S
807

PREM 19/951

PART 33

● Relations with Argentina
Position of the Falklands Islands, their rehabilitation and future
Shackleton Report & follow up.

ARGENTINA

Part 1 Sept 1979
Part 33 March 1983

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
~~3.3.83~~							
~~7.3.83~~							
~~9.3.83~~							
~~10.3.83~~							
~~16.3.83~~							
~~18.3.83~~							
~~21.3.83~~							
~~22.3.83~~							
~~24.3.83~~							
~~25.3.83~~							
~~29.3.83~~							
~~5.4.83~~							
~~6.4.83~~							
~~6.4.83~~							
12.4.83							
~~21.4.83~~							
~~22.4.83~~							
~~27.4.83~~							
~~28.4.83~~							
30.4.83							
- Pt Ends -							

PREM 19/951

PART 33 ends:-

Berne tel: 900F 30/4/83

PART 34 begins:-

Daily Intrep No 5 undated

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
CC (83) 8th Meeting, item 2	10.3.83
CC (83) 11th Meeting, item 2	24.3.83
CC (83) 12th Meeting, item 2	14.4.83
CC (83) 13th Meeting, item 2	21.4.83
OD (EM) (83) 5th Meeting, Minutes	27.4.83
CC (83) 14th Meeting, item 2	28.4.83
OD (EM) (83) 4th Meeting, Minutes	28.3.83

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate **CAB** (CABINET OFFICE) CLASSES

Signed PMWayland Date 12 February 2013

PREM Records Team

UNOFFICIAL TRANSLATION OF NOTE HANDED TO SWISS AMBASSADOR IN BUENOS AIRES ON 29 APRIL

The Argentine Government has received the Note of 22 April from the Swiss Embassy, number 39/83, about the activities of Sr Osvaldo Destefanis, who plans to carry out a trip to the Falkland Islands (Malvinas) with a group of relatives of Argentine soldiers buried there.

The Argentine Government do not consider acceptable the terms used by the British authorities that are included in the Note under reference.

Above all, one should recognise the legitimate right of a group of Argentine citizens who, for purely humanitarian reasons that should be respected, wish to pay tribute to relatives at rest in the Falklands (Malvinas). There is no basis for doubting the exclusively humanitarian aims inspiring this initiative.

Neither the Argentine Government nor any of its agencies has any official connection with the Centre of Volunteers for the Fatherland, nor with Sr Destefanis, and they have not intervened in any of the plans in question. The veiled threat from the British Government in the second paragraph of the Note, seeking to make the Argentine authorities responsible for the difficulties or risks that could arise, is therefore wholly out of order.

The Argentine Government continue to study the possibility and the suitability of arranging a trip to the Islands so that direct [our underlining] relatives of those who fell in the Atlantic campaign can pay tribute to those buried in that part of our territory. This action, deriving from purely humanitarian motives, will be within the framework of the principles of international law.

Situations like the present arise as a result of the British Government's obstinate refusal to accept the recommendations

of the U.N.G.A. in its Resolution 37/9 of 1982, urging both Governments to renew negotiations with a view to finding a peaceful solution as soon as possible to the question of Sovereignty over the Falklands (Malvinas).

FALKLAND ISLANDS GENERAL (ADVANCES) ~~39~~ 43

Mr Fox
Transfer

PS (2)
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
~~SIR J BULLARD~~ MR GOODISON
~~SIR I SINCLAIR~~ MR DARWIN
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
~~MR GILLMORE~~

HD/PUSD (2)
HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

IMMEDIATE

PS/NO 10 DOWNING ST (3)

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

CONFIDENTIAL

FM BERNE 300730Z

TO IMMEDIATE FCO

TELNO 900F 30 APRIL

TELECONS BROOK/RESIDENT CLERK OF 29 AND 30 APRIL: VISIT OF ARGENTINE NEXT-OFAKIN

1. THE FOLLOWING IS THE TEXT OF THE ARGENTUNE NOTE HANDED TO THE SWISS AMBASSADOR IN BUENOS AIRES BY UNDER SECRETARY DUMONT OF THE MFA ON 29 APRIL:-

Q U O T E

EL GOBIERNO ARGENTINO HA RECIBIDO LA NOTA DE LA EMBAJADA DE SUIZA DE FECHA 22 DE ABRIL DE 1983, QUE LLEVA EL NUMERO I.E.(GB) 39/83 QUE SE REFIERE A LAS ACTIVIDADES DEL SENOR OSVALDO DESTEFANIS QUIEN PROYECTA REALIZAR UN VIAJE A LAS ISLAS MALVINAS CON UN GRUPO DE FAMILIARES DE SOLDADOS ARGENTINOS ALLI SEPULTADOS.

EL GOBIERNO ARGENTINO NO CONSIDERA ACEPTABLES LOS TERMINOS UTILIZADOS POR LAS AUTORIDADES BRITANICAS QUE SE INCLUYEN EN LA REFERIDA NOTA.

DEBE RECONOCERSE ANTE TODO EL LEGITIMO DERECHO DE UN GRUPO DE CIUDADANOS ARGENTINOS QUE POR RAZONES PURAMENTE HUMANITARIAS, QUE DEBEN SER RESPETADAS, DESEA RENDIR UN HOMENAJE A FAMILIARES QUE DESCANSAN EN LAS MALVINAS. NO EXISTE NINGUN ELEMENTO DE JUICIO QUE PERMITA DUDAR DE LOS EXCLUSIVOS FINES HUMANITARIOS QUE INSPIRAN A ESTA INICIATIVA.

[illegible] PERMITA DUDAR DE LOS EXCLUSIVOS FINES HUMANITARIOS QUE INSPIRAN A ESTA INICIATIVA.
NI EL GOBIERNO DE LA REPUBLICA ARGENTINA NI NINGUNA DE SUS AUTORIDADES TIENE VINCULACION OFICIAL CON EL CENTRO DE VOLUNTARIOS PARA LA PATRIA NI CON EL SENOR DESTEFANIS Y NO HA INTERVENIDO EN NINGUNO DE LOS PREPARATIVOS MENCIONADOS. POR LO TANTO, RESULTA TOTALMENTE IMPROCEDENTE LA VELADA AMENAZA QUE FORMULA EL GOBIERNO BRITANICO EN EL SEGUNDO PARRAFO DE LA CITADA NOTA, PRETENDIENDO RESPONSABILIZAR A LAS AUTORIDADES ARGENTINAS POR LAS DIFICULTADES O LOS RIESGOS QUE PUDIERAN SUSCITARSE.
EL GOBIERNO ARGENTINO CONTINUA ANALIZANDO LA POSIBILIDAD Y LA OPORTUNIDAD PARA LA REALIZACION DE UN VIAJE A LAS ISLAS MALVINAS A FIN DE QUE LOS FAMILIARES DIRECTOS DE QUIENES HAN FALLECIDO EN LAS OPERACIONES DEL ATLANTICO SUR PUEDAN RENDIR HOMENAJE A QUIENES ESTAN SEPULTADOS EN ESA PORCION DE NUESTRO TERRITORIO. ESTA ACTIVIDAD INSPIRADA EN RAZONES EXCLUSIVAMENTE HUMANITARIAS SE ENCUADRARA EN LAS NORMAS DEL DERECHO INTERNACIONAL.
SITUACIONES COMO LA PRESENTE SE PLANTEAN COMO CONSECUENCIA DE LA EMPECINADA NEGATIVA DEL GOBIERNO BRITANICO A ACEPTAR LA RECOMENDACION QUE LA ASAMBLEA GENERAL DE LAS NACIONES UNIDAS HA FORMULADO A TRAVES DE LA RESOLUCION 37/9 DEL ANO 1982, PIDIENDO A AMBOS GOBIERNOS QUE REANUDEN LAS NEGOCIACIONES A FIN DE ENCONTRAR A LA MAYOR BREVEDAD UNA SOLUCION PACIFICA A LA DISPUTA DE SOBERANIA REFERIDA A LA CUESTION DE LAS ISLAS MALVINAS.
U N Q U O T E

2. WHEN PWSSING THE TEXT OF THE NOTE TO US GHISLER, HEAD OF THE SWISS FOREIGN INTERESTS SAID THAT AMBASSADOR KEUSCH HAD REPORTED THAT DUMONT HAD TOLD HIM THAT A RESOLUTION WOULD BE ISSUED BY THE MILITARY JUNTA IMMEDIATELY. IT WOULD STATE THAT THE LAGO LACAR AND ITS PASSENGERS CANNOT ACCOMPLISH THE VOYAGE BECAUSE IT MAY ONLY BE AUTHORISED BY THE JUNTA. IF THEY WISHED HOWEVER THEY COULD HOLD A COMMEMORATIVE SERVICE WHERE THE GENERAL BELGRANO WAS SUNK LAST YEAR. AMBASSADOR KEUSCHSAID THAT HE WOULD NOT TRANSMIT THE TEXT OF THE RESOLUTION AS IT WILL BEPUBLISHED INTHE MASS MEDIA.

3. AMBASSADOR KEUSCH REPORTED THAT DUMONT HAD ADDED THAT ANY AKGENTINE GOVERNMENT DEMARCHE IN RESPECT OF ARRANGING A VISIT AS MENTIONED IN PARAGRAPH 5 OF THE NOTE WOULD BE MADE VIA ICRC CHANNELS.

4. FCO PLEASE PASS AS APPROPRIATE.
POWELL-JONES

SENT AT RECD AT 300800Z MEB/IJC

The National Archives

LETTERCODE/SERIES PREM 19 PIECE/ITEM 951 (one piece/item number)	Date and sign
Extract/Item details: DIS Daily Intrep No. 3 dated 30 April 1983 (2 copies - 1 typed (folio 8) and 1 teleprinted version)	
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NUMBER NOT USED	

NORTHERN IRELAND : ADVANCE COPIES 20

PS	PS/S of S Rm 66 A/2 GOGGS	
PS/MR HURD	MR WOODFIELD	NIO
PS/PUS	MR BRENNAN	NIO
~~SIR J BULLARD~~	MR ANGEL	NIO
MR GOODISON	MR BOYS SMITH	NIO
... ...	... ...	
... ...	... ...	
HD/RID	SIR R ARMSTRONG	CABINET OFFICE
HD/PUSD (2)	DIO	CABINET OFFICE
HD/INFO D	... ...	
HD/NEWS D	... ...	
... ...	~~PS~~/No 10 DOWNING STREET 4 ~~(3)~~	
... ...	... ...	
~~RESIDENT CLERK~~		

GRS 250
CONFIDENTIAL
FM DUBLIN 291030Z APR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 129 OF 29 APRIL 1983
AND TO IMMEDIATE NIO (LONDON)
INFO PRIORITY TO NIO (BELFAST)

ADVANCE COPY

IMMEDIATE

VISIT OF MR PRIOR (~~TO~~ TO DUBLIN)

1. THE DFA HAVE PROPOSED THE FOLLOWING PROGRAMME FOR MR PRIOR'S VISIT OF 5 MAY. BECAUSE MR PRIOR DOES NOT NOW INTEND TO SPEND THE NIGHT IN THE REPUBLIC, THEY WOULD PREFER TO USE DUBLIN AIRPORT (AND NOT (NOT) BALDONNEL). THEY ALSO PREFER TO ARRANGE HOSPITALITY IN DUBLIN.

DRAFT PROGRAMME

2.00 PM: RAF AIRCRAFT ARRIVES DUBLIN AIRPORT.

2.00 PM: RAF AIRCRAFT ARRIVES DUBLIN AIRPORT.
MET BY CHIEF OF PROTOCOL AND TATHAM.
PROCEED BY (EMBASSY PROTECTED) CARS TO ROYAL DUBLIN SOCIETY.

2.30 PM: ARRIVE RDS.
MET BY MR PETER BARRY AND LILLIS (HEAD OF ANGLO-IRISH SECTION).
HOSPITALITY PROVIDED.

3.00 -
4.00 PM: TOUR SPRING SHOW EXHIBITS.

4.00 PM: DEPART RDS BY EMBASSY CARS.

4.15 PM: ARRIVE TAOISEACH'S DEPARTMENT, MERRION STREET FOR MEETING WITH DR FITZGERALD.

5.00 PM: DEPART TAOISEACH'S DEPARTMENT BY CAR FOR BREAK AT BERKELEY COURT HOTEL.

6.10 PM: DEPART BERKELEY COURT HOTEL.

6.20 PM: DEPARTMENT OF FOREIGN AFFAIRS.
DRINKS WITH MINISTER.
(OFFICIALS DINE SEPARATELY AT RESTAURANT PATRICK GUILBAUD).

6.45 PM: DINNER A DEUX IN MINISTER'S OFFICE.

8.45 PM
APPROX : OFFICIALS ARRIVE IVEAGH HOUSE.

9.30 PM
APPROX : DEPART FOR AIRPORT.

10.30 PM: LEAVE FOR ALDEGROVE.

2. COMMENTS

(A) APART FROM THE MEETING WITH THE TAOISEACH, TIMINGS CAN BE LEFT REASONABLY FLEXIBLE.

(A) APART FROM THE MEETING WITH THE TAOISEACH, TIMINGS CAN BE LEFT REASONABLY FLEXIBLE.

(B) THE IRISH HAVE BOOKED A SUITE AT THE BERKELEY COURT HOTEL IN WHICH MR PRIOR CAN RELAX BETWEEN 5 AND 6 PM. THIS IS NOT IDEAL, BUT BOTH GLENCAIRN AND MY OWN HOUSE ARE TOO FAR DISTANT FROM THE TAOISEACH'S OFFICE TO ALLOW A REASONABLE BREAK, PARTICULARY AS MEETINGS WITH DR FITZGERALD TEND TO RUN ON.

TATHAM

NNNN

SENT/RECD AT 291106Z CDC/RJ

UNOFFICIAL TRANSLATION OF TEXT OF ARGENTINE COMMUNIQUE OF 29 APRIL 1983

PREAMBLE

In view of the fact that it is one year since the start of active hostilities in the South Atlantic conflict, and

considering that it is therefore right to pay the Argentine nation's tribute and homage to those who died defending our national sovereignty, the Military Committee therefore resolves:-

Article 1 - to pay homage at 1700 hours [2000 hrs GMT] on 2 May 1983 - at the place where the Argentine Navy cruiser 'General Belgrano' sank - to all civilian and military combatants killed in the operations conducted in the South Atlantic, detaching for this purpose one surface vessel of the Argentine Navy and one aircraft of the Argentine Air Force to drop floral wreaths on behalf of the three Armed Services.

Article 2 - to continue to analyse the possibilities and feasibility of undertaking a journey to the Malvinas Islands, to pay hommage to those who fell for the Fatherland and are buried in this corner of our territory.

Article 3 - to direct that the groups going on this journey should be made up exclusively of direct relatives of those who died in the South Atlantic operations.

Article 4 - to organize and carry out the action following from the above directions, according to humanitarian criteria, bearing in mind that the action must be within the framework of the current norms of international law and endeavouring to ensure that it does not affect the diplomatic measures which the country is undertaking internationally.

Article 5 - consequent upon the contents of the above articles, it is established:

(A) Faced with the insensitive and intransigent attitude of the United Kingdom of Great Britain and Northern Ireland, which fails to understand the feelings of the relatives of those Argentines at rest in the Malvinas Islands, and aware that the unavoidable responsibility of the national authorities is to watch over the safety of all their citizens, to forbid any activity which does not conform to the stipulations of the present Resolution.

/(B)

(B) to put at the disposal of those relatives who wish to be present at the ceremony on 2 May the ship 'Lago Lacar', to accompany the units of the Argentine Armed Forces who will pay homage in the manner described in Article 1.

(C) to settle all expenses involved in the fulfilment of the present Resolution; these will be paid for by the State.

Article 6 - The National Directorate of the Official Registrar desires that this Resolution be promulgated, fulfilled and passed to the Archives.

File

10 DOWNING STREET

From the Private Secretary

29 April 1983

NEWSNIGHT PROGRAMME: SINKING OF THE BELGRANO

Thank you for your letter of 29 April which I have discussed with Richard Mottram. We subsequently spoke on the telephone.

Our Press Section will be stating, on the record, to Mr. Peter Snow that:

> "As the Government made clear at the time, the Belgrano was sunk for military reasons. It is nonsense to suggest that it was in any way connected with the Peruvian proposals. Moreover, negotiations continued actively for a further two weeks until 17 May when Argentina rejected the proposals we had put forward".

I am copying this letter to Richard Mottram (Ministry of Defence).

A. J. COLES

Brian Fall, Esq.,
Foreign and Commonwealth Office.

On the record statement from No 10 about the sinking of the General Belgrano:

> "As the Government made clear at the time, the Belgrano was sunk for military reasons. It is nonsense to suggest that it was in any way connected with the Peruvian proposals. Moreover, negotiations continued actively for a further two weeks until 17 May when Argentina rejected the proposals we had put forward."

Mofaand
30/4

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Above all, one should recognise the legitimate right of a group of Argentine citizens who, for purely humanitarian reasons that should be respected, wish to pay tribute to relatives at rest in the Falklands (Malvinas). There is no basis for doubting the exclusively humanitarian aims inspiring this initiative.

Neither the Argentine Government nor any of its agencies has any official connection with the Centre of Volunteers for the Fatherland, nor with Sr Destefanis, and they have not intervened in any of the plans in question. The veiled threat from the British Government in the second paragraph of the Note, seeking to make the Argentine authorities responsible for the difficulties or risks that could arise, is therefore wholly out of order.

The Argentine Government continue to study the possibility and the suitability of arranging a trip to the Islands so that direct [our underlining] relatives of those who fell in the Atlantic campaign can pay tribute to those buried in that part of our territory. This action, deriving from purely humanitarian motives, will be within the framework of the principles of international law.

Situations like the present arise as a result of the British Government's obstinate refusal to accept the recommendations

of the U.N.G.A. in its Resolution 37/9 of 1982, urging both Governments to renew negotiations with a view to finding a peaceful solution as soon as possible to the question of Sovereignty over the Falklands (Malvinas).

010

Foreign and Commonwealth Office

London SW1A 2AH

29 April 1983

Dear John,

Newsnight Programme: Sinking of the Belgrano

John Holmes discussed with you yesterday the fact that Newsnight intend to put out a programme tonight arguing that there are grounds for suspecting that the Belgrano was sunk in order to sabotage the Peruvian peace negotiations. The programme will inevitably include an interview with Tam Dalyell MP. More importantly, we understand from Newsnight that it will also include detailed comments by the then Peruvian Foreign Minister in an interview with Mr Peter Snow, which he claims will add colour to the allegation.

I understand that the Prime Minister has agreed with Mr Heseltine that no-one on the Government side involved in the Falklands conflict should take part in this programme. Mr Alan Clarke MP will however be interviewed.

So far, our News Department have restricted themselves to drawing Newsnight's attention to on the record statements maintaining that the Belgrano was sunk because she posed a threat to British forces and that there was no connection with the Peruvian negotiations. Mr Snow of Newsnight has however threatened that he will include in his programme the statement that HMG were given an opportunity to comment and take part but declined to do so.

The programme in its present shape could obviously be politically damaging, both here and abroad. You may therefore wish to consider the idea of issuing an on the record statement which would set out the relevant facts in time for them to be taken into account in the programme. I enclose a draft of what we have in mind. If action was taken early this afternoon, Newsnight could be pressed to include the statement itself in their film. But it will be useful in any case to have a line in response to questions which the programme will generate.

