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MINISTRY OF DEFENCE

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Telephone 01-930 218 2111/3

(90)

8th May 1982

Dear Tom,

ENFORCING THE FALKLANDS BLOCKADE

[REDACTED]

HMG's position on this has been declared publicly. The original TEZ announcement of 28th April stated:

"Any ship and any aircraft whether military or civil which is found within this Zone without due authority from the MOD in London will be regarded as operating in support of the illegal occupation and will therefore be regarded as hostile and will be liable to be attacked by British Forces."

In the MOD statement last night this was re-emphasised:

"Her Majesty's Government will continue to enforce this Exclusion Zone which applies not only to Argentine warships and Argentine naval auxiliaries but also to any other ships, including merchant and fishing vessels, which are operating in support of the illegal occupation of the Falkland Islands by Argentine Forces."

The Commander-in-Chief Fleet has however pointed out the difficulty he faces in stopping resupply by fishing boats (which is most likely to be tried at night or in conditions of poor visibility) if at the same time he is constrained by his present rules of engagement which require him to warn off merchant ships before any action is taken against them (OD(SA)(82)24).

(ref attached)

A J Coles Esq

UK TOP SECRET UMBRA

Page 1 of 2

THIS IS A COPY

THE ORIGINAL HAS BEEN RETAINED
IN THE DEPARTMENT UNDER
SECTION 3 (4) OF THE
PUBLIC RECORDS ACT 1958

The most effective means available to the Force Commander for dealing with these fishing vessels, with the least risk to his own surface ships, is by using the Lynx helicopter armed with a surface to air missile. In the view of the Commander-in-Chief, endorsed by the Chiefs of Staff, it is neither reasonable nor possible to ask for warnings to be given in the circumstances in which the vessels are likely to be detected.

The Defence Secretary was consulted this morning about this problem and has authorised the Force Commander to deal without warning, with fishing or merchant vessels within 150nm of the centre of the TEZ which appear to be engaged in the resupply of the Islands.

I should add that when this matter was discussed at the Chiefs of Staff Committee this morning their judgement was that the chances of finding innocent neutral vessels heading into the Falkland Islands and within this inner circle of 150nm radius is extremely slight. The Chiefs of Staff did however strongly endorse a suggestion by the FCO that a further reminder be given to the Soviet and Polish Authorities about the dangers to their fishing or other vessels within the TEZ. I understand that the Defence Department, FCO are sending telegrams this morning to Moscow and Warsaw accordingly.

The Defence Secretary has suggested that it would be appropriate in the light of the further warning issued last night to review, and if possible simplify, the Rules of Engagement for HM Forces operating in the South Atlantic, and I understand that the first discussion on this by officials will take place on Monday. He has asked that this review should in particular look at the current restrictions on HM Forces operating the blockade within the TEZ.

I am copying this letter to Brian Fall (FCO) and to David Wright (Cabinet Office). Copies also go to Sir Anthony Acland, Sir Ian Sinclair and Sir Michael Palliser.

Yours ever

Mike Gans

PI (D B OMAND)

ANNEX

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Rules of

Engagement

TOP COPY

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OO BRUSSELS (PERSONAL FOR PS TO S OF S)

GRS 410

TOP SECRET

D E D I P

FM FCO 081530Z MAY 82

TO IMMEDIATE BRUSSELS

TELEGRAM NUMBER 106 OF 8 MAY.

COPY NO.

12 MAY 1982

FALKLANDS: FOLLOWING PERSONAL FOR PRIVATE SECRETARY TO S OF S.

1. THE S OF S WILL WISH TO BE AWARE THAT CINC FLEET IS CONCERNED AT THE DIFFICULTY HE FACES IN ENFORCING THE TEZ AND PREVENTING RESUPPLY OF THE ARGENTINE GARRISON ON THE FALKLANDS IF HE IS OBLIGED TO ADHERE TO THE PRESENT RULES OF ENGAGEMENT WHICH REQUIRE HIM TO WARN OF MERCHANT SHIPS BEFORE ANY ACTION IS TAKEN AGAINST THEM. THE MOST EFFECTIVE MEANS AVAILABLE TO THE FORCE COMMANDER FOR DEALING WITH RESUPPLY BY FISHING BOATS, WITH THE LEAST RISK TO HIS OWN SURFACE SHIPS, IS TO USE THE LYNX HELICOPTER ARMED WITH A SURFACE-TO-AIR MISSILE. THE CHIEFS OF STAFF ACCEPT HIS ADVICE THAT IT IS NEITHER REASONABLE NOR PRACTICABLE TO INSIST ON WARNINGS BEING GIVEN IN THE CIRCUMSTANCES IN WHICH SUCH VESSELS ARE LIKELY TO BE DETECTED.
2. THE DEFENCE SECRETARY WAS CONSULTED THIS MORNING AND HAS AUTHORISED THE FORCE COMMANDER TO DEAL WITHOUT WARNING WITH FISHING OR MERCHANT VESSELS WITHIN 150 NAUTICAL MILES OF THE CENTRE OF THE TEZ, IF THEY APPEAR TO BE ENGAGED IN RESUPPLY OF THE ISLANDS.
3. THE CHIEFS OF STAFF BELIEVE THAT THE CHANCES OF FINDING INNOCENT NEUTRAL VESSELS HEADING FOR THE FALKLANDS WITHIN THIS INNER CIRCLE OF 150 NAUTICAL MILES IS EXTREMELY SLIGHT. WE HAVE, NEVERTHELESS, AT THEIR SUGGESTION INSTRUCTED OUR EMBASSIES IN MOSCOW AND WARSAW TO GIVE A FURTHER REMINDER TO THE RUSSIANS AND POLES ABOUT THE DANGERS TO THEIR FISHING OR OTHER VESSELS WITHIN THE TEZ.
4. THE DEFENCE SECRETARY HAS SUGGESTED THAT WHEN THE CURRENT RULES OF ENGAGEMENT FOR OUR FORCES IN THE SOUTH ATLANTIC ARE REVIEWED (IN THE FIRST INSTANCE BY OFFICIALS ON MONDAY 10 MAY) PARTICULAR ATTENTION SHOULD BE PAID TO WHAT HE HAD DESCRIBED AS CURRENT RESTRICTIONS ON HM FORCES OPERATING THE BLOCKADE WITHIN THE TEZ.
5. THE GIST OF THE FOREGOING HAS BEEN CONVEYED BY PRIVATE SECRETARY

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- 4252 - 2

LETTER TO NO. 10 TODAY.

6. THE VIEW OF THE FCO OFFICIALS WHO HAVE BEEN CONSULTED ABOUT THIS SO FAR IS THAT THERE IS LITTLE TO BE DONE THIS WEEKEND ABOUT THE AUTHORITY THAT MR NOTT HAS ALREADY ISSUED TO THE FORCE COMMANDER. WHEN THE RATIONALISATION OF THE RULES OF ENGAGEMENT COMES TO BE CONSIDERED NEXT WEEK, HOWEVER, WE MAY WISH TO RECOMMEND TO THE SECRETARY OF STATE THAT THE ARGUMENTS WHY FISHING VESSELS, ENGAGED IN RESUPPLY, CANNOT FIRST BE WARNED OFF BEFORE ATTACK BE SCRUTINISED PARTICULARLY CAREFULLY, BEFORE ANY FORMAL ALTERATION OF THE RULES OF ENGAGEMENT IS CONFIRMED.

PYM

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HD/DEFENCE D
PS
PS/PUS
MR WRIGHT
MR GILLMORE

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