

(19)

COS(Misc) 134/742/1

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RULES OF ENGAGEMENT FOR SEA TRANSIT OF UK FORCES  
ON THE HIGH SEAS EN ROUTE TO THE FALKLAND ISLANDS

The attached draft submission to the Secretary of State prepared by the Navy Department will be tabled for consideration by the Chiefs of Staff at their meeting on Monday 19 April 1982.

Attachment:

Draft Submission (13 pages).

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18 April 1982

ATTACHMENT TO  
COS(Misc) 134/742/1  
DATED 18 APRIL 1982

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RULES OF ENGAGEMENT FOR SEA TRANSIT OF UK FORCES  
ON THE HIGH SEAS EN ROUTE TO THE FALKLAND ISLANDS

1. Rules have been proposed (1) and agreed (2) for forces involved in Operation PARAQUET whilst on transit to South Georgia on the High Seas and outside any declared zone. OD(SA) have been invited (3) to agree by lunchtime on 19 April that those Rules should be applied to all other maritime forces once they reach 35°S. The force headed by HMS BRILLIANT is expected to do so in the afternoon 19 April.
2. However, once these forces are in this area and as they approach the 200 miles maritime Exclusion Zone (MEZ) around the Falkland Islands declared by the UK and the 200 mile Defence Zone declared by the Argentine, they will become increasingly vulnerable to attack or harassment by the Argentine Fleet, which is now at sea. The risk of interception is thus considerably greater than in the case of the Operation PARAQUET forces some 400 miles further East. In these circumstances, we believe that the rules available to the PARAQUET forces would be insufficient to permit the other naval forces to fulfil their task.
3. It is therefore proposed that the rules applicable to naval forces once they pass 35°S should be changed to those set out at Annex A. These are broadly similar to Annex B (Argentine Declared South Georgia Defence Zone) to the ROE proposed for Operation PARAQUET (1). The rules proposed do, however include

Notes:

1. Annex A to CDS 2038/1 dated 16 April 1982.
2. OD(SA) Minutes dated 16 April 1982.
3. PS/S of S MO 5/21 Annex dated 16 April 1982.



Rule 206 which delegates authority to assume that a single attack by an enemy unit is the first of a planned multiple attack, and permits all threatening units to be attacked. They do not permit action against merchant ships.

4. In addition, CINCFLEET has pointed out that EXOCET Surface to Surface Missiles, widely fitted in Argentinian Destroyers and Frigates, require only the use of ordinary surveillance or navigational radar to achieve adequate information for an EXOCET engagement; no obvious external signs would therefore be displayed to the target vessel right up to the moment the missile is fired. EXOCET maximum range is approximately 25 miles. By the same token, there would be no evidence that a submarine had fired its torpedoes until the target was hit.

5. To this end, the rules at Annex A provide that any EXOCET-fitted Argentinian Unit within 25 miles, and any conventional submarine detected within 15 miles, of UK Warships, RFAs or supporting forces are to be deemed to be demonstrating hostile intent.

6. We have also reconsidered the applicability of the rules for Operation PARAQUET forces on the High Seas to other naval forces North of 35°S. We believe that since the risk from Argentine forces is still markedly greater the rules should again be strengthened, though to a lesser extent than that proposed above. To this end, a suitable set of Rules is attached at Annex B. The effect of the change is to introduce Rule 205 with the caveat mentioned in paragraph 5 above concerning the threat from EXOCET and conventional enemy submarines.



It has been proposed (4) that a general announcement should be made before Argentine forces are engaged, either within the declared zone or on the High Seas. Such an announcement might include a declaration that any Argentinian unit found within 25 miles of United Kingdom Warships or supporting vessels will be considered hostile and may be attacked by UK forces in self defence.

8. ROE for naval forces and aircraft once they are in a position to enforce a blockade within the 200 mile MEZ will be submitted separately.

9. We recommend that very early agreement be given to implement the revised rules set out at Annexes A and B for forces en route to the Falkland Islands.

CDS

Annexes:

- A. Operation CORPORATE High Seas ROE - South of 35°S (5 pages).
- B. Operation CORPORATE High Seas ROE - North of 35°S (5 pages).

Note:

- 4. MO 5/21 dated 17 April 1982.

OPERATION CORPORATE  
HIGH SEAS ROE - SOUTH OF 35°S

1. Area Limits

The South Atlantic South of 35°S and West of 35°W

excluding:

- a. Brazilian and Uruguayan territorial seas.
- b. Areas South of 60°S.

2. Time Limits

From entry into Zone until further notice.