/I am

I am copying this letter to Richard Mottram in the Ministry of Defence.

Yours ever,

Brian

(B J P Fall)
Private Secretary

A J Coles Esq
10 Downing Street

DRAFT ON THE RECORD STATEMENT ABOUT THE SINKING OF THE GENERAL BELGRANO

In May 1982 the Government had for several weeks been making determined efforts to reach a negotiated solution to the problems caused by Argentina's unprovoked aggression.

The first intimation the Government had of what became known as the US/Peruvian proposals was in a meeting between Mr Pym and Mr Haig in Washington on Sunday, 2 May. During the meeting Mr Pym made it clear that he would wish to consult his Ministerial colleagues on his return to London. ~~It is therefore not the case that~~ At that meeting, Britain ~~had accepted or even responded to Peruvian peace proposals. The meeting between Mr Pym and Mr Haig ended at approximately 4.30 p.m. London time.~~

The General Belgrano was attacked shortly before 8 p.m. London time on 2 May. [It is inconceivable that the attack could have been conceived, planned, ordered and executed in the period between 4.30 and 8.00 p.m.] It is ~~therefore~~ nonsense to suggest that the sinking of the Belgrano ~~could have been~~ was in any way connected with the Peruvian proposals. As the Government made clear at the time, the Belgrano was sunk for ~~purely~~ military reasons.

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6A SECRET

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1
Telephone 01-~~930 7022~~ 218 2111/3

MO 5/21

28th April 1983

Prime Minister

MT.

A.J.C. 29/4

Dear John,

At the OD(EM) meeting on 27th April, the Defence Secretary was invited to send instructions to CBFFI in accordance with the Prime Minister's summing up. I attach a copy of the signal authorised by Mr Heseltine which has accordingly been despatched.

There are three points of amplification which were not recorded in the OD(EM) minutes but which have been included in CBFFI's instructions:

a. in the event of the Argentines succeeding in landing before Ministers have reviewed the situation, CBFFI has been given authority to arrest and detain them on behalf of the FIG pending further instructions;

b. the Argentines may stop to hold a ceremony at sea when they are confronted by the frigates. Although this would be inside the FIPZ, the Defence Secretary does not think we should attempt to prevent it, and CBFFI has been instructed accordingly;

c. in view of the possibility of biased reporting, it would be advantageous to have UK press both on board the frigates and ashore; this has been suggested to CBFFI.

I am copying this letter to the Private Secretaries of OD(EM) members and to Sir Robert Armstrong.

Yours ever

Nick Evans

(N H R EVANS)

A J Coles Esq

D Cts Staff (R)/72/67

DRAFT TEXT OF GUIDANCE SIGNAL TO CBFFI ON ARGENTINE NEXT OF KIN VISIT

SECRET

SIC 19F/ZAC

FOR CBF FROM ACDS(C). SUBJECT IS POSSIBLE VISIT OF ARGENTINE NEXT OF KIN.

REFERENCE IS MY 19F 191635Z APR 83

1. SINCE REFERENCE, ICRC HAS DECIDED IT COULD NOT BE ASSOCIATED WITH ARGENTINE NEXT OF KIN VISIT BEING ORGANISED BY SR DESTEFANIS, AND HMG HAS THEREFORE CONCLUDED THAT VISIT SHOULD NOT BE AUTHORISED. DESTEFANIS HAS ANNOUNCED HE STILL INTENDS TO GO AHEAD (WITH JOURNALISTS INCLUDING BRITISH AND TV CAMERAS ON BOARD), AND EXPECTS TO SAIL IN VESSEL LAGO LACAR ON 30 APRIL. HE SAYS HE WILL STOP IF CHALLENGED BY BRITISH FORCES, HOLD RELIGIOUS SERVICE AT SEA AND THEN RETURN TO ARGENTINA. HOWEVER, POSSIBILITY REMAINS THAT HE MAY REFUSE TO STOP. MINISTERS HAVE REVIEWED THESE DEVELOPMENTS AND THE FOLLOWING GUIDANCE, WHICH SUPERSEDES THE REFERENCE, EMBODIES THEIR DECISIONS.

2. MINISTERS HAVE MADE IT CLEAR THAT DESTEFANIS AND HIS GROUP WILL NOT BE ALLOWED THE ACCESS TO THE FALKLAND ISLANDS WHICH HE SEEKS. APPROPRIATE DIPLOMATIC MEASURES ARE IN HAND TO BRING PRESSURE ON DESTEFANIS NOT TO SAIL AND TO EXPLAIN BRITISH POSITION. A FURTHER GOVERNMENT STATEMENT WILL EMPHASIZE THAT HMG OFFERED TO ALLOW A NEXT OF KIN VISIT UNDER REASONABLE CONDITIONS BUT THIS OFFER WAS IGNORED. A VISIT MIGHT STILL

BE PERMITTED IN THE FUTURE IF UNDER DIFFERENT AND ACCEPTABLE ORGANIZATION. THEREFORE, IF LAGO LACAR ENTERS FIPZ IT DOES SO WITHOUT NECESSARY AUTHORITY FROM HMG AND IS TO BE TREATED ACCORDINGLY. MINISTERS REQUIRE US TO MAKE A DETERMINED EFFORT TO PERSUADE DESTEFANIS TO TURN BACK IF POSSIBLE AT THE EDGE OF FIPZ. HOWEVER, THEY DO NOT SANCTION USE OF ANY FORCE, OTHER THAN IN SELF-DEFENCE, WHILE HIS VESSEL IS UNDERWAY. IF HE THEN STOPS, HOLDS PROPOSED RELIGIOUS SERVICE AND DEPARTS, AS HE MAY WELL DO, NO FURTHER ACTION IS NECESSARY. IF, ON OTHER HAND, HE INSISTS ON PROCEEDING TOWARDS THE ISLANDS, HE IS TO BE CHALLENGED AGAIN. IF HE STILL PERSISTS, HIS SHIP IS TO BE ESCORTED TO ANCHORAGE, PREFERABLY ONE OF YOUR CHOOSING BUT NOT IN CHOISEUL SOUND. THEREAFTER, THE AIM SHOULD BE, WITHOUT PUTTING LIVES AT RISK, TO PREVENT THE OCCUPANTS FROM LANDING. MINISTERS WISH TO REVIEW THE SITUATION URGENTLY AS SOON AS THE SHIP IS INTERCEPTED.

3. OUR CONCERN ABOUT MOTIVES BEHIND THIS EXPEDITION REMAIN AS EXPRESSED IN PARA 2 OF REFERENCE. YOU HAVE ALL RELEVANT INTELLIGENCE REPORTS, BUT FOLLOWING LONDON ASSESSMENTS MIGHT BE HELPFUL:

A. LAGO LACAR. SHIP IS OWNED AND OPERATED BY STATE CONTROLLED SHIPPING LINE ELMA. BOTH LINE AND SHIP HAVE CLEAR LINKS WITH ARGENTINE NAVY. NORMAL CREW COMPLEMENT IS ABOUT 45 AND PASSENGER ACCOMMODATION TAKES 12. WE BELIEVE SHIP IS BEING MODIFIED, POSSIBLY TO INCREASE PASSENGER SPACE. REGISTERED TONNAGE IS 8500

(10500 DEADWEIGHT). LENGTH 155 METRES, BEAM 20 METRES, MAX DRAFT THOUGHT TO BE 8 POINT 2 METRES WHEN FULLY LADEN AND PERHAPS 5 TO 6 METRES WHEN UNLADEN. NORMAL SERVICE SPEED IS 17 KNOTS. CALL SIGN IS LIMA GOLF QUEBEC CHARLIE.

B. NUMBERS. DESTEFANIS IS CURRENTLY SAYING THAT LAGO LACAR WILL BE CARRYING 50 CREW, 50 NEXT OF KIN AND 6 JOURNALISTS (2 ARGENTINE, 1 BRITISH, 1 US, 1 FRENCH AND 1 LATIN AMERICAN).

C. ARGENTINE MILITARY THREAT. AS WE BOTH KNOW, ARGENTINA HAS TECHINCAL CAPABILITY FIRSTLY TO MOUNT SUBMARINE, SURFACE SHIP OR AIR (INCLUDING EXOCET) ATTACKS AGAINST OUR SHIPS. HOWEVER, WE CONSIDER IT UNLIKELY THAT SURFACE SHIPS WOULD CHANCE EXPOSURE TO OUR SSN. SECONDLY, ARGENTINES COULD ENGAGE OUR UNPROTECTED AIRCRAFT, MOST OBVIOUSLY MR HERCULES. WE HAVE SEEN NO DEPLOYMENTS NOR OTHER EVIDENCE TO SUGGEST EITHER OPTION IS BEING PURSUED, BUT WILL KEEP YOU APPRISED OF OUR ASSESSMENT OF FUTURE DEVELOPMENTS.

4. FROM THESE PRINCIPLES, THE FOLLOWING PROCEDURES ARE DERIVED FOR YOUR GUIDANCE. THE INTENTION IS TO PROVIDE YOU WITH MAXIMUM FLEXIBILITY CONSISTENT WITH MINISTERIAL INTENTIONS, AND TO GIVE YOU CLEAR AUTHORITY FOR WHAT YOU HAVE TO DO.

A. SURVEILLANCE. ACTUAL TIME OF DEPARTURE OF DESTIFANIS VESSEL FROM BUENOS AIRES IS EXPECTED TO BE KNOWN AFTER ONLY A FEW HOURS. MINIMUM PASSAGE TIME TO NORTH EDGE OF FIPZ WOULD BE 55-65 HOURS. HOWEVER, WE MUST RECOGNISE THAT VESSEL MIGHT DIVERT FROM DIRECT TRACK, EG TO VISIT SITE OF BELGRANO SINKING, OR REMAIN WITHIN 12 MILES OF ARGENTINE COAST UNTIL IN EASY RANGE OF FALKLAND ISLANDS. PROBLEMS GENERATED BY UNCERTAINTY OF APPROACH DIRECTION, BY NIGHT OR BY POOR WEATHER ARE WELL UNDERSTOOD. NEVERTHELESS, CURRENT PUBLIC ATTENTION DICTATES THAT INITIAL CONTACT WITH DESTEFANIS SHOULD TAKE PLACE, IF POSSIBLE, AT EDGE OF FIPZ. THIS GENERATES NEED TO PICK UP AND TRACK HIS VESSEL AS FAR OUT AS POSSIBLE. AS YOU KNOW MODUK NAVY ARE INSTRUCTING CINCFLEET AND CTF 311 TO INTERCEPT AND TRAIL VESSEL BY SSN. YOU SHOULD ALSO MOUNT SURVEILLANCE OPERATIONS BY HERCULES AND WITHIN THE FIPZ BY DD/FF TO GIVE BEST CHANCE OF DETECTING ARRIVAL OF DESTEFANIS. YOU WILL

NO DOUBT PROVIDE FIGHTER ESCORT/CAP AS APPROPRIATE. HERCULES SHOULD KEEP AT LEAST 100 NAUTICAL MILES FROM ARGENTINE COAST.

B. INITIAL CONTACT. AT EARLIEST OPPORTUNITY AFTER LAGO LACAR ENTERS FIPZ YOU SHOULD ATTEMPT TO INTERCEPT IT. HELICOPTER IS PREFERRED VEHICLE FOR INITIAL CONTACT BOTH IN TERMS OF RISK AND AS LEAST QUOTE HARASSING UNQUOTE DISPLAY OF BRITISH PRESENCE. MASTER OF VESSEL IS TO BE ASKED HIS BUSINESS, TOLD THAT HE HAS ENTERED THE FALKLAND ISLAND PROTECTION ZONE WITHOUT THE NECESSARY AUTHORITY, AND REQUESTED TO LEAVE FORTHWITH. IF HE IGNORES THIS REQUEST HE IS TO BE TOLD THAT HIS PRESENCE WILL BE REPORTED TO FALKLAND ISLANDS GOVERNMENT AND HMG, AND APPROPRIATE ACTION IS LIABLE TO BE TAKEN. ON NO ACCOUNT IS ANY THREAT OF FORCE TO BE OFFERED. LAGO LACAR IS UNIQUE EXCEPTION TO YOUR RULES OF ENGAGEMENT. ANY OTHER ARGENTINE SHIP OR AIRCRAFT ENTERING THE FIPZ IS TO BE HANDLED WITHIN CURRENT RULES IN THE NORMAL WAY. AN INITIAL CONTACT REPORT ON THE LAGO LACAR IS TO BE MADE BY FLASH SIGNAL TO MOD.

C. FURTHER SURVEILLANCE. IF DESTEFANIS STOPS FOR A RELIGIOUS SERVICE YOU SHOULD NOT INTERFERE PROVIDED THAT HE SUBSEQUENTLY DEPARTS. IN THESE CIRCUMSTANCES OR IF HE LEAVES IMMEDIATELY AS REQUESTED, YOU SHOULD MAINTAIN CONTINUOUS OVERT BUT DISCREET SURVEILLANCE OF HIS SHIP UNTIL WELL CLEAR OF FIPZ.

D. SECOND CHALLENGE. IF THE LAGO LACAR CONTINUES TOWARDS THE ISLANDS, IT IS TO BE MET BY TWO DD/FF ESCORTS AS FAR FORWARD AS YOU JUDGE TO BE REASONABLE IN THE CIRCUMSTANCES OF THE DAY, BEARING IN MIND THE EXOCET THREAT AND THE NEED TO FORCE ANY ATTACKING AIRCRAFT TO DO SO FROM WITHIN THE FIPZ. A DETERMINED EFFORT IS TO BE MADE TO PERSUADE VESSEL TO TURN BACK. THE MASTER IS AGAIN TO BE TOLD THAT HE HAS ENTERED THE FALKLAND ISLANDS PROTECTION ZONE WITHOUT AUTHORITY OF HMG AND IS TO BE REQUESTED TO LEAVE. AGAIN, THREAT OF FORCE SHOULD NOT BE OFFERED, NOR, IF PERSUASION IS ATTEMPTED BY MANOEUVRING, IS COLLISION TO BE RISKED. IF HE THEN STATES INTENTION OF HOLDING RELIGIOUS SERVICE HE IS TO BE PERMITTED TO DO SO AND THEN TOLD TO DEPART. IF BY WORDS OR ACTIONS HE SHOWS HE IS DETERMINED TO PROCEED TO THE ISLANDS, HE IS TO BE TOLD YOU INTEND TO TAKE HIM TO AN ANCHORAGE AND HE IS TO COMPLY WITH YOUR INSTRUCTIONS. DD/FF SHOULD, BY ESCORTING CLOSELY, TRY TO PERSUADE HIM TO MOVE TO THE SELECTED ANCHORAGE. THIS SHOULD BE SAFE BUT OPEN WATER, AWAY FROM SIGNIFICANT ISLAND SETTLEMENTS OR MILITARY INSTALLATIONS AND WITH DIFFICULT LANDING CONDITIONS. PREFERENCE HERE IS FOR BERKELEY SOUND BUT CHOICE IS ENTIRELY YOURS IN LIGHT OF CIRCUMSTANCES. IF HE WILL NOT COMPLY, DD/FF ARE TO ESCORT HIM UNTIL HE EITHER LEAVES VICINITY OF ISLANDS OR ANCHORS. YOU SHOULD TRY TO DISCOURAGE HIM FROM ENTERING CHOISEUL SOUND, AND IF IT APPEARS HE MIGHT BE HEADING FOR PORT STANLEY YOU SHOULD ARRANGE TO BLOCK THE ENTRANCE TO THE HARBOUR.

E. AT ANCHORAGE THE AIM SHOULD BE, WITHOUT PUTTING LIVES AT RISK, TO PREVENT SENOR DESTEFANIS OR MEMBERS OF HIS GROUP FROM LANDING. MASTER IS TO BE INSTRUCTED THAT NO-ONE IS TO LEAVE SHIP AND ANY WHO ATTEMPT TO LAND WILL BE LIABLE TO BE ARRESTED. NO ATTEMPT IS TO BE MADE TO BOARD THE SHIP. IF THEY MAKE PREPARATIONS TO GO ASHORE YOU SHOULD TRY TO DETER THEM FROM BOARDING THEIR BOATS OR TO TURN BACK ANY BOATS WHICH DO LEAVE. MINISTERS WILL WISH TO REVIEW THE SITUATION AT THIS POINT.

F. HOWEVER, IN THE EVENT THAT YOU ARE UNABLE TO PREVENT ANY LANDING WITHOUT RISK OF LOSS OF LIFE BEFORE RECEIVING FURTHER MINISTERIAL INSTRUCTIONS YOU ARE TO PROCEED AS FOLLOWS. ANY LANDING SHOULD, IF POSSIBLE, BE MET IN THE FIRST PLACE BY FIG IMMIGRATION OFFICIAL WHO WILL TELL VISITORS THEY MUST RETURN TO THEIR SHIP. YOU SHOULD TAKE INTO CUSTODY ANY WHO REFUSE TO LEAVE, AND REMOVE THEM TO A PLACE OF DETENTION UNTIL YOU RECEIVE FURTHER INSTRUCTIONS. ALTHOUGH FIG OFFICIAL IS FOR LEGAL AND PRESENTATIONAL REASONS THE PRIMARY POINT OF CONTACT, YOU ARE RESPONSIBLE FOR CONTROL OF THE SCENE AND FOR THE SAFETY OF MILITARY PERSONNEL AND ISLANDERS, AND YOU ARE AUTHORISE TO TAKE ANY ACTION YOU JUDGE NECESSARY TO THESE ENDS USING MINIMUM FORCE. THE POSSIBILITY IS RECOGNISED HERE THAT INJURIES COULD OCCUR.

G. DEPARTURE. IF THE LAGO LACAR DEPARTS, IT IS TO BE ESCORTED AWAY FROM ISLANDS AND THEN KEPT UNDER SURVEILLANCE UNTIL WELL CLEAR OF FIPZ.

5. PRESS. MEDIA REPRESENTATIVES ON ISLANDS (UK AND OTHERS) SHOULD BE GIVEN MAXIMUM OPPORTUNITY, WITHIN LIMITS OF YOUR RESOURCES, TO COVER EVENTS. SPECIFICALLY YOU ARE AUTHORIZED TO EMBARK THOSE WHO REQUEST IT ON ESCORT DD/FF. HOWEVER, NO INTERVIEWS ARE TO BE ALLOWED WITH ANYONE WHO LANDS ILLEGALLY FROM LAGO LACAR.

DD UKMIS NEW YORK 281530Z
OO WASHINGTON
GRS 726
CONFIDENTIAL

FM FCO 28L445Z APRIL 83
TO IMMEDIATE UKMIS NEW YORK
TELEGRAM NUMBER 157 OF 28 APRIL 1983
INFO IMMEDIATE WASHINGTON, MONTEVIDEO, SANTIAGO(FOR PS/MR ONSLOW), PORT STANLEY, BERNE, UKMIS GENEVA
YOUR TELEGRAM NUMBER 279: ARGENTINE NEXT OF KIN AND THE UN SECRETARY-GENERAL

1. THE PUS SPENT NEARLY TWO HOURS WITH THE SECRETARY-GENERAL AT HEATHROW THIS MORNING: HE WAS ACCOMPANIED BY URE, AND THE SECRETARY-GENERAL BY STOPFORD ONLY.

