

Secretary of State

main point is desirability of further warning

(57)



Mr Weston (Def Debt)

Thank you for this

c.c. PS/PUS  
Mr Wright

Mr Gillmore  
PS

ALO 050/16 BWA & PA

ARGENTINE SURVEILLANCE AIRCRAFT : RULES OF ENGAGEMENT

Problem

1. Argentine 707s continue to fly surveillance sorties over the middle part of the South Atlantic. The Chiefs of Staff are becoming anxious and may soon propose a change in the Rules of Engagement to deal with this threat.

Recommendation

2. I recommend that when the matter comes up for discussion by Ministers, the Secretary of State should take the line set out in the attached Speaking Note.

Background and Argument

3. On 23 April our warning to the Argentine Government included the following "all Argentine aircraft including civil aircraft engaging in surveillance of .... British forces [in the South Atlantic] will be regarded as hostile and are liable to be dealt with accordingly". This was intended to deter the Argentines from carrying out aerial surveillance both over South Georgia and over the Task Force more widely. The Rules of Engagement currently in force provide that when an Argentine aircraft has been identified both electronically by the Task Force and by visual observation from an intercepting Sea Harrier as conducting surveillance of the Task Force, it should be warned off by an intercepting British aircraft, harassed by warning shots or if it still persists after warning action "it is to be destroyed". The area within which such action may be taken is defined as a radius of 40 miles from the nearest British unit. It is however a necessary consequence of these Rules as they stand that there should be British interceptor aircraft available to give the necessary individual warning in each case.



4. The Chiefs of Staff are worried about the vulnerability of the sea lines of communication between Ascension Island and the Falklands. At present for example, the amphibious force is gathering at a loiter point mid-way between the two and could be at risk from Argentine submarine attack. Argentine aerial surveillance from 707s would help to pinpoint location. But neither of the British carriers is in the area and therefore it is not possible to warn off such surveillance aircraft. HMS ANTRIM, a County class destroyer at present accompanying TIDESPRING with Argentine POWs back toward Ascension, is due to join the amphibious force rendezvous within the next day or so. HMS ANTRIM is equipped with the Sea Slug surface to air missile, which has a range of some 30 miles and can engage targets at heights of more than 40,000 feet. It is likely that the Chiefs of Staff will recommend a Rule of Engagement which permits British surface ships to shoot down such surveillance aircraft with missiles without warning (in the absence of interceptor aircraft) where their activities are judged to be a threat to our forces.

5. Three questions arise:

- (a) Can an Argentine surveillance 707 be unambiguously identified and distinguished as such without the benefit of visual confirmation from a British interceptor aircraft?
- (b) Should we issue a further general warning to the Argentines before authorising a further Rule of Engagement to this effect?
- (c) Even if there is a military case for shooting down such aircraft, would the international and political costs outweigh the military advantages?

6. On (a) Ministers would wish to be assured that there is no danger of a case of mistaken identity, before general authority is delegated to shoot down a high-flying Boeing 707 in the middle of the South Atlantic, given that this is one of the most common aircraft types in international civil use.

7. On (b) it could be said that we have already issued an unambiguous warning in our communication to the Argentines of 23 April. On the other hand we would, if the Chiefs' advice



were accepted, be changing our own Rules in such a way as subsequently to increase the likelihood that an Argentine 707 would be shot down. Nothing would be lost by a further general warning, which, if it succeeded, would avert the need for further action. Such a warning could even spell out the fact that surveillance of British units without organic air support would immediately result in shooting down by missile. If such a threat had to be carried out, the fact of a further prior warning would stand us in good stead.

8. On (c) it is ultimately a matter for Ministers' own judgement. A successful submarine attack on British troop-carrying ships moving between Ascension and the Falklands would be a major blow risking many lives. The Chiefs of Staff undoubtedly have a responsibility to prevent this if at all possible. But we should not under-estimate the international outcry that shooting down an Argentine 707 would produce. The Argentines would undoubtedly claim innocent passage and it would be hard to show the contrary by convincing evidence of a kind we could disclose. If the incident was isolated we should be accused of over-reacting. A shooting down coming at the wrong moment politically would also wreck any diplomatic efforts under way at the time. This alone requires that the promulgation of any such Rule of Engagement would need to be thought about carefully in relation to ongoing diplomatic activity.

*P J Weston*

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6 May, 1982

*I agree. But the  
Mod will have a strong case about the  
overriding need to protect vulnerable  
troop-ships (e.g. the QE II). So the idea  
of a further warning is a good one.*

*Substantive*  
6/5

POINTS TO MAKE

1. Recognise force of military threat from Argentine 707 surveillance. Particular danger to troop-carrying ships on lines of communication between Ascension and Falklands if Argentine submarine could be guided toward target.

2. Existing Rules provide flexibility in that carrier-based aircraft can warn off before any shooting takes place. Problem arises when British forces unaccompanied by carriers are involved. Difficult to warn off before firing surface to air missile. Any chance that missile could be used to produce deliberate near-miss rather than immediate shooting down?

3. Can British surface ships unambiguously identify a 707 engaged in aerial surveillance from high altitude, without benefit of close visual observation by interceptor aircraft?

4. If new Rule of Engagement really necessary for operational reasons, strong case for further general warning to Argentines as to consequences of any further 707 surveillance of our naval forces. This could spell out that surveillance flights would meet immediate missile attack. Nothing lost by delivering such a warning. If successful, no need for further action.

5. If shooting down occurs, we must expect international hue and cry. Argentines will claim innocent passage by the aircraft in question, perhaps even producing bogus flight plans. Difficult to disprove their case, given nature of our evidence.

6. Danger of such a shooting down occurring while diplomatic efforts are active. Would need to be able to control closely delegation of such authority to force commanders, so as to be able to switch off such Rules quickly, if prospects of political settlement seem to be improving.