3. Recommended Policies

POLITICAL

CHARLIE

MEANING

Escalate

EXPANSION

Any attempt by ARGENTINIAN units to threaten the progress of the mission should be met with sufficient action to ensure mission success.

MILITARY

Surface Ship and Aircraft

104 Commanding Officers and Aircraft Captains may take such action as is necessary to achieve their military task, but are not to exceed it.



With suffixes:

- HOTEL All aircraft positively identified as ARGENTINIAN combat aircraft. (Combat aircraft are to include only fighter, bomber, ground attack and LRMP aircraft and armed and ASW helicopters).
- INDIA All vessels positively identified as ARGENTINIAN warships, submarines and naval auxiliaries (latter as designated separately).
- JULIETT All submarines detected which are assessed to be conventional may be presumed to be ARGENTINIAN.
- 202 Authority is delegated to warn off all enemy units which constitute a threat.
- 205 Authority is delegated to attack any ship, submarine or aircraft that demonstrates hostile intent.

With Suffixes:

INDIA All vessels positively identified as ARGENTINIAN warships, submarines and naval auxiliaries (latter as designated separately).

JULIETT All submarines detected which are assessed to be conventional may be presumed to be ARGENTINIAN.

IMPLICATIONS

There are unlikely to be non ARGENTINE conventional submarines in the area but only NIMRODS and JEZEBEL fitted SEA KINGS will be able to confirm whether submarine is conventional or nuclear.

And Caveat: Any EXOCET-Fitted Argentinian Unit within 25 miles and submarine as qualified by SUFFIX JULIETT within 15 miles of UK Warships, RFAs or Supporting Ships are to be deemed to be demonstrating hostile intent.



206 Authority is delegated to assume that one attack by an enemy unit is the first in a planned multiple attack. All threatening units may be attacked in order to prevent a pre-emptive attack and ensure survivability.

(ARGENTINIAN)

207 For the purpose of self-defence, attack on one unit may be considered an attack on all other units in company.

208 Notwithstanding other Rules which may be in force the commander of a unit has the inherent right to use such force in self defence as may be necessary to protect his command and the lives of his men.

403 Maritime International Law is not to be broken unless it is necessary in order to achieve the aim.

506 Surveillance and shadowing may be overt, or covert. The requirement to remain undetected need not have



ANNEX A TO

CDS

DATED

(Concluded)

priority over other operational  
objectives, eg detection by  
potential hostile forces may be  
invited in order to gain tactical  
intelligence.

ANNEX B TO  
CDS  
DATED

OPERATION CORPORATE  
HIGH SEAS ROE - NORTH OF 35°S

1. Area Limits

The South Atlantic between 10°S and 35°S and West of 20°W  
excluding:

- a. Brazilian and Uruguayan territorial seas.
- b. Areas south of 60°S.

2. Time Limit

Continuous.

3. Recommended Policies

POLITICAL

BRAVO

MEANING

Status Quo

EXPANSION

Avoid provocation but  
be prepared to meet  
force with force. The  
aim is a safe transit.

MILITARY

Surface Ships and Aircraft

102 Commanding Officers and Aircraft  
Captains are to respond to any  
aggression with tactful firmness  
and are to exhibit a  
determination to meet any  
escalation, though not to exceed  
that already carried out by the  
enemy.



With Suffixes:

HOTEL	All aircraft positively identified as ARGENTINIAN combat aircraft (Combat aircraft are to include only fighter, bomber, ground attack and LRMP aircraft and armed and ASW helicopters).	Identification problem with all attacks, especially at night and in low visibility.
INDIA	All vessels positively identified as ARGENTINIAN warships, submarines and naval auxiliaries (latter as designated separately).	
JULIETT	All submarines detected which are assessed to be conventional may be presumed to be ARGENTINIAN.	There are unlikely to be non ARGENTINE conventional submarines in the area but only NIMRODS and JEZEBEL fitted SEA KINGS will be able to confirm whether submarine is conventional or nuclear.

ANNEX B TO  
CDS  
DATED  
(Continued)

103           When the enemy is about to engage  
              with weapons, minimum force is to  
              be used to prevent the successful  
              employment of those weapons.  
              Excessive or untimely use of  
              force would have serious military  
              or political consequences.

205           Authority is delegated to attack any  
              ship, submarine or aircraft that  
              demonstrates hostile intent.

With Suffixes:

INDIA           All vessels positively identified  
              as ARGENTINIAN warships, submarines  
              and naval auxiliaries (latter as  
              designated separately).

JULIETT        All submarines detected  
              which are assessed to be  
              conventional may be presumed  
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ANNEX B TO

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(Continued)

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