2. MAKING IT CLEAR THAT HE WAS SPEAKING AT MY REQUEST, ACLAND REFERRED TO DESTEFANIS'S APPROACH TO THE UN SECRETARY-GENERAL AND SAID THAT WE WANTED TO EXPLAIN TO HIM PERSONALLY WHY WE COULD NOT COUNTENANCE A VISIT UNDER SUCH AUSPICES, AND TO GIVE HIM THE BACKGROUND. ACLAND SET OUT OUR POSITION, REFERRED TO ICRC REJECTION OF DESTEFANIS AND SAID WE HOPED THE ARGENTINE GOVERNMENT WOULD PREVENT THE LATTER FROM SAILING AS OTHERWISE WE FEARED THIS COULD LEAD TO A POTENTIALLY INFLAMMABLE SITUATION. NO REQUEST WAS MADE TO THE SECRETARY-GENERAL TO INTERVENE.

3. PEREZ DE CUELLAR GAVE URE THE TEXT OF DE SOTO'S REPLY TO DESTEFANIS WHICH READ:

QUOTE: YOUR 23 APRIL TELEX WAS RECEIVED AT UN HEADQUARTERS IN THE ABSENCE OF THE SECRETARY GENERAL WHO IS ABROAD ON AN OFFICIAL MISSION. UPON RECEIVING IT WE ESTABLISHED CONTACT WITH BRITISH PERMANENT REPRESENTATIVE TO THE UN. HE REITERATED HIS GOVERNMENT'S POSITION TO THE EFFECT THAT IN ORDER TO MAINTAIN THE HUMANITARIAN CHARACTER OF PROPOSED VISIT BY FAMILIES OF ARGENTINE VICTIMS OF SOUTH ATLANTIC WAR, MODALITIES IN ACCORDANCE WITH WHICH IT SHOULD BE CONDUCTED MUST BE DEALT WITH THROUGH THE ICRC. UNQUOTE

PEREZ DE CUELLAR SAID HE HAD NO (NO) INTENTION OF BEING MOVED

FROM THIS STATEMENT, AND IN ANY CASE HE DID NOT THINK THE ARGENTINE GOVERNMENT WANTED TO BE PUBLICLY INVOLVED WITH DESTEFANIS.

4. ACLAND SHOWED PEREZ DE CUELLAR PUBLICITY MATERIAL (A CAR STICKER) PRODUCED BY THE CENTRE FOR VOLUNTEERS FOR THE FATHERLAND WITH THE WORD QUOTE VOLVEREMOS UNQUOTE PRINTED ABOVE A MAP OF THE FALKLANDS. PEREZ DE CUELLAR SAID THAT THIS CONFIRMED HIS VIEW OF THE POLITICAL AND PROPAGANDA MOTIVATION OF DESTEFANIS, AND HE ASKED TO KEEP IT AS EVIDENCE.

5. SECRETARY-GENERAL ENQUIRED WHETHER WE HAD CONSIDERED THE POSSIBILITY OF ALLOWING AN ARGENTINE SHIP TO BE ESCORTED TO AN OFFSHORE ANCHORAGE AND, WHILE DENYING IT BERTHING FACILITIES, OURSELVES ORGANISING THE FERRYING OF NEXT OF KIN ASHORE. ACLAND EXPLAINED THAT AN ARGENTINE VESSEL PENETRATING NOT ONLY THE EXCLUSION ZONE BUT ALSO FALKLANDS TERRITORIAL WATERS WOULD UNDERSTANDABLY ALARM AND BE OFFENSIVE TO THE ISLANDERS: THE NATIONALITY OF THE SHIP WAS IN ANY CASE ONLY ONE OF A NUMBER OF NECESSARY CONDITIONS WHICH DESTEFANIS WAS FAILING TO MEET. SECRETARY-GENERAL SAID HE WAS WORRIED BY THE PROSPECT OF A QUOTE KAMIKAZI UNQUOTE INTRUSION BY DESTEFANIS IN SPITE OF ALL WARNINGS: HE WAS TOLD WE SHARED THIS CONCERN WHICH WAS WHY WE WERE DOING EVERYTHING POSSIBLE TO DISCOURAGE DESTEFANIS FROM SAILING. WE WOULD BE MAKING A FURTHER CLEAR STATEMENT OF OUR POSITION TODAY.

6. SECRETARY-GENERAL CONCLUDED THIS PART OF DISCUSSION BY CONFIRMING THAT IF THE ARGENTINE GOVERNMENT APPROACHED HIM ABOUT DESTEFANIS, HE WOULD URGE THEM TO STOP THE SAILING: IF THE ARGENTINE GOVERNMENT DO NOT APPROACH HIM, HE WOULD NOT VOLUNTEER HIS VIEWS. ACLAND THANKED HIM FOR HIS FIRM ATTITUDE AND FOR HIS UNDERSTANDING OF OUR POSITION.

7. SECRETARY-GENERAL WENT ON TO REFER TO THE REQUIREMENT THAT HE SHOULD REPORT TO THE SECURITY COUNCIL LATER IN THE YEAR ABOUT THE PROSPECTS FOR USING HIS GOOD OFFICES IN GENERAL REGARDING THE FALKLANDS DISPUTE. HE WOULD HAVE TO BE IN TOUCH WITH US IN DUE COURSE.

8. WE ARE NOT AWARE OF ANY PRESS KNOWLEDGE OF THIS MEETING,

BUT IF QUESTIONED ABOUT IT WILL CONFINE OURSELVES TO SAYING THAT THE PUS TOOK ADVANTAGE OF THE SECRETARY-GENERAL'S STOPOVER AT HEATHROW TO HAVE A WIDE-RANGING DISCUSSION WITH HIM ON A NUMBER OF MATTERS OF MUTUAL CONCERN. CONVERSATION DID INDEED COVER VARIOUS OTHER TOPICS WHICH ARE REPORTED IN MIFT.

9. IN THE LIGHT OF THE SATISFACTORY NATURE OF THE SECRETARY-GENERAL'S RESPONSE I DO NOT THINK WE NEED ASK YOU TO SEEK A FURTHER INTERVIEW WITH HIM TODAY OR ON 30 APIIL. DE CUELLAR SHOWED HIMSELF ROBUST, AND SCEPTICAL BOTH ABOUT DESTEFANIS AND THE ARGENTINES. IT WAS CLEAR HOWEVER THAT IF ANY REQUEST FOR ACTION HAD BEEN PUT, VARIOUS UNACCEPTABLE SUGGESTIONS FOR COMPROMISE COULD, AS YOU FEARED, HAVE EMERGED FROM HIM OR HIS STAFF.

PYM

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DIO)

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MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

[Typeset aa]

MS

CONFIDENTIAL

FROM WASHINGTON 281800Z APR 83.

TO IMMEDIATE F C O

TELEGRAM NUMBER 1152 OF 28 APRIL

INFO PRIORITY UKMIS GENEVA, BERNE, UKMIS NEW YORK, OTTAWA, UKDEL NATO, UKREP BRUSSELS, STOCKHOLM, BRASILIA, MONTEVIDEO (FOR PS/MR ONSLOW), REYKJAVIK, LIMA, SANTIAGO, QUITO, TOKYO, DUBLIN, MODUK, OTHER NATO POSTS.

MY TELEGRAM NUMBER 1135: FALKLANDS/ARGENTINE NEXT OF KIN.

1. MICHEL (DEPUTY TO ENDERS) TELEPHONED MINISTER THIS MORNING TO SAY THAT AFTER THOROUGH DISCUSSION WITHIN THE STATE DEPARTMENT, THEY HAD RELUCTANTLY CONCLUDED THAT THERE WAS NOTHING CONSTRUCTIVE THE AMERICANS COULD DO TO DISCOURAGE THE DESTEFANIS VENTURE. THEY HAD THOUGHT ABOUT THIS CAREFULLY BUT COULD NOT SEE A WAY OF APPROACHING THE ARGENTINIAN AUTHORITIES WHICH WOULD BE EITHER HELPFUL TO US OR AVOID BEING DAMAGING TO THEMSELVES.

2. MICHEL SAID THAT, FOR WHAT IT WAS WORTH, THE IMPRESSION WHICH THE US EMBASSY IN BUENOS AIRES HAD GAINED WAS THAT DESTEFANIS' INTENTION WAS TO TURN AROUND IF CHALLENGED BY THE ROYAL NAVY. THEY DID NOT THINK HE WOULD COURT A SERIOUS CONFRONTATION. HE WOULD OF COURSE EXPLOIT TO THE MAXIMUM THE PRESENCE OF PRESS REPRESENTATIVES ON BOARD SO AS TO RECORD THE INCIDENT FOR POSTERITY.

~~ROYAL NAVY. THEY DID NOT THINK HE WOULD COURT A SERIOUS CONFRONTATION. HE WOULD OF COURSE EXPLOIT TO THE MAXIMUM THE PRESENCE OF PRESS REPRESENTATIVES ON BOARD SO AS TO RECORD THE~~ INCIDENT FOR POSTERITY.

3. THOMAS THANKED MICHEL FOR HIS QUICK RESPONSE. HE SAID IT WAS FOR THE AMERICANS TO JUDGE WHETHER THERE WAS ANYTHING THEY COULD USEFULLY DO OR NOT. HE HAD HOPED THEY MIGHT HAVE BEEN ABLE TO FIND A WAY OF LETTING THE ARGENTINIANS KNOW THAT THEY DID NOT SUPPORT THE WAY THE VISIT WAS BEING ORGANISED. WE KNEW FROM PREVIOUS EXPERIENCE THAT THE ARGENTINIANS WERE PRONE TO MISREAD SIGNALS AND IN THIS CASE AMERICAN SILENCE COULD BE TAKEN AS A SIGNAL. AS MICHEL KNEW, OUR OWN OBJECTIVE WAS TO TRY TO MOVE TOWARDS NORMALISATION OF RELATIONS AND WE BELIEVED THIS WAS ALSO IN THE REAL INTERESTS OF THE ARGENTINIANS. IF DESTEFANIS WENT AHEAD WITH HIS PLAN, IT WOULD CERTAINLY NOT HELP THE PROCESS OF NORMALISATION. WE HOPED THAT FRIENDS WOULD FIND OPPORTUNITIES OF GETTING THIS THOUGHT ACROSS. MICHEL WAS NOT TO BE MOVED. HE REPEATED THAT WITH THE BEST WILL IN THE WORLD - AND THERE WAS STRONG SYMPATHY IN THE STATE DEPARTMENT OVER THE PROBLEM WE WERE FACED WITH - THEY DID NOT SEE ANYTHING THEY COULD USEFULLY DO TO HELP.

WRIGHT

NNNN

MR COLES Discussed with Mr Kydd. MR 29/4

cc Miss Christopherson
Mr Kydd

The BBC Newsnight programme tomorrow evening will use a filmed interview with Stella, former Peruvian Foreign Minister, on the sinking of the Belgrano.

Essentially what Stella says is that:

- before the Prime Minister took a decision to authorise the sinking of the Belgrano both the Argentine and the UK were responding very positively to Peruvian peace proposals;

- he had a 4-hour telephone conversation with his President in which Al Haig joined, and he implies that Francis Pym was in on the conversation sitting next to Haig;

- during that conversation it was clear to him (Stella) that agreement in principle was in the bag;

- Galtieri himself, in the early hours of Sunday morning - well before the sinking - personally accepted the seven-point plan and would try to get it cleared by the Junta;

- Costa Mendez rang him five hours after the Belgrano was sunk to confirm that the Junta were looking at the proposals which sank along with the Belgrano;

- Stella concludes that but for the sinking there would have been an agreement saving hundreds of lives.

The film of this interview will be followed by a discussion between Alan Clarke MP and Tam Dalyell MP. Peter Snow of Newsnight has asked whether the Government would:

- offer a Minister for interview; they have made no progress with Mr Pym, Mr Parkinson or with senior military men; or

- an on-the-record statement for use by the programme in connection with the showing of the interview.

You will wish to consider whether we should react either on or off-the-record or simply refuse to comment. An alternative would be to brief Alan Clarke.

I am asking Ian Kydd to co-ordinate the Government's approach.

B. INGHAM
28 April 1983

From: Mr D O Arnold-Forster

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB
Telephone 01-218 7965 (Direct Dialling)
01-218 9000 (Switchboard)

PARLIAMENTARY UNDER-SECRETARY OF STATE
FOR THE ARMED FORCES

D/US of S(AF)JW 25/5/7/9

A J Coles Esq
10 Downing Street
London
SW1

28 April 1983

Prime Minister

A.J.C. 29/4

Dear John,

I attach the latest record of payments made by the South Atlantic Fund since 18 March.

Yours Ever,

David Arnold-Forster

Private Secretary

SOUTH ATLANTIC FUND - REPORT OF PAYMENTS SINCE 18 MARCH 1983

A total of £6,123,454 has now been disbursed by the South Atlantic Fund, an increase of £1,364,928 since the report of 18 March 1983. Total receipts stand at about £14.8M.

Interim Grants To Bereaved

Further interim grants totalling £24,000 have been paid,

Passage deleted and closed, 40 years, under FOI Exemption. OWayland 12 February 2013

Interim Grants to Injured (including those leaving the Service)

No further interim grants have been paid to those injured but some are currently under consideration.

Payment to Charities

No further grants have been paid to charities.

The Assessment Process

Since the last report £1,303,327 has been paid out as a result of the assessment process to a further 52 widows. Payments totalling £2,804,711 have now been paid to 74 widows on the basis of the assessment process.

A further £29,750 has been paid out in 55 separate payments as a result of the assessment process to those with minor injuries and burns.

Assessment of a further 20 widows and 30 injured cases has been completed and these have been submitted to the Trustees for approval. This should result in about a further £½M being disbursed by the end of April 1983. It is anticipated that this rate of processing assessments can be sustained.

Visit of the Next of Kin to the Falkland Islands

Following the visit, an Action Group has been formed by parents of single men who died with the apparent aims of contesting the legal points of 'need' and 'dependency'; and seeking similar payments for them to those received by widows. They have contacted the National Press, Television and Radio, but have not so far contacted the Fund. The Fund would, of course, be entirely prepared to discuss matters with the Group's representatives and consider any case of financial hardship that has arisen as a direct result of the Falklands conflict. Priority is, however, continuing to be given to assessing the needs of widows and the injured.

The Press has not given prominence (nor any support) to the claims of the parents.

DD UKMIS NEW YORK (281530)
PP WASHINGTON
PP MEXICO
GRS 710
CONFIDENTIAL
DESKBY 281530Z
FM FCO 281445Z APRIL 83
TO IMMEDIATE UKMIS NEW YORK
TELEGRAM NUMBER 158 OF 28 APRIL
INFO PRIORITY WASHINGTON, MOSCOW, MEXICO CITY
INFO SAVING TO SAN JOSE, LUANDA, PRETORIA, ADDIS ABABA, TEHRAN, BAGHDAD, KABUL
MIPT (NOT TO ALL): MEETING WITH UN SECRETARY-GENERAL

1. OTHER TOPICS DISCUSSED BETWEEN THE PUS AND THE SECRETARY-GENERAL AT HEATHROW TODAY INCLUDED THE FOLLOWING.

2. CENTRAL AMERICA SECRETARY-GENERAL SAID HE WAS NOT CLEAR ABOUT THE US REACTION TO THE CONTADORA PEACE INITIATIVE, BUT THOUGHT THERE REMAINED DEEP MISTRUST BETWEEN THE US AND MEXICAN GOVERNMENTS ON CENTRAL AMERICAN SUBJECTS. THE US AND HONDURAN GOVERNMENTS' PROPOSAL FOR USING THE OAS WOULD NEVER BE ACCEPTABLE TO NICARAGUA AND CUBA. ALTHOUGH THE CONTADORA GROUP HAD MADE NO MOVES IN THE DIRECTION OF THE SECRETARY-GENERAL PEREZ DE CUELLAR THOUGHT THAT THE PROBLEM OF A PEACE INITIATIVE MIGHT ULTIMATELY LAND IN HIS LAP.

3. ARGENTINA. SECRETARY-GENERAL WAS VERY PESSIMISTIC ABOUT THE LIKELY OUTCOME OF THE IMPENDING ELECTIONS: HE FEARED THAT A POPULIST PERONIST GOVERNMENT WOULD PROVE UNSTABLE AND WOULD ONLY LEAD TO ANOTHER MILITARY TAKEOVER. MEANWHILE HE DEPLORED THE RE-ARMING OF ARGENTINA, WHICH WAS CAUSING ANXIETY NOT ONLY TO THE UK BUT TO ARGENTINA'S NEIGHBOURS SUCH AS CHILE AND BRAZIL.

4. NAMIBIA. SECRETARY-GENERAL SAID THAT IN HIS DISCUSSIONS WITH PRESIDENT KAUNDA IN ADDIS ABABA, THE THOUGHT HAD EMERGED THAT A UN MILITARY AND CIVILIAN PRESENCE MIGHT BE REQUIRED FOR A PERIOD OF AT LEAST TWO YEARS TO CREASE CONFIDENCE AND STABILITY. HE WAS INCLINED TO AGREE, THOUGH IT WOULD BE EXPENSIVE.

MEANWHILE HE WISHED THAT THE US GOVERNMENT WOULD ADOPT A MORE IMAGINATIVE APPROACH. UNLESS THERE WAS SOME PROSPECT OF A BREAK-THROUGH BEFORE THE NEXT SECURITY COUNCIL MEETING (NOW LIKELY TO BE IN JUNE), PEREZ DE CUELLAR WOULD BE OBLIGED IN VIEW OF THE UNITED NATIONS POSITION WHICH HE HAD TO REFLECT TO ISSUE A 'VERY IMPARTIAL' REPORT WHICH WOULD ENCOURAGE THE FRONT LINE STATES OND SWAPO AT THE EXPENSE OF THE AMERICANS. IT WAS TO BE REGRETTED THAT REAGAN AND SHULTZ DID NOT RECOGNISE THE POSSIBILITIES WHICH NAMIBIA OFFERED TO THEM TO PRODUCE A FOREIGN POLICY SUCCESS OF THE SORT WHICH THE US ADMINISTRATION SO BADLY NEEDED. PEREZ DE CUELLAR WENT ON TO SAY THAT MOZAMBIQUE AND ANGOLA WERE DISAPPOINTED WITH THE LACK OF CONCRETE SUPPORT FROM THE SOVIET UNION, AND THIS CONSTITUTED AN OPPORTUNITY WHICH THE WEST SHOULD NOT IGNORE. THE PUS EXPLAINED WHY HE CONSIDERED FURTHER TIME WAS NECESSARY TO REACH A CONSTRUCTIVE SOLUTION, AND ADDED THAT MACHEL WOULD SHORTLY BE VISITING THE UK OFFICIALLY.

5. ETHIOPIA. SECRETARY-GENERAL, SPEAKING OF HIS RECENT VISIT, SAID THAT THE ETHOPIAN GOVERNMENT HAD NEVER ANSWERED HIS OFFERS TO USE HIS GOOD OFFICES, WHILE THE SOMALIS WERE ANXIOUS TO AVAIL THEMSELVES OF HIS SERVICES. WHILE THIS REMAINED THE CASE HE COULD DO NOTHING.

