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Secretary of State

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Mr Gillmore

~~PS/PUS~~

Private Security To issue 82

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 1982	
FBI - NEW YORK	
COPIES	Taken

part 4

FALKLANDS: PUBLICATION OF WARNING TO ARGENTINES ABOUT PROTECTION OF THE FLEET

Problem

1. Whether, and if so how, to publish the confidential warning conveyed yesterday to the Argentine Government via the Swiss about protection of the Fleet (FCO telegram to Berne No 64).

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Recommendation

2. I recommend that Sir Anthony Parsons be authorised to convey the terms of our communication to the President of the UN Security Council for circulation, as he himself has proposed in UKMIS New York telegram 554. I further recommend that if before we can do this an incident occurs requiring public comment to pre-empt or rebut Argentine criticism, we should publish the terms of the warning immediately from News Department, adding that it was conveyed formally to the Argentines before the incident in question took place.

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3. When the warning was conveyed to the Argentines yesterday in the interests of speed, the question whether we should also publish it was left on one side as a matter for further decision by Ministers. Mr Nott is known to favour early publication. The argument for this is strengthened by the risk that under existing rules of

/engagement

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engagement for operation PARAQUET the Force Commander has discretion to shoot down any future surveillance flight by the Argentines over South Georgia waters. We should be putting ourselves in the strongest position diplomatically by conveying the terms of our warning to the Security Council forthwith; if an incident occurs before this can happen we can already rest our public position on the fact that the Argentines were given formal advance warning not to approach British forces with their aircraft, which they chose to ignore.

4. Linked with publication of our warning is the separate question whether Ministers should now add to the rules of engagement of the Main Task Force a rule which permits attack upon Argentine surveillance aircraft if all warnings and other forms of harassment including warning shots fail to deter. While the terms of the warning conveyed yesterday to the Argentines are ambiguous and do not categorically commit us to attack such aircraft, it could be argued that after publication of such a warning we shall lose credibility if we do not in fact actually attack them. The Chiefs of Staff will no doubt argue that Argentine surveillance aircraft over the Main Task Force are as much a threat (by their ability to direct Argentine submarines) there as they are to our forces in operation PARAQUET where the ROE already permit shooting down.

5. As against that, we have yet to see whether yesterday's warning to the Argentines coupled with active harassment by British interceptors will do the trick in deterring

/further



further Argentine surveillance flights. If so, the problem disappears. If in operation PARAQUET an Argentine aircraft is meanwhile actually shot down, this will do much to reinforce the deterrent effect of our warning as it affects the Main Task Force. The political costs in risking the shooting down of an Argentine surveillance 707 (which may or may not carry military markings) over the high seas and not in relation to a specific operation could be significant and do us a lot of damage internationally. The Argentines would undoubtedly claim that the aircraft was in innocent transit to some distant destination and this might be difficult to disprove. On balance therefore I would recommend against authorising the shooting down of Argentine 707s if they are neither in the MEZ nor engaged in active surveillance of operation PARAQUET. If the current ROE prove insufficient to deter, we can reconsider.

24 April 1982

P J WESTON  
DEFENCE DEPARTMENT

Copied to:

PS  
Mr Wright  
Mr Giffard  
Mr Mallaby, Planning Staff  
Mr Fearn, SAMD

/ I agree...



1. I agree with Mr Weston's recommendations.
2. This issue was discussed at this morning's meeting of the Chiefs of Staff, when I suggested proceeding on the lines proposed by Mr Weston. The CNS is, naturally, concerned by the threat that Argentine reconnaissance aircraft will provide valuable intelligence to the Argentine fleet and in particular to its submarine force. He thought, however, that it would be reasonable to announce today the fact of our warning yesterday to the Argentines and to ask Ministers to change the ROEs for the Task Force so as to allow them to shoot down the Argentine 707s only if there was another overflight following the warning we have given.
3. I think that the Secretary of State will wish to clear this line with colleagues. I submit a Private Secretary letter to No.10.

A handwritten signature in dark ink, appearing to read "D H Gillmore", with a long horizontal stroke extending to the right.

24 April 1982

D H Gillmore

Copied to  
PS/DUS  
Mr Wigham  
Mr Gifford  
Mr Melleby  
Mr Fean