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B.7.482

OPERATION CORPORATE: DEPLOYMENT OF UK NUCLEAR WEAPONS

1. HM Ships INVINCIBLE, HERMES, BRILLIANT and BROADSWORD, all of which are taking part in Operation CORPORATE, have nuclear depth bombs on board as part of their normal peacetime armament. There is therefore a risk that, should hostilities occur, some UK nuclear weapons could be lost or damaged and the fact become public. The international repercussions of such an incident could be very damaging. CNS has therefore tasked CINCFLEET with an examination of potential ways of removing the weapons from these ships while in transit and either returning them to the UK or, perhaps, storing them temporarily at Ascension Island. A further submission on whether, and if so how, the weapons should be removed will be made as soon as possible after CINCFLEET's recommendations have been received.

2. A further potentially embarrassing factor is that the UK signed in 1967 and ratified in 1969 Additional Protocols I and II to the Treaty of Tlatelolco, which was aimed at the establishment of a nuclear weapon free zone (NWFZ) in Latin America. Article 1.1 of the Treaty requires Contracting Parties to use exclusively for peaceful purposes the nuclear materials and facilities under their jurisdiction. Under Article 1 of Protocol I the UK undertakes to apply this provision in the territories for which it is responsible. This means that under the terms of Protocol I the presence of nuclear weapons or warheads on or in the territorial waters or airspace of the Falkland Islands, South Georgia and the South Sandwich Islands is prohibited. The presence of UK nuclear weapons elsewhere in the South Atlantic is not prohibited. On the face of it, therefore, the UK could at a later stage in the operation find itself in (admittedly covert) breach of an international treaty obligation.

3. Although it seems likely that, notwithstanding the difficulties outlined above, the recommendations will be that the weapons should remain in situ for the duration of the operation, it was felt right that Ministers should be made aware of the potential problems at this stage. It is also possible that the subject will crop

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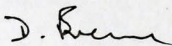
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in tomorrow's debate (Lord Jenkins of Putney attempted unsuccessfully to raise the question in the Lords yesterday. The briefing material prepared is attached). S of S will wish to continue the long-established practice of refusing to comment on the presence or absence of UK nuclear weapons at any given location at any particular time. The existence of the Treaty is of course somewhat of an embarrassment in this context, since we are unable to confirm that we are meeting our obligations under an international Treaty, but it would create an extremely unfortunate precedent were we to depart from our established practice in this case.

4. FCO officials are informing the FCS of the position; they will also be consulted in the formulation of further advice to S of S on the subject.



6 April 82

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