6. IRAN-IRAQ. SECRETARY-GENERAL SAID THAT HE AND OLAF PALME (WITH WHOM HE HAD RECENTLY DISCUSSED THE MEDIATION EFFORT) SAW NO PROSPECT OF ANY IMMEDIATE DIALOGUE BETWEEN THE BELLIGERENTS. WHEN HOWEVER A DIALOGUE DID BECOME POSSIBLE THIS WOULD BE LIKELY TO BE SET UP VIA THE GOOD OFFICES OF THE SECRETARY-GENERAL RATHER THAN THROUGH THE SECURITY COUNCIL OR ANY REGIONAL ORGANISATION SINCE THE COMBATANTS MISTRUSTED THESE ORGANISATIONS (JUST AS FOR DIFFERENT AND UNFAIR REASONS THEY HAD MISTRUSTED WALDHEIM).

7. AFGHANISTAN. SECRETARY-GENERAL REPORTED THAT SOME PROGRESS HAD RECENTLY BEEN MADE ON THE FOUR POINTS (WITHDRAWAL OF SOVIET FORCES, NON-INTERFERENCE, GUARANTEES AND REFUGEES) IN THE DIRECTION OF ESTABLISHING A PRECISE TIME-TABLE FOR ACTION. ANDROPOV DID NOT SEEM TO OBJECT TO EFFORTS TO MAKE PROGRESS ON THESE LINES. SECRETARY-GENERAL ASKED ABOUT RUMOURS

THAT THE SOVIET UNION HAD MADE OVERTURES TO THE EXILED KING OF AFGHANISTAN. HE SEEMED TO THINK THIS A POSSIBILITY. MEANWHILE THE PAKISTAN GOVERNMENT WAS SHOWING ITSELF TO BE BOTH COOPERATIVE AND FLEXIBLE. WE HAD TO RECOGNISE THAT PEREZ DE CUELLAR COULD NOT DEAL WITH THE AFGHAN REBELS BUT ONLY WITH THE REFUGEES (WHO TO SOME EXTENT REPRESENTED THEM): HIS TERMS OF REFERENCE ONLY ALLOWED HIM TO OPERATE WITH GOVERNMENTS REPRESENTED AT THE UN. HE REMAINED HOPEFUL OF PROGRESS BUT WAS NOT YET OPTIMISTIC.

PYM

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From the Private Secretary

28 April 1983

Dear John,

Falkland Islands: Argentine Next of Kin

With his minute of 27 April David Goodall enclosed a draft statement which he suggested should be issued on the record by the Foreign and Commonwealth Office this morning.

The views of the Foreign and Commonwealth Secretary and the Secretary of State for Defence on the draft were conveyed to me orally yesterday evening. I now enclose a text which, in the light of those views, the Prime Minister has approved. She agrees, on the assumption that the other members of OD(EM) and the Attorney General are content, that the statement should be issued this morning.

I am copying this letter and enclosure to the Private Secretaries to the other members of OD(EM), the Attorney General and Sir Robert Armstrong.

Yours ever

John Coles

John Holmes, Esq.,
Foreign and Commonwealth Office.

CONFIDENTIAL

WE CONTINUE TO RECEIVE REPORTS THAT SENOR DESTEFANIS INTENDS TO SAIL FOR THE FALKLAND ISLANDS ON 30 APRIL WITH A PARTY INCLUDING NEXT OF KIN OF ARGENTINE SERVICEMEN KILLED DURING THE FIGHTING THERE. SENOR DESTEFANIS IS APPARENTLY PERSISTING IN THIS INTENTION DESPITE THE CLEAR STATEMENT BY THE INTERNATIONAL COMMITTEE OF THE RED CROSS THAT THEY ARE NOT WILLING TO PARTICIPATE IN HIS VENTURE BECAUSE THE ARRANGEMENTS HE PROPOSES ARE CONTRARY TO THE PRINCIPLE OF NEUTRALITY WHICH THE ICRC ~~IS~~ ARE CALLED UPON TO DEFEND.

THE BRITISH GOVERNMENT HAVE ALL ALONG MADE IT CLEAR THAT THEY HAVE NO OBJECTION TO A VISIT TO THE FALKLAND ISLANDS BY RELATIVES OF ARGENTINE SERVICEMEN WHO DIED DURING THE HOSTILITIES THERE, PROVIDED THAT THE VISIT IS ORGANISED AND SUPERVISED BY THE ICRC AND IS PURELY HUMANITARIAN IN NATURE. THE CONDITIONS WHICH WE SPECIFIED TO THE ICRC, AND WHICH THEY RELAYED TO SENOR DESTEFANIS, WERE THOSE NECESSARY TO ENSURE THIS. THIS REMAINS OUR POSITION. WE WILL PLACE NO OBSTACLE IN THE WAY OF A VISIT BY A BONA FIDE GROUP OF RELATIVES WHICH MEETS OUR CONDITIONS AND IS PREPARED TO COME UNDER ARRANGEMENTS MADE AND SUPERVISED BY THE ICRC.

SENOR DESTEFANIS HAS NOT ONLY REFUSED TO ACCEPT THE CONDITIONS CONVEYED TO HIM; HIS ARRANGEMENTS HAVE BEEN JUDGED UNACCEPTABLE BY THE ICRC FOR REASONS OF PRINCIPLE. THERE CAN THEREFORE BE NO QUESTION OF THE BRITISH GOVERNMENT ALLOWING HIS GROUP THE ACCESS TO THE FALKLAND ISLANDS WHICH HE SEEKS. THE PROPOSED VISIT IS UNACCEPTABLE TO THE BRITISH GOVERNMENT AND WOULD BE TREATED AS SUCH.

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PRIME MINISTER

FALKLAND ISLANDS: ARGENTINE NEXT OF KIN

I ATTACH A DRAFT STATEMENT WHICH IS AGREED BY THE FOREIGN AND DEFENCE SECRETARIES AND WHICH, I THINK, IS AS YOU WOULD WISH.

IF YOU AGREE WITH IT, THE FOREIGN AND COMMONWEALTH OFFICE WILL ISSUE IT TOMORROW MORNING. WE COULD ALSO HAVE IT AVAILABLE FOR QUESTIONS.

AGREE THAT THE STATEMENT SHOULD BE ISSUED?

A.J.C.

Yes MT

27 APRIL 1983

Ref: B06772

MR COLES

Falkland Islands: Argentine Next of Kin

At the meeting of OD(EM) on 27th April, officials were instructed to draft a statement which could be issued before Senor Destefanis and his party set sail on 30th April, with the object of making the British Government's position clear and (if possible) deterring Senor Destefanis from going ahead. I attach a draft statement on these lines which has been prepared in consultation with the Foreign and Commonwealth Office.

2. The final sentence of the draft is in square brackets in case the Prime Minister prefers to stop short at this stage of a categorical statement which would commit us to preventing a landing in any circumstances.

3. As to handling, the best way of getting maximum publicity for the statement would probably be for it to be issued on the record by the Foreign and Commonwealth Office, if possible tomorrow morning; and if the Prime Minister were able to reply in similar terms to a question in the House tomorrow afternoon. The statement could at the same time be telegraphed to posts with instructions to bring it to the attention of governments as appropriate; and the Swiss could be asked to draw it to the attention of the Argentine authorities.

4. I am copying this minute and its attachment to the Private Secretaries to the other members of OD(EM), the Attorney General and to Sir Robert Armstrong.

David Goodall

27th April 1983

A D S GOODALL

We continue to receive reports that Senor Destefanis intends to sail for the Falkland Islands on 30th April with a party ~~of~~ including next of kin of Argentine servicemen killed during the fighting there. Senor Destefanis is apparently persisting in this intention despite the clear statement by the International Committee of the Red Cross that they are not willing to participate in his venture because the arrangements he proposes are contrary to the principle of neutrality which the ICRC is called upon to defend.

The British Government have all along made it clear that they have no objection to a visit to the Falkland Islands by relatives of Argentine servicemen who died during the hostilities there, provided that the visit is organised and supervised by the ICRC and is purely humanitarian in nature. The conditions which we specified to the ICRC, and which they relayed to Senor Destefanis, were those necessary to ensure this. This remains our position. We will place no obstacle in the way of a visit by a bona fide group of relatives which meets our conditions and is prepared to come under arrangements made and supervised by the ICRC.

Senor Destefanis has not only refused to accept the conditions conveyed to him; his arrangements have been judged unacceptable by the ICRC for reasons of principle. There can therefore be no question of the British Government allowing his group the access to the Falkland Islands, which he seeks. If Senor Destefanis and his group set sail it will be in the knowledge that their venture is unauthorised and that the responsibility for any consequences which may follow from an attempt to go ahead without the British Government's agreement will lie with them and with the Argentine authorities. [It will also be in the knowledge that no member of Senor Destefanis group or of the crew of the vessel in which they are travelling will be permitted to land on the Falkland Islands.]

The proposed ~~such a~~ visit is unacceptable to the British Government and would be treated as such.

Prime Minister (2)

A.J.C. 27/4

STATEMENT BY DEFENCE SECRETARY - 27TH APRIL

Following reports in today's papers, I have been asked if I have had any conversation with Cardinal Hume about the work for CND of Monsignor Kent.

I have had no such conversations with Cardinal Hume or indeed with the Head of any other Church or religious organisation. Nor would I believe it appropriate for me to do so.

This is a free society in which individual conscience and freedom of thought is at the heart of all that I am charged to defend.

My letter to Conservative candidates last weekend arose solely because it is now the policy of CND to attack the Conservative Party by opposing Conservative candidates in marginal constituencies. I make no complaint about that. This is a free society. But CND must not expect the Conservative Party to remain silent in the face of such an attack and the CND must expect its motivation to be scrutinised carefully.

I said that CND was dominated by those of the Left ranging from the Labour Party to the Communist Party. This may be embarrassing for CND but it is not a smear. The facts are often uncomfortable. That is not an argument for suppressing them.

✓CC RJ

MO 5/21

PRIME MINISTER

ARGENTINE NEXT OF KIN VISIT

Since the ICRC decided that it could not be associated with the Argentine next-of-kin visit Senor Destefanis has announced that he still intends to go ahead (with journalists including British press and TV cameras on board) and sail on 30th April. He has said that if he is challenged by British forces he will stop, hold a service at sea, and then return to Argentina. However there is a possibility that, when challenged and told not to proceed further, he will refuse to stop. In these circumstances it would be impossible to prevent him proceeding without resort to a degree of force.

2. Any attempt to force the ship to change course by physically using one of our own ships would risk collision and thus damage and casualties. The only practical alternative, if our warnings were ignored, would be to open fire on the ship. Clearly either of these courses of action would carry the risk of loss of life to civilians on the Argentine ship and to our own forces. We would also, unless the Argentine ship fired first, place ourselves in the wrong so far as international public opinion was concerned. I therefore believe that we would have no alternative, if Destefanis refused to turn back, to escort his ship towards the Islands. We need to consider the instructions we should give to CBFFI if he is faced with this situation.

3. The first point to make is that it is possible, although unlikely, that the Argentine forces might seek to take advantage of one of

our destroyers or frigates being drawn to the edge of the FIPZ to launch an attack on her, particularly since the date of arrival of the Argentine vessel (the Lago Lacar) is likely to coincide with the anniversary of the sinking of the Belgrano (2nd May). We must guard against this. For this reason, once the vessel has been identified by normal surveillance means, I propose that the initial challenge at the edge of the FIPZ should be by helicopter. This method should present the least risk of a surprise attack on our forces. If the Lago Lacar refuses to withdraw it would be kept under aerial surveillance and met by two warships at an early stage but at a distance judged by CBFFI not to involve an unacceptable risk of surprise attack. We would deploy a nuclear submarine to give early warning of any air attack on our forces, and another to trail the ship itself. There would also be a combat air patrol provided by our Phantoms. A further instruction to withdraw would be given.

4. If Destefanis still carries on I believe we should then seek to escort the vessel (by placing one of our warships on either side of it) to Choiseul Sound, the nearest anchorage to the Argentine cemetery at Darwin. Once the ship has anchored, it could then be boarded, although if this was opposed there would still be a risk of casualties. Given the media presence, I suggest it would be more prudent to allow the party to disembark (they would have to do so using small boats). We would then have the option of refusing them entry and ordering them to re-embark, arresting any who refuse to comply, (I understand this is quite lawful under the Falkland Islands Immigration Ordnance 1965) or permitting a visit to the cemetery.

5. This is a difficult decision, but in view of the likely reaction if we are seen to prevent an apparently humanitarian visit to the graves (and the press will undoubtedly make the most of this) I believe we should allow the visit to proceed on our terms and under our control. I have considered whether it would be right to ask for an ICRC observer to be present but this would have to be arranged

well in advance, thus signalling our preparedness in the last resort to allow the visit to proceed. We should of course prevent anyone in uniform, bearing arms or carrying an Argentine flag from accompanying the party. I am doubtful whether we should also exclude Destefanis himself. I understand that he claims to have a relative amongst the Argentine missing. The press pose a particularly difficult problem. If those on the ship are excluded they will argue that other representatives of the world's press on the island are being afforded facilities and there is no case for their being treated differently. If we take the line that no press of any kind can attend, comparisons will be drawn with the very full coverage given to the visit of our own next-of-kin.

6. The boats should be met as they land by a Police Officer, although he will clearly need to be supported by an Army detachment. In the event of a refusal to comply with the orders of the Police, there would be no time for further consultation with the FIG; the military officer in command on the spot would take charge of any subsequent action. Should arrests be necessary, they should be carried out with minimum force (although casualties might still result), and the individuals concerned invited to return to the Lago Lacar. If they refused, they would have to be taken into custody and returned to Argentina in due course by sea or air via a neutral country.

7. There is one other major possibility that we must cater for: an attempt to land elsewhere than Darwin, most probably at Port Stanley. In this case I believe we should attempt to block the entrance to Stanley Harbour, forcing any landing to take place near Port William. In this event anyone attempting to land would be ordered to re-embark and if they refuse would be arrested.

8. This minute covers a series of contingencies, most of which I judge unlikely to occur. But we must be prepared for these eventualities and, although we must leave a reasonable degree of discretion to those on the spot, we need to give CBFFI and the Civil

Commissioner broad guidance on how they should react. Subject to our discussion on 27th April, I therefore propose to send further guidance to CBFFI to supplement that sent following our earlier discussion.

9. I am sending copies of this minute to our colleagues on OD(EM) and Sir Robert Armstrong.

Ministry of Defence
26th April 1983

PRIME MINISTER

ARGENTINE NEXT OF KIN VISIT

As the attached minutes of the Defence Secretary, Mr. Goodall and Sir Anthony Parsons show, the question of how we should handle Destefanis, if he does set sail for the Falklands, bristles with difficulties.

But none of this advice considers two important points:

(a) The attitude of the Islanders - from everything we have heard the Islanders would be strongly opposed to the Destefanis group being allowed to visit the cemetery.

(b) The precedent - if Destefanis does set out, ignores our challenges, and is eventually allowed to visit the cemetery, what is to stop a series of Argentine groups trying the same tactic?

It is not easy to see a way through all the problems, but my own inclination would be to issue a further public statement in the next couple of days saying that we have noted Destefanis' publicly declared intention to sail, that we have made it clear that his proposal does not satisfy the conditions which we conveyed to the ICRC and that therefore he will not be allowed to visit the Falkland Islands. Meanwhile, we remain prepared to allow a genuinely humanitarian visit.

/ If he

If he nevertheless proceeds, and disobeys instructions to turn back, I would favour action to make his ship anchor at a suitable point off the Falklands where it would have to wait until the passengers saw that they were not going to get permission to land, and therefore returned to Argentina. This will be awkward in media terms (though there must be a good chance that this situation will never be reached), but I think it will be even more awkward, given everything we have said and given the attitude of the Islanders, if we allow Destefanis and his group to reach the cemetery.

A.J.C.

26 April 1983

Ref: B06769

PRIME MINISTER

c Sir Robert Armstrong

OD(EM): Argentine Next of Kin Visit

BACKGROUND

Following the discussion in Cabinet on 21st April, the Foreign and Commonwealth Office and the Ministry of Defence have considered how to handle the situation that would be created if Senor Osvaldo Destefanis of the "Centre of Volunteers for the Fatherland" carries out his declared intention to sail for the Falklands on 30th April in the Argentine ship "Lago Lacar".

2. The Defence Secretary has circulated a minute explaining the difficulties of preventing the voyage without risking loss of life, and making the following proposals.

a. The ship should be challenged at the edge of the Falkland Islands Protection Zone (FIPZ) by a helicopter. (Although the minute does not say so in terms, it is the intention that the helicopter should establish oral contact with the ship and instruct her to turn back.)

b. If the ship refuses to withdraw it should be escorted by two warships to Choiseul Sound near the Argentine cemetery at Darwin.

c. The Argentine party should be allowed to disembark in small boats and visit the cemetery under British control. We would prevent anyone in uniform, bearing arms or carrying an Argentine flag from accompanying the party, but neither Destefanis himself nor the press would be excluded.

d. The boats should be met as they land by a police officer, supported by an Army detachment.

3. Buenos Aires telegrams nos. 311 and 312 of 22nd April report threats against British residents and firms if Britain maintains its ban on the voyage.

4. The Attorney General, the Chief of the Defence Staff, the Chief of the Naval Staff and the Legal Adviser at the Foreign and Commonwealth Office, Sir Ian Sinclair, have been invited. The Chancellor of the Exchequer is unable to be present. The Foreign and Commonwealth Secretary is giving lunch to the Prime Minister of Fiji and may be a few minutes late.

HANDLING

5. You should invite the Defence Secretary to open the discussion. There are three basic questions for the Sub-Committee to consider.

a. Assuming that the ship poses no threat to our forces, how far should we go in seeking to turn her back? Should any force, or threat of force, be used?

b. If the ship proceeds, what arrangements should be made for her reception in the Falkland Islands?

c. Once the ship has reached the Falklands, should permission to land her passengers be refused or should we acquiesce in a visit to the cemetery by bona fide next of kin?

6. In considering these questions, it will be important to bear in mind the presence of representatives of the press on Destefanis' ship, as well as on the Islands. The Sub-Committee will wish to take into account domestic, islander and international opinion, the last if only to maintain the present level of international support for our Falklands policies and to avoid making it even more difficult to secure communications with the Islands in future, eg for future visits by our own next of kin. Domestically the Government would be criticised if we were to attempt to turn away a ship which did in fact contain Argentine relatives whether or not we succeeded in doing so, while the islanders will resent any Argentines stepping on Falklands soil. If the Argentines are allowed to land, it will clearly be important to avoid hostile demonstrations by the islanders. In this connection you might ask the Foreign and Commonwealth Secretary whether the problem of the Argentine cemetery being on Falkland Islands Company (FIC) land has been overcome: the local FIC manager was reported as saying that he would refuse permission for Argentine next of kin to enter on his land.

CONCLUSION

7. Subject to the discussion, the Sub-Committee might be guided to conclude that instructions should be sent to the Commander, British Forces and to the Civil Commissioner to handle the unauthorised Argentine next of kin visit organised by Destefanis on the following lines.

i. The Argentine ship should be identified, intercepted by helicopter at the edge of the FIPZ , and instructed to turn back.

ii. If the ship disregards this instruction, she should be allowed to proceed under escort to Choiseul Sound and to disembark passengers in small boats.

iii. Genuine next of kin should be allowed ashore to visit the cemetery subject to the conditions proposed by the Defence Secretary; the visit should take place during daylight but should be completed as rapidly as possible, and the press should be allowed to attend. There should be no official Falkland Islands Government involvement (other than police).

iv. We should seek to prevent any attempt to land elsewhere than Darwin.

