAMAGE SUFFERED SO THAT WE HAVE THE NECESSARY INFORMATION ON WHICH TO BASE A CLAIM AGAINST ARGENTINA IF WE DECIDE TO SUBMIT ONE. THE PROVISION OF THE INFORMATION REQUESTED WILL NOT CONSTITUTE THE SUBMISSION OF A CLAIM IN RESPECT OF THE PROPERTY IN QUESTION AND OUR ACCEPTANCE OF IT MUST NOT BE TAKEN AS IMPLYING THAT SUCH A CLAIM CAN OR WILL BE CONSIDERED.

3 THISTER IS, OF COURSE, QUITE DISTINCT FROM THE QUESTION OF THE POSSIBLE PAYMENT OF WAR DAMAGE COMPENSATION BY THE BRITISH GOVT TO FALKLAND ISLANDERS WHOSE PROPERTY HAS SUFFERED DAMAGE. SEPARATE CONSIDERATION IS BEING GIVEN TO THIS.

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