



CABINET OFFICE

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U0478

22 April 1982

 FALKLAND ISLANDS TASK FORCE
 PARLIAMENTARY QUESTION FROM LORD JENKINS OF PUTNEY

Thank you for sending me a copy of your letter to Richard Gozney of
 15 April (Ref: D/DS17/5/6/1).

You may wish to note that Ministers' decision on the handling of questions
 about the use of nuclear weapons in the current dispute or their presence
 on ships of the Task Force has been recorded in the following terms -

'The Government's public position should remain that they were never
 able to confirm or deny the presence or otherwise of nuclear weapons
 in particular units; but that there was in any case no question at
 all of nuclear weapons being used in the present dispute.'

The latter part of this formulation, which is slightly stronger than the
 draft attached to your letter ('no question' rather than 'no intention'),
 was I see used by Lord Trenchard on 19 April in reply to a supplementary
 question from Lord Jenkins. It will clearly be necessary as well as
 desirable to stick to this formulation; and better, I would have thought,
 to repeat it rather than merely refer back to the earlier reply which did
 not arise from the original question and may not therefore have been
 noticed.

May I offer a few suggestions on the notes for supplementaries? Firstly,
 I am not sure that Ministers have gone as far as expressing a desire to
 make it plain that we will not breach the Treaty of Tlateloleo: what they
 have decided is, in effect, that there should be no breach of the Treaty.
 If this provides an opening for an alternative reply to No 4, you may
 wish to use it. I find myself stuck for specific suggestions, unless
 you regard something along the following lines as better -

'The United Kingdom stands by all its relevant international
 obligations in this dispute.'

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Spoken to Mr Alexander,
 ACDD x Mr Brennan.
 We shall revert to

DS17's wording
 for supplementary
 No 4 but agree
 to Cab. Office's
 suggestion for No 7
 & the extra one.

Per RG
 22/4

Secondly, ought there not to be an answer to a supplementary on what exactly are our obligations under the Treaty? Perhaps -

'The Treaty prohibits the presence of nuclear weapons in the territories, including territorial waters and airspace, of Latin American states which have ratified the Treaty, and in those territories, territorial waters and airspace which are the responsibility of outside powers which have ratified Protocol I. The United Kingdom ratified Protocol I in 1969 thus bringing the Falkland Islands, their dependencies, and the associated territorial waters and airspace within the zone of application of the Treaty. Argentina has so far failed to ratify the Treaty.'

Thirdly, in exchange for this expansion of the notes, I suggest that Nos 1, 2 and 5 could be dropped (they simply repeat the main answer); that No 6 could be swept up in No 3; and that No 7 could be reduced to a bald statement that the Treaty is concerned with nuclear weapons and not nuclear propulsion systems (as drafted the reply conveys the impression that we feel we have to argue the point).

Finally, there is also the question of the need to respond to any note of the kind the Argentines are understood to be preparing alleging British violation of the Treaty. It remains to be seen whether such a note emerges, when, and what points it makes. The response would need to be prepared quickly, and I suggest that drafting is left until the time.

I am copying this to Richard Gozney (FCO).

C H O'D ALEXANDER

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