David Goodall

26th April 1983

A D S GOODALL

CONFIDENTIAL

cc Mr. Jackling

MR. COLES

ARGENTINE NEXT OF KIN VISIT

I have seen a copy of the Defence Secretary's minute of 26 April.

In formulating our original policy about this visit, we had two objectives - first to safeguard our next of kin visit through Uruguay (achieved) and secondly to ensure either that the visit took place in an orderly way under our conditions or that we would not incur international obloquy if the conditions were rejected and the visit did not take place. If Destafanis forces the issue and we eventually allow the visit to take place without our conditions having been met, we will in effect have surrendered to blackmail. This will not only make us look foolish but it will open the way to further such visits which we would equally find it impossible to prevent.

I therefore feel strongly that we should stick to our policy and that we should not allow the party ashore even if Destafanis forces the issue to a point where the ship comes to anchor in close proximity to the Islands.

I am fully alive to the risks involved in violent incidents taking place, particularly the risk of retaliation against our Interests Section in Buenos Aires. However, I suggest that, at tomorrow's meeting, the Prime Minister might ask for further exploration of how the situation could be handled with the minimum risk of incidents, without allowing the party ashore. For example, if the worst came to the worst, could we not board the ship and impound it at anchor, making clear to Destafanis that we would continue to provide those on board with adequate facilities, but that we would not let them go ashore. Eventually they would get bored and go away. The British forces have a lot of experience in handling this kind of situation and they are accustomed to doing so with the minimum of fuss and violence.

A.D. PARSONS
26 April 1983

CONFIDENTIAL

Argentina

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X Agreed

MY TELNO 265: FALKLANDS: ARGENTINE NEXT OF KIN.

1. DE SOTO RANG ME THIS AFTERNOON (25 APRIL) TO SAY THAT THE DESTEFANIS GROUP HAD RENEWED THEIR APPROACH TO THE SECRETARY-GENERAL SEEKING HIS HELP IN ARRANGING A VISIT TO THE ARGENTINE WAR DEAD IN THE FALKLANDS. THEY HAD ORIGINALLY APPROACHED THE SECRETARY-GENERAL AT THE SAME TIME AS APPROACHING THE RED CROSS. BECAUSENOF THIS HE HAD DONE NOTHING ABOUT IT AT THE TIME (MY TELNO 193). THEIR RENEWED APPROACH WAS BASED ON THE WITHDRAWAL OF THE RED CROSS FROM THE NEGOTIATIONS. THEY WERE ASKING THE SECRETARY-GENERAL TO APPROACH HMG TO ARRANGE THE VISIT.

2. IN REPLY TO MY QUESTIONS DE SOTO SAID THAT THE SECRETARIAT HAD SPOKEN WITH THE RED CROSS WHO HAD CONFIRMED THAT THEY HAD WITHDRAWN FROM THE NEGOTIATIONS AND HAD SAID THAT THEY BELIEVED THE ARRANGEMENT WHICH DESTEFANIS WAS NOW PROPOSING, INCLUDING TRAVEL BY A SHIP FLYING THE ARGENTINE FLAG AND ACCOMPANIED BY JOURNALISTS OF BOTH BRITISH AND OTHER NATIONALITIES, WAS IDENTICAL WITH OR SIMILAR TO THE PROPOSALS DESTEFANIS HAD PUT TO THE RED CROSS. ~~DE SOTO SAID THAT HE HAD INFORMED THE SECRETARY-GENERAL IN PARIS OF THIS APPROACH~~

~~BOTH BRITISH AND OTHER NATIONALITIES, WAS IDENTICAL WITH OR SIMILAR TO THE PROPOSALS DESTEFANIS HAD PUT TO THE RED CROSS.~~ DE SOTO SAID THAT HE HAD INFORMED THE SECRETARY-GENERAL IN PARIS OF THIS APPROACH AND HAD BEEN INSTRUCTED TO EXPLORE WITH US WHAT THE POSITION WAS. HE ASKED WHAT OUR CONDITIONS WERE FOR THE VISIT.

3. I UNDERTOOK TO REPORT HIS ENQUIRY AND TO GET A REPLY. MEANWHILE I HAD TO TELL HIM THAT THIS LOOKED LIKE A POLITICAL TRY-ON. WE HAD REPEATEDLY PROPOSED THAT THE ARGENTINES SHOULD REMOVE THEIR WAR DEAD. THEY HAD REFUSED. WE HAD BEEN READY FOR A PURELY HUMANITARIAN VISIT BY RELATIVES. THE HUMANITARIAN CHARACTER MADE THE RED CROSS THE RIGHT ORGANISATION TO GIVE IT SUPPORT IF APPROPRIATE AND TO ARRANGE THE MODALITIES. IF THE RED CROSS WOULD NOT DO IT IT WAS PLAINLY NOT ''HUMANITARIAN''. IT MIGHT BE DIFFICULT TO UNDERSTAND WHY THE SECRETARY-GENERAL SHOULD BE EXPECTED TO RESPOND TO THE PLEAS OF A GROUP OF PRIVATE PEOPLE (DE SOTO CONFIRMED THAT THE ARGENTINE GOVERNMENT ''HAD NOTHING TO DO WITH IT'') AND WHY THE POLITICAL CHANNEL OF THE UNITED NATIONS SHOULD BE USED ONCE THE RED CROSS HAD DECLINED. DE SOTO SAID HE TOOK NOTE OF THIS BUT WOULD STILL LIKE A MORE FORMAL RESPONSE.

4. I AM INCLINED TO THINK THAT IT WILL BE BEST TO SCOTCH THIS IDEA BEFORE IT CAN GAIN MOMENTUM. AT THE SAME TIME I THINK IT WILL BE BEST TO EXPLAIN THE SITUATION PERSONALLY TO THE SECRETARY-GENERAL. HOWEVER HE WILL NOT BE AVAILABLE IN NEW YORK UNTIL THE MORNING OF 27 APRIL. COMBINING THESE CONSIDERATIONS I SUGGEST THAT I MIGHT BE INSTRUCTED TO GIVE A FIRST REPLY TO DE SOTO TOMORROW (26 APRIL) AND TO SEEK AND INTERVIEW WITH THE SECRETARY-GENERAL ON WEDNESDAY.

THOMSON

NNNN

GRS 300

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(AMENDED DISTRIBUTION 27 APRIL)

X

82 84

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FM BERNE 231315Z

TO IMMEDIATE FCO

TELNO 83 OF 23 APRIL
INFO IMMEDIATE UKMIS GENEVA WASHINGTON UKMIS NEW YORK
CIVIL COMMISSSIONER PORT STANLEY MONTEVIDOEO

MY TELNO 81: ARGENTINE NEXT OF KIN

THE FOLLOWING IS OUR TRANSLATION OF A MESSAGE FROM THE SWISS AMBASSADOR IN BUENOS AIRES TRANSMITTED TO US TODAY (23 APRIL) BY THE SWISS FEDERAL DEPARTMENT OF FOREIGN AFFAIRS FOLLOWING HIS DEMARCHE TO THE ARGENTINE MFA ON 22 APRIL.

BEGINS:

I WAS RECEIVED THIS EVENING AT THE MFA BY AMBASSADOR DUMONT, UNDER SECRETARY, AND PEREZ THOMAS, RESPONSIBLE FOR WESTERN EUROPEAN AFFAIRS.

1. THREATS. THE MFA ASSURED ME THAT THE MINISTRY OF THE INTERIOR WERE TAKING ALL NECESSARY PROTECTIVE MEASURES. THOSE THREATENED SHOULD CONTACT THE ''COMMISSARIAT DU DOMICILE.'' MR JOY HAD BEEN INFORMED OF THE MEASURES TO BE TAKEN AND HE HIMSELF HAD ALREADY TAKEN CONSEQUENTIAL ACTION.

2. DESTAFAINS' JOURNEY. I HANDED OVER A NOTE ON THE BRITISH POSITION. THE ARGENTINE REPRESENTATIVES READ IT CAREFULLY BUT WERE NOT ABLE TO GIVE ME ANY IMMEDIATE REACTION. NEVERTHELESS IN THE DISCUSSION I RAISED OUR WISH TO DO EVERYTHING POSSIBLE TO AVOID AN INCIDENT WHICH WOULD HAVE SERIOUS CONSEQUENCES.

Text of Swiss Note not reported.

ENDS

2. IN HANDING OVER THIS MESSAGE TO US THE HEAD OF THE FOREIGN INTERESTS SECTION GAVE US ALSO A NOTE OF SOME QUOTE PERSONAL REFLECTIONS UNQUOTE FROM THE SWISS AMBASSADOR IN BUENOS AIRES. OUR TRANSLATION OF THESE IS AS FOLLOWS:-

BEGINS:

I THINK THE BRITISH TEXT REPRESENTS A HARDENING IN COMPARISON WITH THE PREVIOUS POSITION QUOTE THE BRITISH AUTHORITIES ENVISAGED ACCEPTING ONLY ONE SUCH VISIT WHICH SHOULD HAVE AUTHORITIVE BACKING IN ARGENTINA UNQUOTE. IN THE PRESENT SITUATION IT SEEMS OUT OF THE QUESTION THAT THE ARGENTINE GOVERNMENT WOULD ACCEPT

CONFIDENTIAL

/ THIS.

THIS. THIS BRITISH HARDENING, WHICH TRANSFERS TO THE GOVERNMENTAL LEVEL A MATTER HITHERTO PRIVATE, SEEMS TO ME TO GO AGAINST THE SEARCH FOR A SOLUTION WHICH WILL ONLY BE ARRIVED AT BY A CERTAIN FLEXIBILITY ALSO ON THE BRITISH SIDE. ONE CANNOT DISCOUNT THE FACT THAT CERTAIN ARGENTINE GOVERNMENT CIRCLES ARE SEEKING, FOR INTERNAL REASONS, TO PROFIT FROM THIS AFFAIR AND THAT IT WOULD BE VERY EASY TO MOBILISE PUBLIC OPINION BY MEANS OF THE SLIGHTEST INCIDENT.

MOREOVER, ARGENTINE PUBLIC OPINION FINDS IT HARD TO UNDERSTAND THAT THE BRITISH FORBID, FOR WHAT ARE REGARDED AS FORMAL REASONS, MOURNING RELATIVES FROM PAYING THEIR RESPECTS, IN THE SAME WAY AS THEIR BRITISH COUNTERPARTS HAVE DONE, WHICH HELPS THE CASE OF THE GOVERNMENT CIRCLES MENTIONED ABOVE.

ENDS.

POWELL-JONESS

FOR COD.

PLEASE ENSURE THAT AND ADVANCE COPY OF THIS TELEGRAM IS BROUGHT TO THE ATTENTION OF THE RESIDENT CLERK THIS AFTERNOON (23 APRIL).

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IMMEDIATE

PRESS SUMMARY

1. OSVALDO DESTEFANIS OF THE CENTRE OF VOLUNTEERS FOR THE FATHERLAND, YESTERDAY TOLD REPORTERS THAT HIS ORGANISATION WOULD DEFY BRITAIN'S BAN ON THEIR PLANNED VISIT TO THE ISLANDS BUT WOULD TURN BACK IF INTERCEPTED BY ROYAL NAVAL SHIPS. IF NOT ALLOWED TO REACH THE ISLANDS THEY WILL HOLD A RELIGIOUS CEREMONY IN HOMAGE TO THEIR DEAD JUST OUTSIDE THE PROTECTION ZONE. DESTEFANIS IS PREPARED TO SAIL UNDER AN ICRC FLAG AND USE ANOTHER SHIP, IF THE ICRC PROVIDE IT, BUT STILL INSISTS ON TAKING SIX MEMBERS OF THE INTERNATIONAL PRESS. HE HAS APPARENTLY RECEIVED CALLS OF SUPPORT FOR HIS VENTURE FROM SEVERAL OPPOSITION MEMBERS OF PARLIAMENT INCLUDING TAM DALYELL WHO ALLEGEDLY TOLD HIM THAT THE BRITISH GOVERNMENT'S DECISION TO

WHO ALLEGEDLY TOLD HIM THAT THE BRITISH GOVERNMENT'S DECISION TO BAN THE TRIP WAS NOT SUPPORTED BY THE MAJORITY OF THE BRITISH PUBLIC. QUESTIONED BY THE PRESS, ARGENTINE FOREIGN MINISTER AGUIRRE LANARI REPUDIATED THE BRITISH DECISION NOT ONLY BECAUSE OF THE HUMANITARIAN NATURE OF THE VOYAGE BUT ALSO BECAUSE QUOTE AS ARGENTINES WE CAN NEVER ACCEPT THAT AN ARGENTINE FLAG WILL NOT FLY ON OUR LAND UNQUOTE.

2. THE SO-CALLED GIACCHINO COMMAND OR APRIL 2ND GROUP PHONED THE LOCAL REUTERS OFFICE YESTERDAY TO THREATEN THAT IF BRITAIN MAINTAINED ITS BAN ON THE VOYAGE IT WOULD EXECUTE BRITISH RESIDENTS AND TAKE ACTION AGAINST BRITISH FIRMS. SEVERAL PAPERS WHICH MISSED THE TRIPLE A THREAT STORY YESTERDAY CARRY IT IN TODAY'S EDITIONS. DESTEFANIS HAS CONDEMNED THE THREATS AS ABSURD AND CONTRARY TO THE HUMANITARIAN AIMS OF THE JOURNEY. HE ALLEGES BRITISH INTERESTS ARE TRYING TO LINK THE TRIPLE A TO HIS ORGANISATION TO DISCREDIT THEIR CAUSE.

3. THE EDITOR OF THE BUENOS AIRES HERALD JAMES NIELSEN WAS YESTERDAY GIVEN 48 HOURS TO LEAVE THE COUNTRY OR BE EXECUTED, AND HAVE BOMBS PLACED IN THE HERALD OFFICES BY THE TRIPLE A. THREATS FROM APRIL 2ND COMMAND TO EXECUTE JIMMY BURNS OF THE FT AND TED OLIVER OF THE DAILY MAIL IF THEY DO NOT LEAVE THE COUNTRY WITHIN 24 HOURS WERE TELEPHONED TO BISBA AT 2000Z HRS YESTERDAY, AND AT 1400Z TODAY I WAS ORDERED BY THE GIACCHINO COMMAND TO LEAVE THE COUNTRY WITHIN 30 DAYS BECAUSE I WAS AN ENEMY.

4. INTERIOR MINISTER RESTON ANNOUNCED THAT THE ARMED FORCES DOCUMENT ON THE FIGHT AGAINST SUBVERSION WILL BE MADE KNOWN NEXT WEEK. THE NEW ELECTORAL LAW CURRENTLY UNDER STUDY SHOULD BE PASSED BY JUNE.

5. THE ANNUAL ARGENTINE NAVAL EXERCISES HAVE BEGUN. ALL VESSELS ARE TAKING PART, INCLUDING THE AIRCRAFT CARRIER ''25 DE MAYO'' WHICH IS CARRYING SUPER ETENDART AIRCRAFT.

6. A LIBYAN MISSION IS REPORTEDLY IN BUENOS AIRES TO DISCUSS AN INCREASE IN BILATERAL RELATIONS BETWEEN THE TWO COUNTRIES. NOTICIAS ARGENTINAS ALLEGE THE VISIT WAS ORGANISED BY THE ARMED FORCES WITHOUT FOREIGN MINISTRY INTERVENTION. THE LIBYAN MISSION HAS APPARENTLY BEEN GIVEN DEMONSTRATIONS OF ARGENTINE-MADE MILITARY EQUIPMENT AND WAS TAKEN TO VISIT THE NUCLEAR POWER PLANT AT ATUCHA, PROVINCE OF BUENOS AIRES.

7. ALL MEMBERS OF THE VISITING IMF DELEGATION HAVE LEFT ARGENTINA BUT NO OFFICIAL INFORMATION ON THE VISIT HAS YET SURFACED.

JOY

POWELL-JOENS

NNNN

Argentine Relations

DESKBY 221545

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PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
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SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
~~MR GILLMORE~~

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HD/SAMD
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HD/NEWS DEPT
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HD/UND
HD/PLANNING STAFF

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PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
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PP UKMIS NEW YORK

PP CIVIL COMMISSIONER PORT STANLEY

GRS 520
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DESKBY 221545Z
FM UKMIS GENEVA 221445Z APR 83
TO IMMEDIATE FCO
TEL NO 169 OF 22 APRIL
TO IMMEDIATE BERNE
AND TO PRIORITY: WASHINGTON, UKMIS NEW YORK, CIVIL COMMISSIONER PORT STANLEY.

YOUR TEL NO 100: FALKLANDS/ ARGENTINE NEXT OF KIN.

1. I SHALL SEE THE PRESIDENT OF THE ICRC TOMORROW EVENING. HEAD OF CHANCERY SPOKE THIS MORNING TO THE DIRECTOR FOR OPERATIONS AT ICRC, JEAN-PIERRE HOCKE, TO PREPARE THE GROUND AND TO SECURE PRELIMINARY REACTIONS.

2. LONG EXPLAINED THAT ALTHOUGH ICRC HAD DECIDED NOT TO PARTICIPATE FURTHER IN THE DESTEFANIS OPERATION THERE WAS STILL A SERIOUS RISK THAT DESTEFANIS MIGHT GO AHEAD ON HIS OWN INITIATIVE ON 30 APRIL AS HE HAD PUBLICLY ANNOUNCED. WE WISHED TO DISCOURAGE THIS FOOLHARDY VENTURE, NOT LEAST TO PROTECT THE BEREAVED PARENTS AND RELATIVES OF THOSE BURIED IN THE FALKLANDS, WHO COULD WELL BE EXPOSED TO SERIOUS INCONVENIENCE, DISCOMFORT AND EVEN DANGER. WE NOTED THAT ICRC WERE IN CONTACT WITH THE ARGENTINE AUTHORITIES AND THAT THEY INTENDED TO SPEAK TO THE ARGENTINES ABOUT

~~WAS THAT THEY INTENDED TO SPEAK TO THE ARGENTINES~~ ABOUT DESTEFANIS' REPORTED INTENTION TO USE THE RED CROSS FLAG IN BREACH OF THE GENEVA CONVENTIONS. WE HOPED THAT THE ICRC WOULD PUT IT TO THE ARGENTINE GOVERNMENT THAT DESTEFANIS' PLANS SHOULD BE ACTIVELY DISCOURAGED IN THE INTERESTS OF THE BEREAVED RELATIVES.

