

PA



19 Apr 20/4

23

N. Weston, Defence Dept

SECRET

Mr Wright

I understand this was agreed in principle by Ministers last night.
but no announcement is likely for a day or two. *FR 20/4*

RULES OF ENGAGEMENT ON THE HIGH SEAS EN ROUTE TO THE FALKLAND ISLANDS

1. I have this afternoon brought the Attorney General up to date on the present state of play in relation to Rules of Engagement.

2. In particular, I showed him the draft submission to the Defence Secretary on Rules of Engagement for the Task Force on the High Seas, and discussed with him the new rules to be promulgated for the Task Force as soon as they have passed latitude 35° south (see paragraph (d) of your minute of 19 April). The Attorney General did not wish to raise any objection on legal grounds to the proposed new Rules of Engagement for the area beyond 35° south. However, he did suggest that the second sentence of the proposed public announcement (this is attached to the draft submission to the Defence Secretary) should be amended to read as follows:-

"In this connection, HMG now wishes to make clear that any approach by Argentine warships including submarines, naval auxiliaries or military aircraft which could amount to a threat to interfere with the mission of British forces in the South Atlantic will encounter the appropriate response."

The Attorney General thought it would be better if the announcement reflected more clearly the concept that it was any "approach" by Argentine warships etc which could amount to "a threat" to the Task Force that would activate the response. I think that the slight change in language proposed by the Attorney General would be an improvement. As you will be aware, we have already spoken about this matter and I understand that Mr Weston will be putting the revised language of the second sentence of the public announcement to the MOD in the course of this evening.

Ian Sinclair

Ian Sinclair
Legal Adviser

19 April 1982

- cc PS
- PS/Mr Onslow
- PS/PUS
- Mr Giffard
- Mr Gillmore
- Mr Weston

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