3. HOCKE REPLIED THAT THE ICRC HAD FORMALLY NO FURTHER ROLE TO PLAY IN THIS PARTICULAR POPERATION. THEY HAD TO BE CAUTIOUS IN DEALING WITH GOVERNMENTS LIKE THAT OF ARGENTINA TO AVOID BECOMING INVOLVED IN POLITICAL MATTERS AND TO PROTECT THEIR OTHER HUMANITARIAN ACTIVITIES IN THE COUNTRY CONCERNED. IT WOULD BE HARD FOR THEM TO APPEAR TO TAKE SIDES AGAINST DESTEFANIS AND HIS PLANS (C.F. PARA 2 OF MONTEVIDEO TEL NO 249 , JUST RECEIVED). BUT THEY WOULD DO WHAT THEY COULD AS OPPORTUNITY OFFERED AND WITHIN THESE LIMITATIONS TO STRESS TO THE ARGENTINE AUTHORITIES THE POSSIBLE CONSEQUENCES OF DESTEFANIS' PLANS. THIS WOULD NATURALLY BE ON THE USUAL BASIS THAT ICRC DEALINGS WITH GOVERNMENTS WERE STRICTLY CONFIDENTIAL. IT WOULD BE QUITE UNACCEPTABLE FOR US TO LET IT BE KNOWN LATER THAT WE HAD ASKED THE ICRC TO APPROACH THE ARGENTINE AUTHORITIES IN THIS SENSE. LONG SAID THAT OUR PURPOSE WAS TO DISCOURAGE DESTEFANIS FROM SETTING SAIL AND EXPOSING INNOCENT PEOPLE TO RISK: WE WERE NOT SEEKING TO SCORE POLITICAL POINTS.

4. I HOPE THAT YOU WILL UNDERSTAND THAT THE LIMITS OF ICRC'S FREEDOM OF MANOEUVRE ARE NARROW. IN THIS SENSE IT IS MISLEADING TO THINK OF THE ICRC AS STILL ''PLAYING THE LEAD ROLE'' AS PARA 1 OF UKMIS NEW YORK TELNO 265 PUTS IT. ICRC HAVE IN FACT FORMALLY DECLINED TO PLAY A SUBSTANTIAL ROLE IN DESTEFANIS' VENTURE, AT LEAST FOR THE PRESENT.THEY HAVE DONE WELL FOR US, AND IT WOULD BE COUNTERPRODUCTIVE TO ASK THEM TO GO BEYOND THEIR OWN STRICT CRITERIA.

5. I AM PUZZLED BY THE LAST PHRASE OF THE SECOND SENTENCE OF PARAG -RAPH 5 OF YOUR TUR. IS THIS ON THE ASSUPTION THAT THE ICRC NO LONGER HAVE A ROLE? IF THE ICRC CAME BACK INTO THE PICTURE, AFTER THE ORGANISERS OF A VISIT ACCEPTED THE CONDITIONS EARLIER LAID DOWN, WOULD IT THEN BE A FURTHER CONDITION THAT THE VISIT SHOULD HAVE QUOTE AUTHORITATIVE BACKING IN ARGENTINA UNQUOTE?

MARSHALL

NNNN

SENT AT /RECD AT 222 1525Z DR/KAB

Argentina Relations

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FM BIS BUENOS AIRES

TO IMMEDIATE FCO
TELNO 304 OF 21 APRIL
AND TO IMMEDIATE MOD UKMIS GENEVA CIVIL COMMISSIONER PORT STANLEY
INFO PRIORITT MONTEVIDEO UKMIS NEW YORK WASHINGTON

THREATS TO BRITISH COMMUNITY IN BUENOS AIRES

1. AN ANONYMOUS CALLER ATTEMPTED TO RING THE LOCAL TIMES CORRESPONDENT, ANDREW THOMPSON, AT HIS OFFICE ON 20 APRIL. IN THOMPSON'S ABSENCE, HE DICTATED A STATEMENT ALLEGEDLY FROM THE ARGENTINE ANTI-COMMUNIST ALLIANCE(AAA) AND DEMANDED THAT IT BE GIVEN MAXIMUM PUBLICITY.

2. THE MESSAGE READS IN TRANSLATION AS FOLLOWS: '' IF THE ARGENTINE SHIP '' LAGO LACAR'', WHICH WILL LEAVE BUENOS AIRES ON 30 APRIL CARRYING RELATIVES OF OUR SOLDIERS WHO DIED ON THE MALVINAS, IS ATTACKED BY ANY ENGLISH VESSEL, ALL MEMBERS OF THE BRITISH EMBASSY IN BUENOS AIRES AS WELL AS ONE HUNDERED REPRESENTATIVES OF THE BRITISH COMMUNITY, WHOM WE ALREADY HAVE ON OUR LIST, INCLUDING THE TIMES CORRESPONDENT WILL BE SHOT WITHIN 24 HOURS OF THE ATTACK''.

3. THE WORDING OF THE STATEMENT CORRESPONDS CLOSELY TO THE MESSAGE PASSED TO THE NEWSPAPER CRONICA ON 17 APRIL (OUR TELNO 290 OF 18 APRIL REFERS). THOMPSON CONTACTED THE MFA AND OTHER JOURNALISTS, ALL OF WHOM REGARD THE TELPHONE CALL AS PROBABLY ONLY A PUBLICITY STUNT. HE SUSPECTS THAT HE WAS SINGLED OUT BECAUSE OF EMBARRASSMENT CAUSED WHEN ARGENTINE NEWSPAPERS ON 20 APRIL REPORTED AS FACT A FICTIONAL INTERVIEW WITH GENERAL GALTIERI THAT HAD APPEARED IN THE TIMES.

4. THE AAA WAS A RIGHT - WING TERRORIST GROUP INVOLVED IN POLITICAL KIDNAPPINGS AND MURDERS DURING THE MID-1970'S, BUT WHICH HAS BEEN INACTIVE IN RECENT YEARS AND IS GENERALLY BELIEVED TO HAVE BEEN DISBANDED. OSVALDO DESTEFANIS, WHO IS ORGANISING THE NEXT OF KIN VISIT TO THE FALKLANDS, YESTERDAY DENOUNCED THE THREATS AS QUOTE THOROUGH IDIOCY UNQUOTE AND AS PART OF A CONSPIRICY BY QUOTE BRITISH INTERESTS UNQUOTE TO DISCREDIT HIS EXPEDITION BY LINKING IT WITH THE AAA.

5. WHILE NOT UNDERESTIMATIMG THE LUNATIC FRINGE, WE REMAIN SCPETICAL THAT THERE IS ANY REAL SUBSTANCE TO THESE THREATS, WHICH ARE SIMILAR TO MAY RECEIVED DURING LAST YEAR'S CONFLICT. THEY HAVE HOWEVER WORRIED SOME OF OUR LOCALLY ENGAGED STAFF AND WE ARE TIGHTENING BISBA SECRURITY . THE CRITICAL PERIOD WILL COME IF THE '' LAGO LACAR'' DOES SAIL WITHOUT UK PERMISSION ON 30 APRIL. HOSTILE ELEMENTS HERE WILL PROBALY PRESENT EVEN THE PEACEFUL INTERCEPTION OF THE SHIP AS AN ATTACK AND FLASH PRIOR WARNING IF HMG PLANS TO TAKE SUCH ACTION WOULD HELP US.

JOY

POWELL-JONES

Argentina Relations

GRS 100

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(FM BERNE 220810Z)

FM BIS BUENOS AIRES

TO IMMEDIATE FCO
TELNO 303 OF 21 APRIL
AND TO IMMEDIATE MOD UKMIS GENEVA CIVIL COMMISSIONER PORT STANLEY
INFO PRIORITY MONTEVIDEO UKMIS NEW YORK WASHINGTON SANTIAGO

ARGENTINE NEXT - OF- KIN VISIT

1. OUR SWISS COLLEAGUES REPORT YESTERDAY'S PROPOSED ICRC PRESS RELEASE WAS DELAYED BY THE ORGANISATION'S PRESS SECTION IN GENEVA, WHICH ACCOUNTS FOR OSVALDO DESTEFANIS' STATEMENTS CARRIED IN THIS MORNING'S PAPERS (OUR TELNO 301 OF 20 APRIL REFERS). IT WILL APPEAR TODAY WITH A CHANGE IN THE ORIGINAL TEXT REFLECTING THE ICRC'S DISPLEASURE AT THE MANNER DESTEFANIS IS CURRENTLY CONDUCTING HIS OPERATION.

2. VARIOUS THEORIES ON THE SCOPE OF OFFICIAL BACKING FOR THE VISIT CONTINUE TO CIRCULATE. IT IS COMMONLY HELD THAT A CERTAIN IF PROBABLY PASSIVE SYMPATHY FOR DESTEFANIS' ENTERPRISE EXISTS WITHIN THE ARMED FORCES AS A WHOLE. WE HAVE NOW ALSO PICKED UP A REPORT THAT THE NAVY TURNED DOWN HIS REQUEST FOR A SHIP TO TRANSPORT THE NEXT-OF-KIN. THE NAVY APPARENTLY RECOGNISED THAT SUCH OBVIOUS INVOLVEMENT MIGHT IMPLY OFFICIAL CONCESSIONS ON FALKLANDS' SOVEREIGNTY, IF THE VISIT WERE ONLY TO BE ASSURED BY ACCEPTING UK CONDITIONS.

JOY
UNQUOTE

POWELL-JONES

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FM MONTEVIDEO 211339Z APR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 249 OF 21 APRIL
INFOR ROUTINE UKMIS GENEVA

ARGENTINE NEXT OF KIN

1. IN AN INTERVIEW WITH 'LA MANANA' TODAY, DESTEFANIS STATES THAT URUGUAY HAS BEEN DECEIVED BY THE BRITISH GOVERNMENT, WHICH AGREED TO A VISIT BY ARGENTINE NEXT OF KIN AND IS NOT NOW RESPECTING HUMANITARIAN PRINCIPLES.
2. DESTEFANIS CRITICISES THE ICRC FOR ITS ROLE, NOT ONLY IN DISREGARDING THE ALTRISTIC PURPOSE OF THE VISIT, BUT IN SIDING WITH THE BRITISH GOVERNMENT.
3. DESTEFANIS MAINTAINS THAT THE SHIP WILL STILL SAIL ON 30 APRIL, WITH JOURNALISTS ON BOARD. IF THE SHIP IS TURNED BACK, THE WHOLE WORLD SHOULD KNOW ABOUT IT. HE ALSO STATES THAT THE VOYAGE WILL BE WITHOUT THE OFFICIAL SUPPORT OF THE ARGENTINE GOVERNMENT.

HUTCHINSON

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PS
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PS/PUS
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20 April 1983

BBC TV PROGRAMME ON THE GENERAL BELGRANO

Thank you for your letter of 19 April.

The Prime Minister entirely agrees with Mr. Heseltine that no member of the Government, nor anyone else directly involved, should participate in the proposed BBC programme about the sinking of the Belgrano.

A. J. COLES

Nick Evans, Esq.,
Ministry of Defence

file Bre

10 DOWNING STREET

From the Private Secretary

20 April 1983

Falklands: Argentine Next of Kin

Thank you for your letter of 19 April. The Prime Minister considers that the ICRC statement enclosed with your letter is regrettably equivocal but that our own proposed statement is satisfactory.

A. J. COLES

John Holmes, Esq.,
Foreign and Commonwealth Office

OLC

Prime Minister: cc RJ. 1
Agree this line?

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1
Telephone 01-~~XXXXX~~ 218 2111/3

19/4

MO 22/7(A)

19th April 1983

I wholly agree with SofS's line
MT

Dear John,

BBC TV PROGRAMME ON THE GENERAL BELGRANO

The Prime Minister will wish to know that Peter Snow of the BBC has invited Admiral of the Fleet Sir Henry Leach to take part in a discussion about the sinking of the BELGRANO on the BBC2 Newsnight programme on 2nd May (the first anniversary of the affair). Mr Tam Dalyell has agreed to participate as a critic of the operation and Mr Snow wished Sir Henry to speak in its defence. Sir Henry has now been in touch with the First Sea Lord about this: he was doubtful whether he should agree to take part and was anxious for advice before replying to Mr Snow.

Both Mr Heseltine and Admiral Fieldhouse feel that it would not be appropriate for Sir Henry or, indeed, any other retired naval officer (such as Lord Lewin) to be expected to deal with the points that Mr Dalyell is likely to make. Indeed Mr Heseltine favours no participation by any member of the Government or anyone else directly involved. If it is not possible to persuade Mr Snow to drop the idea of the programme Mr Heseltine feels that the furthest we could go would be to suggest that a Government backbencher, possibly Michael Mates, might appear to argue the case against Mr Dalyell. Sir Henry has been asked for an answer by Thursday of this week and we shall advise him accordingly.

Yours ever

Mich Evans

(N H R EVANS)

A J Coles Esq

Prime Minister 1

Our statement is good.
That of the ICRC
thoroughly
equivocal.
MT.

Foreign and Commonwealth Office
London SW1A 2AH

19 April, 1983

Dear John,

Falklands: Argentine Next of Kin

flag A.

I now enclose the text of the statement which the ICRC propose to issue on the morning of 20 April. As you will see, it is slightly less satisfactory than was implied in UKMIS Geneva telno 155, but it should still serve the purpose. I enclose also the text of a draft statement which we would propose that the FCO News Department make once the ICRC statement has become known. This is being put to Mr Pym in parallel overnight.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street

TEXT OF STATEMENT TO BE ISSUED BY THE ICRC
ON THE MORNING OF 20 APRIL 1983

On 24 February 1983, Mr Osvaldo Destefanis, President of a private organisation, the Centre for Volunteers for the Fatherland, requested the ICRC's assistance and protection for a trip he intended to organise to the Falkland Islands/ Malvinas, to enable relatives of fallen Argentine soldiers to visit Darwin military cemetery, where 220 Argentine soldiers have been laid to rest.

On 28 March 1983, the British authorities, to whom the ICRC had conveyed Mr Destefanis's project, informed the ICRC that they had no objection in principle to the visit, provided guarantees were given that its purpose was exclusively humanitarian, that the ICRC would take part in the journey and that the practical organisation of the trip planned by Mr Destefanis met certain specific conditions.

Mr Destefanis, for his part, intends to organise the trip in a manner different from the practical arrangements specified by the British authorities. All the ICRC can do today is take note of this state of affairs, which prevents it from helping in the operation under the present circumstances. It nevertheless hopes that families wishing to pay their respects to their fallen relatives may be permitted to do so.

FALKLANDS: ARGENTINE NEXT OF KIN VISIT:

POSSIBLE STATEMENT FOLLOWING PUBLICATION OF ICRC STATEMENT

We wholly accept the ICRC's judgement that given Sr Destefanis's intentions, it is not possible for them to help in his proposed visit. It is clear that, so far as the ICRC are concerned, this visit should not go ahead. In these circumstances, there can clearly be no question of our agreeing to it.

The position of the British Government remains as stated on 28 March, when we made it clear that we have no objection in principle to a visit to the Falklands by relatives of Argentine servicemen who died during the hostilities there, provided that the visit is organised and supervised by the International Committee of the Red Cross, is purely humanitarian in nature, and certain conditions are observed. The points which we specified to the ICRC, and which they relayed to Sr. Destefanis, were those necessary to ensure this.

FALKLAND ISLANDS GENERAL (ADVANCES) 31

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PS/MR ONSLOW
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YOUR TELNO 96: FALKLANDS: ARGENTINE NEXT OF KIN.

1. HEAD OF CHANCERY WAS ASKED TO CALL AT ICRC AT NOON TODAY. HE WAS RECEIVED BY PASQUIER, DELEGATE GENERAL FOR LATIN AMERICA AND JOSSERON.

2. PASQUIER SAID THAT AFTER MY CALL ON THE ICRC PRESIDENT REPORTED IN MY TELNO 150 THE ICRC HAD REVIEWED THE WHOLE AFFAIR, TAKING INTO ACCOUNT FURTHER NEWS REPORTS FROM ARGENTINA OF DESTEFANIS'S ACTIVITIES. THEY HAD DECIDED THAT, IN VIEW OF DESTEFANIS'S ANNOUNCED INTENTION TO SET SAIL IN THE NEAR FUTURE, AND OF THE DIFFICULTIES OF DEALING WITH HIM, THEY HAD TO CLARIFY THEIR POSITION. THEY PROPOSED TO SEND TO US THIS AFTERNOON A STATEMENT SETTING OUT THEIR ATTITUDE IN DETAIL. THE SAME TEXT WOULD ALSO BE CONVEYED TO DESTEFANIS AND SEPARATELY TO THE ARGENTINE GOVERNMENT BY THE ICRC DELEGATE IN BUENOS AIRES, CORTHESY. ALTHOUGH ICRC POLICY IS NORMALLY TO GIVE NO (NO) PUBLICITY TO SUCH MATTERS, THEY ARE CONSCIOUS THAT DESTEFANIS CANNOT BE TRUSTED AND MAY WELL MAKE BIASED AND MISLEADING STATEMENTS TO THE MEDIA. THEY THEREFORE INTEND TO PUBLISH THE TEXT OF THEIR STATEMENT

~~THEY THEREFORE INTEND TO PUBLISH THE TEXT OF THEIR STATEMENT~~ IN GENEVA THIS EVENING AT A TIME TO BE CONFIRMED TO US IN ADVANCE.

We have now heard that this statement will not be published until tomorrow morning.
LM
19/4

3. PASQUIER TOLD LONG THAT THE ICRC NOTE WOULD BE STRICTLY FACTUAL. AFTER DESCRIBING DESTEFANIS'S ORIGINAL APPROACH ON 24 FEBRUARY AND LATER DEVELOPMENTS, INCLUDING HMG'S STATEMENT ON 28 MARCH , IT WOULD NOTE THAT DESTEFANIS HAD MADE IT CLEAR THAT HE INTENDED TO PROCEED WITH HIS OPERATION ON LINES DIFFERENT FROM THOSE ESTABLISHED. THIS MADE IT IMPOSSIBLE FOR THE ICRC TO TAKE PART IN THE OPERATION, AND IN PARTICULAR TO PLAY THEIR ROLE IN PROVIDING PROTECTION.

4. PASQUIER STRESSED THAT THE ICRC STATEMENT HAD TO BE COUCHED IN NEUTRAL TERMS. IN PARTICULAR IT AVOIDED EXPRESSING ANY OPINION ABOUT DESTEFANIS OR HIS PLANS. IN CONVEYING THE TEXT TO DESTEFANIS CORTHESY WOULD DRAW ATTENTION TO THE PROVISIONS OF THE GENEVA CONVENTIONS GOVERNING THE USE OF THE RED CROSS EMBLEM. CORTHESY HAD ALSO BEEN INSTRUCTED TO CONVEY THE TEXT OF THE NOTE TO THE ARGENTINE AUTHORITIES FOR INFORMATION, AND IN PARTICULAR TO DRAW THEIR ATTENTION TO THE APPROPRIATE PROVISIONS OF THE GENEVA CONVENTIONS AND THEIR RESPONSIBILITY IN SEEING THAT THESE PROVISIONS WERE APPLIED.

5. PASQUIER SAID THAT THE ICRC BELIEVED THAT THESE STEPS WOULD IN THE EVENT SUFFICIENTLY DISCOURAGE DESTEFANIS FROM PROCEEDING WITH HIS PLANS. SPEAKING PERSONALLY, HE SAID THAT THEY SAW AN ELEMENT OF BRINKMANSHIP IN DESTEFANIS' TACTICS: BY TRUMPETING HIS PLANS IN ADVANCE HE WAS HOPING TO GENERATE SUFFICIENT OPPOSITION TO PROVIDE HIM WITH AN EXCUSE FOR BACKING DOWN.

6. LONG DREW ON THE LAST SENTENCE OF YOUR TUR.
PASQUIER SAID THAT ICRC HAD MADE THE POINT ON SEVERAL OCCASIONS TO THE ARGENTINE AUTHORITIES. THEY WOULD HOWEVER TAKE AN OPPORTUNITY OF MAKING THE POINT ONCE MORE WHEN THE DUST HAD SETTLED OVER DESTEFANIS.

MARSHALL

NNNN

FALKLAND ISLANDS GENERAL (ADVANCES) 39 TYPING

PS
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PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
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SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
~~MR ADAMS~~
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MIPT: FALKLANDS: ARGENTINE NEXT OF KIN

ASSESSMENT

1. THE ICRC ARE IN NO DOUBT ABOUT THE DIFFICULTIES OF DEALING WITH DESTEFANIS. THER ARE ALSO NOW COMPLETELY CLEAR ABOUT THE ROLE WE EXPECT THEM TO PLAY IN THE OPERATION, AND EVIDENTLY HAVE GRAVE DOUBTS ABOUT WHETHER IT WILL BE POSSIBLE FOR THEM TO FILL IT. THEY REALISE THAT HMG REMAIN READY IN PRINCIPLE TO ACCEPT A HUMANITARIAN VISIT TO THE ISLANDS BY ARGENTINE RELATIVES OF THOSE BURIED IN THE FALKLANDS, AND ALSO TO AGREE TO THE RETURN TO ARGENTINA (IN ACCORDANCE WITH ARGENTINE MILITARY TRADITION) OF THEIR DEAD NOW BURIED AT PORT STANLEY.

2. I HAD CONSIDERED WHETHER TO PRESS HAY THERE AND THEN TO AGREE THAT A VISIT WAS NOT REALLY POSSIBLE BEFORE THE FORTHCOMING WINTER. BUT FOR THE REASONS WHICH YOU ADDUCE, I JUDGED IT BEST NOT TO PRESS MATTERS ON THIS OCCASION. WE CAN LEAVE THE ICRC FOR A DAY OR TWO TO DECIDE HOW TO TAKE MATTERS FURTHER.

3. IT IS WORTHWHILE ON THE OTHER HAND TO CONSIDER NOW HOW BEST TO CONSOLIDATE OUR POSITION IN PUBLIC AS WELL AS

~~3. IT IS WORTHWHILE ON THE OTHER HAND TO CONSIDER~~
NOW HOW BEST TO CONSOLIDATE OUR POSITION IN PUBLIC AS WELL AS WITH THE ICRC ABOUT THE DESTEFANIS VISIT. I HAVE THE CONSIDERATION MADE IN PORT STANLEY TELEGRAM NO 267 MUCH IN MIND. THE FOLLOWING USEFUL POINTS CAN USEFULLY BE BROUGHT OUT IN WHAT WE SAY PUBLICLY:

(A) THE ARGENTINE GOVERNMENT MUST BE HELD RESPONSIBLE FOR RESPECTING THE WORK OF THE RED CROSS, NOT ONLY AS REGARDS THE FLAG WHICH ANY SHIP CHARTERED BY DESTEFANIS MIGHT FLY BUT ALSO IN THE QUESTION OF A VISIT TO THE FALKLAND ISLANDS AS A WHOLE. THE ARGENTINE GOVERNMENT SHOULD BE HELD RESPONSIBLE FOR SEEING THAT THE HUMANITAR-IAN WORK OF THE ICRC IS NOT THREATENED OR DISCREDITED BY ITS NATIONALS AS INDEED IT WOULD BE BY AN ILL-CONSIDERED AND CAPRICIOUS PRIVATE VISIT SUCH AS DESTEFANIS APPEARS TO CONTEMPLATE.

(B) IT IS INCREASINLY CLEAR THAT THE DESTEFANIS VISIT CANNOT BE CONSIDERED IN TOTAL ISOLATION. HE DOES NOT SPEAK FOR ALL THE RELATIVES OF THE ARGENTINE DEAD. HE APPEARS TO HAVE NO AUTHORITY FROM THE ARGENTINE GOVERNMENT. HIS ACTIVITIES ARE LIKELY TO PREJUDICE THE LEGITIMATE CONCERNS OF OTHER BEREAVED ARGENTINIANS WHOSE BEHAVIOUR IS MORE APPROPRIATE IN THE CIRCUMSTANCES, EG THE GROUP WHICH VISITED MR ONSLOW.

(C) WHILE WE RESPECT THE LEGITIMATE CONCERN OF THE RELATIVES OF THE ARGENTINIAN DEAD AND HAVE DONE SO SINCE THE OUTSET, ASIS MADE CLEAR IN OUR STATEMENT, IT IS IMPOSSIBLE TO IGNORE THE STATEMENTS, BOTH WRITTEN AND ORAL, OF MR DESTEFANIS. THESE CAST GRAVE DOUBTS ON HIS BONA FIDES. IT IS FOR EXAMPLE ABSURD TO SUGGEST AT ONE AND THE SAME TIME THAT HE NEEDS THE PROTECTION OF THE ICRC FLAG AND THAT OF THE WORLD PRESS, ESPECIALLY FOR THE REASONS WHICH HE GIVES. THERE ARE FALSE AND MALICIOUS ALLEGATIONS AGAINST THE UNITED KINGDOM GOVERNMENT.

4. YOU MAY ALREADY HAVE CONSIDERED BRINGING IN THE SWISS GOVERNMENT AT SOME APPROPRIATE STAGE. ENOUGH HAS BEEN SAID PUBLICLY BY MR DESTEFANIS FOR THE SWISS GOVERNMENT LEGITIMATELY TO ASK THE ARGENTINE AUTHORITIES WHAT THEIR POSITION IS IN THE MATTER.

MARSHALL

NNNN

FALKLAND ISLANDS GENERAL (ADVANCES) 39 TYPING

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
~~MR ADAMS~~
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

HD/PUSD (2)
HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

PS/NO 10 DOWNING ST

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFIC
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

~~RESIDENT CLERK~~
DESKBY

Mail - we are making the point clearly. MB

ADVANCE COPY
IMMEDIATE

GRS 500
CONFIDENTIAL
DESKBY 151200Z
FROM UKMIS GENEVA 151040Z APR 83
TO IMMEDIATE FCO
TELNO 150 OF 15 APRIL
INFO IMMEDIATE PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY, MONTEVIDEO

YOUR TELNO 94: FALKLANDS: ARGENTINE NEXT OF KIN

1. I HAD A FULL DISCUSSION WITH THE PRESIDENT OF THE ICRC THIS MORNING. HEAD OF CHANCERY ACCOMPANIED ME. PASQUIER, ICRC DELEGATE-GENERAL FOR LATIN AMERICA WAS ALSO PRESENT.

2. I SPELLED OUT IN DETAIL THE POINTS IN PARAGRAPHS 2 AND 3 OF TUR. IN PARTICULAR I STRESSED THAT ICRC WAS NOT AN INTERMEDIARY IN A NEGOTIATION BETWEEN HMG AND DESTEFANIS. HMG WERE NEGOTIATING WITH THE ICRC ABOUT A HUMANITARIAN VISIT TO THE FALKLAND ISLANDS IN WHICH DESTEFANIS'S GROUP MIGHT PARTICIPATE, AND IN WHICH OTHERS INCLUDING THE PEOPLE MENTIONED IN PARAGRAPH 6 OF TUR MIGHT ALSO JOIN. ALL WE COULD CONSIDER WOULD BE A FIRM PROPOSAL PUT TO US BY ICRC WHICH WAS IN ACCORDANCE WITH OUR CONDITIONS, NOTABLY ICRC ORGANISATION AND SUPERVISION, THE USE OF A NON-ARGENTINE VESSEL AND WITHOUT THE PARTICIPATION OF THE PRESS. (WE HAD ALREADY STRESSED SEPARATELY TO PASQUIER THAT THERE COULD BE NO QUESTION OF DESTEFANIS HIMSELF SETTING FOOT ON THE ISLANDS.) I ALSO DREW ON THE POINTS IN PARAGRAPHS 4 AND 5.

3. HAY ACKNOWLEDGED THAT THE REAL INTERESTS OF DESTEFANIS WERE ''PROBABLY NOT EXCLUSIVELY HUMANITARIAN''. HE WAS AN UNPREDICTABLE PERSONALITY, AND ICRC COULD NOT AT PRESENT OFFER ANY GUARANTEE OF HIS GOOD FAITH OR GOOD BEHAVIOUR. BUT IT WOULD BE DIFFICULT FOR THEM TO TAKE THIS LINE PUBLICLY. PASQUIER POINTED OUT THAT ICRC (WHICH HAS ACUTE FINANCIAL DIFFICULTIES AT PRESENT, RELATED TO THE IRAN/IRAQ WAR) SIMPLY DID NOT HAVE THE RESOURCES TO UNDERTAKE

~~(PAU/IRAQ WAR) SIMPLY DID NOT HAVE THE RESOURCES TO UNDERTAKE~~ THE DETAILED ORGANISATION OF A CHARTER OPERATION OF THEIR OWN, IN WHICH DESTEFANIS'S GROUP AND OTHERS MIGHT THEN PARTICIPATE. I STRESSED ONCE AGAIN THAT A VISIT COULD ONLY TAKE PLACE AT ALL IF THE ICRC COULD CONVINCE US THAT IT WOULD MEET OUR (MINIMUM) REQUIREMENTS.

4. I ENQUIRED ABOUT THE ICRC ATTITUDE TO DESTEFANIS'S CLAIM THAT HE INTENDED TO GO AHEAD REGARDLESS, AND ALSO TO FLY THE RED CROSS FLAG. I GAVE HAY A COPY OF THE TEXT OF SIR ROBIN DAY'S TELEPHONE INTERVIEW WITH DESTEFANIS. PASQUIER CONFIRMED THAT ABUSE OF THE RED CROSS EMBLEM WAS ANATHEMA TO THE ICRC. IF DESTEFANIS DID THIS, THE ICRC WOULD COMPLAIN AT ONCE TO THE ARGENTINE GOVERNMENT, WHOSE DUTY IT WAS UNDER THE GENEVA CONVENTIONS TO SEE THAT THE RED CROSS EMBLEM WAS RESPECTED.

5. PASQUIER CONFIRMED THAT THE ICRC CONTINUED TO RULE OUT ANY POSSIBILITY OF SUPPORTING A DESTEFANIS OPERATION WHICH INCLUDED THE PRESS. HE SAID THAT DESTEFANIS PLAYED A CHAMELON-LIKE ROLE. IN PRIVATE WITH ICRC DELEGATES, HE CONVINCINGLY PLUGGED THE HUMANITARIAN LINE: IN PUBLIC AND WITH THE PRESS HE WAS UNPREDICTABLE AND UNRELIABLE. HE HAD FOR EXAMPLE CLAIMED PUBLICLY ON 14 APRIL THAT A CONTRACT WITH THE COMPANY WHICH OWNED HIS INTENDED VESSEL, THE LAGO LACAR, A TRAINING SHIP BELONGING TO THE ARGENTINE NAVAL SCHOOL, WAS CLOSE TO SIGNATURE. THE STATE COMPANY WHICH OWNED THE SHIP HAD THEN PUBLICLY AND FORMALLY DENIED THAT THERE HAD BEEN ANY CONTACTS WITH DESTEFANIS AT ALL ON THE SUBJECT.

6. I CONCLUDED THE DISCUSSION BY SAYING THAT IN ALL THE CIRCUMSTANCES I PERSONALLY DID NOT SEE HOW THE DESTEFANIS VISIT COULD TAKE PLACE. HMG HAD THEIR LEGITIMATE PREOCCUPATIONS. SO DID THE ICRC. THE IDEAS OF DESTEFANIS DID NOT ACCORD WITH THEM.

7. SEE MIFT

MARSHALL

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SENT/RECD AT 15/1117Z IM/QAL

CONFIDENTIAL

10 DOWNING STREET

From the Private Secretary

15 April 1983

Falklands: Argentine Next of Kin Visit

Thank you for your letter of 14 April enclosing a revised telegram of instructions to UKMIS Geneva. As I told you on the telephone last night, the Prime Minister is content with the instructions subject to the following comments:

(a) the opening words of paragraph 3 should read: "With regard to sailing under the Red Cross flag, we presume the ICRC themselves would insist that their flag is not used unless the visit ..."

(b) The words "under strict ICRC supervision" should be inserted after "Falklands waters" at the top of page 4.

As I said to you on the telephone, the Prime Minister considers that if at any point we wish to take forward the idea that an Argentine vessel should visit the Falklands to take away the bodies of Argentine servicemen buried on the Islands, the agreement of the Islands Council should be sought.

A. J. COLES

J.E. Holmes, Esq.,
Foreign and Commonwealth Office.

CONFIDENTIAL

Foreign and Commonwealth Office

London SW1A 2AH

14 April 1983

Dear John,

Falklands: Argentine Next of Kin Visit

Following the discussion in Cabinet this morning, I enclose a revised version of our instructions to UKMis Geneva. It would be helpful if these could be approved as soon as possible since, otherwise, Sir Peter Marshall may miss the chance to take action with the President of the ICRC.

Mr Pym has not yet seen these revised instructions but I am showing them to him in parallel.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

OUT TELEGRAM

Classification and Caveats	Precedence/Deskby
CONFIDENTIAL	IMMEDIATE

ZCZC
GRS
CLASS
CAVEATS
DESKBY
FM FCO
PRE/ADD
TEL NO

ZCZC
GRS
CONFIDENTIAL

FM FCO
TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER
IMMEDIATE PERSONAL CIVIL COMMISSIONER PORT STANLEY, MONTEVIDEO
YOUR TELNO 147: FALKLANDS: ARGENTINE NEXT OF KIN

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1. We accept that the ICRC interest is purely humanitarian but they must be made aware of the political facts. You should therefore call on Hay personally as soon as possible and speak on the lines below.

2. Ministers are most concerned at the way this is developing, particularly in the light of the press reports today that Sr Destefanis is contemplating sailing under the Red Cross flag without ICRC authority or British Government agreement on 30 April, and appears to have in mind three trips. You should tell the ICRC that there is growing concern and doubt here about Sr Destefanis's motives. It seems increasingly likely that he is doing no more than attempting to make political capital out of the project. You should ask them to warn him that any visit cannot take place without the cooperation of the British authorities, not least because of the formidable

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Drafted by (Block capitals): PRIVATE SECRETARY		
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Authorised for despatch		
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practical difficulties of visiting the Islands. Would they please also seek clarification of the reported remarks aobut three visits? As we have said all along we could only contemplate a single visit (this is a point to which we attach considerable importance. We hope that the ICRC have made this clear to the Argentine Government and that the latter understand that if they allow a Destefanis-sponsored visit to go ahead, assuming our conditions are met, there will be no second chance later, eg if the Argentine authorities or a private individual wanted to ~~inclu~~ include those relatives who do not want to be involved with Destefanis. The latter of course include the group which called on Mr Onslow).

3. With regard to sailing under the Red Cross flag, we presume the ICRC themselves would have reservations about the use of their flag unless the visit were organised by them. In any event, our doubts about Destefanis have confirmed us in our view that we can only accept a visit which is both organised and supervised by the ICRC. You should make this absolutely clear to Hay. We do not regard ourselves as negotiating with Destefanis through the medium of the ICRC. Our position is that we are ready to agree to a genuinely humanitarian visit provided that our conditions are satisfactorily met and that it is organised and supervised by the ICRC. It is ultimately for the ICRC and not Destefanis to make us a proposal for a visit, which we will then consider. What we have agreed is the principle of a humanitarian visit by close relatives. Destefanis may be involved in this in some way (although as you know we would not accept him landing on the Islands) but it is for the ICRC to fit his role into a package acceptable to us. The ICRC should be aware of the strength of feeling in the Islands about any visit, and in particular their growing indignation about Destefanis and his statements. This is not something the British Government can,

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CONFIDENTIAL		3.

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or wish to, ignore.

4. On more detailed points, following up Long's conversation with Pasquier, you should draw on the following:

i) You should make again the points in para 2 of my telno 90. There is no room for manoeuvre on the unacceptability of an Argentine vessel. The ICRC and Destefanis should be in no doubt that this is one of the conditions. In this context you could also remind Hay of the Uruguayan Government's offer of good offices, and suggest that against this background they may have ideas about the problem of the ship.

ii) As regards the ICRC's reference to our earlier willingness to accept Argentine vessels to remove Argentine dead from the Islands, you should say that, if the Argentine Government were to take up our offer to return to Argentina the bodies of their servicemen at present buried on the Falkland Islands, the

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Classification and Caveats		Page
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make the ICRC a suitable operation

prospect of an Argentine vessel in Falklands waters could be viewed on a basis altogether different from that of the Destefanis exercise. You might suggest to Hay that, when the ICRC carry forward their consultations with the Argentine Government - and we are pleased to note that these are in hand - this distinction could be pointed out. The ICRC will also wish to note that the Minister of State was told by the delegation from the Association of Parents and Relatives of Argentine servicemen missing in the Falklands (my telno 47 to BIS Buenos Aires) that, according to Argentine military tradition, their servicemen should when possible be returned for burial near the places where they were born.

Islanders?

iii) On the question of which relatives we regard as qualifying, you should say that while it is obviously difficult to lay down hard and fast rules in advance, we continue to believe that the visit should be confined to close relatives. We will scrutinise any list provided in this light.

5. As we look ahead to the next stages of this operation, we are coming increasingly to the view that, unless the ICRC can swiftly resolve the complications, it will simply not be feasible to arrange a visit of Argentine next of kin before the forthcoming Falklands winter. There are so may loose ends that, with the best will in the world, the only appropriate course could prove to be postponement of any visit until the next Falklands summer. You have discretion, if a suitable opportunity arises, and you think that it would not jeopardize cooperation, to warn of this possibility, while reiterating our readiness in principle to accept a genuine humanitarian group.

6. You should also ensure that the ICRC are aware that the Association of Parents and Relatives, following their call on Mr Onslow on 7 April, have now requested permission to visit the Islands.

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7. If there is any suggestion that we are going back, in spirit if not in letter, on what we have said to the ICRC previously, or that our attitude is changing because our own next of kin visit is nearly over, you should rebut this firmly. The offer of a humanitarian visit remains, subject to the conditions which the ICRC themselves previously accepted as reasonable. But we are bound to take into account Destefanis's obviously political and at times insulting approach. We have not so far responded publicly, but it is increasingly difficult for us not to do so.

PYM

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PS/ NO. 10. DOWNING STREET.

(FM BERNE 140940Z)

FM BIS BUENOS AIRES

TO IMMEDIATE FCO
TELNO 250 OF 13 APRIL
INFO IMMEDIATE MOD UKMIS GENEVA UKMIS NEW YORK WASHINGTON
CIVIL COMMISSIONER PORT STANLEY
INFO PRIORITY MONTEVIDEO SANTIAGO BRASILIA CARACAS

PRESS SUMMARY

1. THE ARREST OF GENERAL LEOPOLDO GALTIERI DOMINATES TODAY'S HEADLINES. NO OFFICIAL STATEMENT HAS BEEN ISSUED , BUT THE PAPERS AGREE THAT HE HAS BEGUN 45-DAYS' DETENTION AND WILL IN ADDITION FACE A COURT OF HONOUR.

2. ALL PAPERS REPORT THE CONTROVERSY IN THE UK OVER A BRITISH SERGEANT'S MERCY KILLING OF AN ARGENTINE PRISONER ON THE FALKLANDS. THEY ALSO NOTE SPANISH DIPLOMATIC PROTESTS ABOUT THE VISIT TO GIBRALTAR BY BRITISH SHIPS WHICH SERVED IN THE FALKLAND S CAMPAIGN. A CLARIN ARTICLE REVIVES THE CHARGE THAT WE ARE FORTIFYING THE ISLANDS AS PART OF A WIDER NATO STRATEGY (TEXT AND TRANSLATION BY BAG TO FCO).

3. THE PRESIDENT OF THE CENTRE FOR VOLUNTEERS FOR THE FATHERLAND, OSVALDO DESTEFANIS, TOLD THE PRESS THAT HIS TALKS YESTERDAY WITH THE RUSSIAN AMBASSADOR IN BUENOS AIRES HAS BEEN CORDIAL, BUT NO DECISION HAD BEEN TAKEN ON THE POSSIBLE PROVISION OF A RUSSIAN SHIP FOR THE ARGENTINE NEXT OF KIN VISIT TO THE FALKLANDS. DIPLOMATIC SOURCES ARE SAID TO BE SKEPTICAL ABOUT THE RUSSIANS' WILLINGNESS TO HELP. APPARENTLY DISREGARDING OUR PROHIBITION OF THE USE OF AN ARGENTINE VESSEL ,DESTEFANIS ALSO ANNOUNCED THAT THE STATE SHIPPING COMPANY, ELMA, WAS READY TO HIRE OUT THE ''LAGO LACAR'' FROM NEXT SUNDAY. HE INDIGNANTLY ADDED THAT THE FIRM HAD DEMANDED US DOLLARS 60 THOUSAND FOR THE CHARTER AND THAT HE MIGHT SEEK DONATIONS TO COVER THE COST. HE SAID THAT IF THE UK DID NOT LIFT ITS BAN ON JOURNALISTS ACCOMPANYING THE RELATIVES, QUOTE WE SHALL GO JUST THE SAME AND LEAVE THE ENGLISH WITH THE PROBLEM UNQUOTE. A SPOKESMAN FOR ELMA HAS DENIED KNOWLEDGE OF ANY ARRANGEMENT WITH DESTEFANIS.

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RESTRICTED

4. ''LA PRENSA'' CLAIMS THAT AT LEAST SOME OF THE DAGGER AIRCRAFT ALLEGEDLY JUST IMPORTED FROM ISRAEL WILL REINFORCE UNITS AT TANDIL AND VILLA REYNOLDS, AND THAT THERE ARE 12 MIRAGES STATIONED AT JOSE C. PAZ IN BUENOS AIRES PROVINCE. ACCORDING TO SUPPOSEDLY RELIABLE SOURCES, THE ACQUISITION OF THE DAGGER PLANES WAS EFFECTED UNDER A PRE-ESTABLISHED RE-EQUIPMENT PROGRAMME AND WAS NOT DIRECTLY LINKED TO THE FALKLANDS CONFLICT. THZ AIR FORCE IS ALSO SAID RECENTLY TO HAVE SENT A PURCHASING MISSION TO CHICAGO, ALTHOUGH IT IS NOT KNOWN WHETHER THEY WERE ATTEMPTING TO PURCHASE ARMS OR OTHER ITEMS SUCH AS RADAR AND COMMUNICATIONS EQUIPMENT.

5. WIDE COVERAGE IS GIVEN TO ADMIRAL RUBEN FRANCO'S REAFFIRMATION THAT THE NAVY WILL NEVER AGAIN INTERFERE WITH A DEMOCRATICALLY ELECTED GOVERNMENT.

6. POLITICAL PARTIES HAVE NOW APPLIED FOR LEGAL RECOGNITION. THE JUSTICIALIST (PERONIST) AND RADICAL PARTIES AND THE MOVEMENT FOR INTEGRATION AND DEVELOPMENT WILL PUT UP CANDIDATES IN ALL OF ARGENTINE'S 24 ELECTORAL DISTRICTS. THE COMMUNIST PARTY WILL BE REPRESENTED IN 21 OF THESE, THE INTRANSIGENTS IN 19 AND THE CHRISTIAN DEMOCRATS IN 15.

7. ECONOMY MINISTER JORGE WEHBE HAS CATEGORICALLY REJECTED RUMOURS OF AN IMPENDING DEVALUATION AND MAINTAINED THAT ARGENTINA HAS SO FAR FULFILLED THE CONDITIONS ATTACHING TO HER LAST LOAN FROM THE IMF.

8. SHELL ARGENTINA HAS DENIED THAT IT IS PREPARING TO TERMINATE ITS OPERATIONS HERE BUT ADMITTED CONCERN ABOUT THE RISE IN POLITICAL GROUPS DEMANDING EXPROPRIATION OF BRITISH FIRMS.

9. FOREIGN MINISTER AGUIRRE LANARI HAS SUGGESTED THAT PRESIBENT BIGNONE MAY ATTEND THE BELGRADE UNCTAD CONFERENCE.

JOY

POWELL-JONES

(Repetition to PORT STANLEY referred for departmental decision, repeated as requested to other posts.)

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FALKLAND ISLANDS GENERAL
FCO
FID
CABINET OFFICE

ADDITIONAL DISTRIBUTION
FALKLAND ISLANDS

Prime Minister
Agree draft?

Yes

Foreign and Commonwealth Office

London SW1A 2AH

Duty clerk
13/4

13 April 1983

Overtaken by letter of 14 April.

Dear John,

Falklands: Argentine Next of Kin Visit

FCO tel 90.

You will have seen the initial ICRC comments on Destefanis's response to our conditions in UKMis Geneva telno 147 (attached). Our Mission spoke in accordance with the instructions we sent them on 12 April, but we still have to put across at the highest level the points in these instructions. Moreover, the ICRC initial reaction continues to be disappointing and we must attempt to stiffen their resolve further. I enclose a draft telegram of instructions to Sir P Marshall to take action with the President of the ICRC. You will see that this includes the thought that time is running short for an Argentine visit before the winter. This point will obviously need to be put across with some delicacy since, while it would suit us very well for no Destefanis-organised visit to take place soon, we must not appear to the ICRC to have been insincere in our original willingness to accept a visit or to have been playing them along until our own next of kin visit was over.

Mr Pym was not able to see these draft instructions this evening. I am therefore submitting them to him in parallel. UKMis Geneva have told us that they have a good chance of getting at the President of the ICRC on 14 April. It would therefore be helpful if the telegram could be despatched as soon as possible tomorrow morning.

Yours ever

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

ARGENTINA: Relations pp 33.

OUT TELEGRAM

Classification and Caveats	Precedence/Deskby
CONFIDENTIAL	IMMEDIATE

ZCZC
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TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER
IMMEDIATE PERSONAL CIVIL COMMISSIONER PORT STANLEY, MONTEVIDEO
YOUR TELNO 147: FALKLANDS: ARGENTINE NEXT OF KIN

1. ICRC attitude on exclusion of the press is satisfactory. But, as Long suggested, we would prefer the ICRC not to go back to Destefanis on this alone. While it is perhaps improbable that he would accept the ICRC's views on the press, there is some risk of his doing so and leaving us with the present state of exchanges on other points, which is less satisfactory, especially on the nationality of the vessel.

2. The aim should therefore be to build up on the ICRC's acknowledgement that they must play the central role and to persuade them to put to Destefanis all repeat all our reactions to his responses, whether the ICRC can endorse them or not. We accept that their overriding interest is humanitarian, but their President will be aware that certain important political factors cannot be ignored, and we agree that you should pursue all this with Hay personally. Ministers would like you to do so forthwith,

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Telephone number: 233 4641		
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Classification and Caveats		Page
CONFIDENTIAL		2

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following up Long's conversation with Pasquier.

3. Please draw again, at your discretion, on the points in para 2 of my telno 90, making the point on (e) that we continue to believe that the visit should be confined to close relatives and that we will scrutinize any list of those on the visit in that light. If Hay shows reluctance to convey to Destefanis our position on the unacceptability of an Argentine vessel - on which there is no room for manoeuvre - you should encourage him to see the ICRC as having an obligation to leave Destefanis in no doubt that this is one of the conditions. The more firmly the ICRC are prepared to put this to Destefanis, the better the prospects of his accepting that he really must find a vessel of some other nationality, and in this context you could also remind Hay of the Uruguayan Government's offer of good offices, and suggest that against this background they may have ideas about the problem of the ship.

4. As regards the ICRC's reference to our earlier willingness to accept Argentine vessels to remove Argentine dead from the Islands, you should say that, if the Argentine Government were to take up our offer to return to Argentina the bodies of their servicemen at present buried on the Falkland Islands, the prospect of an Argentine vessel in Falklands waters could be viewed on a basis altogether different from that of the Destefanis exercise. You might suggest to Hay that, when the ICRC carry forward their consultations with the Argentine Government - and we are pleased to note that these are in hand - this distinction could be pointed out. The ICRC will also wish to note that the Minister of State was told by the delegation from the Association of Paretns and Relatives of Argentine servicemen missing in the Falklands (my telno 47 to BIS Buenos Aires) that, according to Argentine military tradition, their servicemen should when possible be returned for burial near the places where they were born.

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5. As we look ahead to the next stages of this operation, we are coming increasingly to the view that, unless the ICRC can swiftly resolve the complications, it will simply not be feasible to arrange a visit of Argentine next of kin before the forthcoming Falklands winter. Destefanis himself has put forward cut-off dates of, initially, 15 May and, now, a week earlier. There are so many loose ends that, with the best will in the world, the only appropriate course could prove to be postponement of any visit until the next Falklands summer. You have discretion, if a suitable opportunity arises, and you think that it would not jeopardize co-operation, to warn of this possibility, while reiterating our readiness in principle to accept a genuine humanitarian group.

6. You should also say that the Association of Parents and Relatives have introduced another complication, of which the ICRC may already be aware. Following their call on Mr Onslow on 7 April, the group have now requested permission to visit the Islands. We are not seeking gratuitously to introduce new difficulties, but the ICRC should know that we are only prepared to contemplate one Argentine next of kin visit to the Falklands, and the respective claims of the two organisations may be difficult to reconcile.

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Argentina

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FM FCO 121050Z APR 83
TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER 90 OF 12 APRIL
YOUR TELNO 145 AND TELECON LONG/WESTBROOK: ARGENTINE NEXT OF KIN VISIT

1. PLEASE ENSURE THAT ALL DISCUSSION WITH ICRC OF DESTEFANIS'S RESPONSE IS AT THE HIGHEST POSSIBLE LEVEL. EITHER WHEN THEY CALL YOU IN TO GIVE THEIR PROMISED COMMENTS OR, IF YOU JUDGE IT APPROPRIATE, BEFORE, YOU SHOULD THANK THEM FOR SHOWING US SO QUICKLY THE TEXT OF DESTEFANIS'S ANSWER. FOR YOUR OWN INFORMATION HOWEVER, ICRC'S TRANSMISSION OF RESPONSE TO US WITHOUT COMMENT SUGGESTS A NEED TO STIFFEN THEIR RESOLVE, AND YOUR MAIN OBJECTIVE MUST BE TO GET THE ICRC MORE POSITIVELY ENGAGED IN THE EXERCISE. SHOULD IT BREAK DOWN, IT IS IMPORTANT THAT WE SHOULD BE ABLE TO POINT OUT THAT SUCH A DECISION DERIVES FROM ICRC'S JUDGEMENT OF DESTEFANIS'S CREDENTIALS. YOU SHOULD THEREFORE POLITELY BUT FIRMLY REMIND THE ICRC THAT IT IS THEY WHO ARE IN NEGOTIATION WITH DESTEFANIS, NOT THE BRITISH GOVERNMENT, AND THAT THEY HAVE FROM THE FIRST BEEN GENERALLY CONTENT WITH THE CONDITIONS WE HAVE PROPOSED. WE HOPE THE ICRC WILL SPEAK SHARPLY TO DESTEFANIS AND TELL HIM THAT IT IS THEY WHO ASSURE THE SECURITY OF THE OPERATION, AND THEY WHO WILL JUDGE WHETHER THE CONDITIONS ARE SATISFACTORY.

2. ON DETAILED POINTS IN DESTEFANIS'S RESPONSE, YOU MAY DRAW ON THE FOLLOWING:

A. WE IMAGINE THAT THE ICRC WILL AGREE WITH US THAT MUCH MORE IS NEEDED THAN A MERE PERSONAL ASSURANCE FROM DESTEFANIS OF THE HUMANITARIAN PURPOSE OF THE TRIP (HIS POINT 'B'). WE MUST RELY ON THE ICRC'S ASSESSMENT AND WOULD EXPECT THEM TO HAVE CONSULTED THE ARGENTINE GOVERNMENT ON THE POINT. WE ATTACH IMPORTANCE TO CONTACTS BETWEEN THE ICRC AND THE ARGENTINE GOVERNMENT. THE LATTER

MUST NOT BE IN A POSITION TO DISAVOW RESPONSIBILITY FOR THE GROUP.

B. DESTEFANIS'S RESPONSE, ESPECIALLY POINT 'H', IS COUCHED IN TERMS THAT MAKE IT MORE DIFFICULT FOR US TO BELIEVE IN THE GENUINE HUMANITARIAN PURPOSES HE HIMSELF PROFESSES. WE REGARD THE REFERENCES TO THE SINKING OF THE BELGRANO, THE DEATH OF ARTUSO, AND THE ALLEGED ATTACK ON A HOSPITAL SHIP, AS INSULTING, AND IMAGINE ICRC MAY FEEL THE SAME. DESTEFANIS SEEMS TO BE MAKING POLITICAL CAPITAL OUT OF THE SORROW OF THE BEREAVED FAMILIES. THIS IS VERY MUCH AT ODDS WITH THE SINCERITY OF A DELEGATION FROM THE ASSOCIATION OF PARENTS AND RELATIVES OF SERVICEMEN MISSING IN THE FALKLANDS RECEIVED IN LONDON ON 7 APRIL. (THE LATTER VOLUNTEERED TO MR ONSLOW THAT THEY REGARDED DESTEFANIS'S ORGANISATION AS POLITICALLY MOTIVATED, AND SPECIFICALLY DISCLAIMED ANY CONNECTION WITH HIM).

C. DESTEFANIS'S POINT 'D'. AGAINST THE BACKGROUND THAT ARGENTINA HAS STILL TO DECLARE A DEFINITIVE END TO HOSTILITIES OR TO RENOUNCE THE USE OF FORCE, AND OUR CONSEQUENT NEED TO GUARANTEE THE SECURITY OF THE FALKLAND ISLANDS: AND BEARING IN MIND ISLANDER RELUCTANCE TO ACCEPT THE IDEA OF ARGENTINES VISITING THEIR LAND, THE ICRC WILL UNDERSTAND THAT WE SHOULD NOT BE EXPECTED TO ACCEPT AN ARGENTINE VESSEL, NOR AN ARGENTINE CREW.

D. AS FAR AS THE PRESS IS CONCERNED, INSISTENCE ON THEIR PRESENCE ONLY INCREASES OUR UNEASE THAT DESTEFANIS IS ENGAGED IN A POLITICAL EXERCISE. THE VISIT IS FOR HUMANITARIAN REASONS ONLY AND WE EXPECT THIS POINT TO HAVE BEEN MADE CLEAR IN CONTACTS BETWEEN THE ICRC AND THE ARGENTINE GOVERNMENT WE RECOGNISE HOWEVER THAT THE ARGENTINE NEXT OF KIN WOULD NOT WISH THE OCCASION TO GO ENTIRELY UNRECORDED AND TO THAT END WE WOULD BE CONTENT FOR THE ICRC TO PROVIDE THE SERVICES OF A PHOTOGRAPHER. IF THIS WERE NOT POSSIBLE, WE WOULD BE PREPARED TO PROVIDE ONE OURSELVES.

E. DESTEFANIS'S POINT 'C'. WE BELIEVE THAT THE VISIT

SHOULD BE CONFINED TO CLOSE RELATIVES OF THE DEAD. DESTEFANIS HIMSELF MAY NOT ACCOMPANY THE PARTY ASHORE. THE ICRC WILL NO DOUBT AGREE THAT BOTH OF US WILL NEED ADEQUATE TIME TO SCRUTINISE THE ARGENTINE LIST.

3. YOU SHOULD ASSURE THE ICRC THAT WE STAND BY OUR STATEMENT OF READINESS IN PRINCIPLE TO AUTHORISE A PURELY HUMANITARIAN VISIT BY CLOSE RELATIVES OF THE DEAD. PLEASE ALSO REMIND THEM THAT THE SAME STATEMENT RECALLED THE OFFER WHICH HAS BEEN MADE TO THE ARGENTINE GOVERNMENT ON SEVERAL OCCASIONS TO RETURN TO ARGENTINA THE BODIES OF THEIR SERVICEMEN AT PRESENT BURIED ON THE FALKLAND ISLANDS. ACCEPTANCE OF THE OFFER WOULD REMOVE THE NEED FOR EXCHANGES SUCH AS THOSE OF THE ICRC WITH DESTEFANIS.

PYM

[COPIES SENT TO NO 10 DOWNING STREET]

FALKLAND ISLANDS GENERAL
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ADDITIONAL DISTRIBUTION
FALKLAND ISLANDS

File

OD(EM)
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10 DOWNING STREET

From the Private Secretary

12 April 1983

FALKLANDS VISIT OF ARGENTINE NEXT OF KIN

Thank you for your letter of 11 April outlining the instructions which your Secretary of State believes should be sent to CBFFI in connection with this visit.

The Prime Minister is content with the proposed guidance for the case where the visit takes place with agreed ICRC involvement.

As regards the situation which would arise if the Argentines arrived without ICRC involvement, the Prime Minister feels that the proposed instructions place a considerable burden on CBFFI. She considers that if General Thorne judges that, despite the irregularity of a visit in these circumstances, its purpose is genuinely humanitarian, the next step ought to be a discussion with the Falkland Islands Council, since in those circumstances it would be better to proceed with their agreement. Subject to this point, the Prime Minister is content with the proposed guidance.

I am sending copies of this letter to the Private Secretaries to the members of OD(EM) and to Richard Hatfield (Cabinet Office).

A. J. COLES

Nick Evans, Esq.,
Ministry of Defence.

File

10 DOWNING STREET

From the Private Secretary

12 April 1983

FALKLAND ISLANDS: ARGENTINE NEXT-OF-KIN VISIT

Thank you for your letter of 11 April enclosing a draft telegram of instructions for UKMis Geneva for their next round of discussions with the ICRC.

As I told you on the telephone this morning, the Prime Minister is content for the telegram to issue, subject to the following changes:

(a) In lines 14 and 15 on page 1, delete "express our appreciation for early sight of text of response" and substitute "thank them for showing us so quickly the text of Destefanis' answer."

(b) In line 27 on page 2, add the words "nor an Argentine crew."

(c) Reword the sentence in lines 2 and 3 on page 3 to read:

"We expect the party to consist of close relatives of the dead."

Some consequential rewording to the next sentence will then be necessary.

(d) In line 10 on page 3, add after "visit" the words "by close relatives of the dead."

We discussed on the telephone certain further amendments which you told me the Foreign and Commonwealth Secretary wished to see made, and I confirm that I expressed the view that the Prime Minister would be content with these.

A. J. COLES

R. B. Bone, Esq.,
Foreign and Commonwealth Office.

Argentina

NC

10 DOWNING STREET

From the Private Secretary

11 April 1983

The Prime Minister has noted the contents of your letter of 7 April to Willie Rickett and its enclosures describing the outcome of formal enquiries into two incidents involving the death of and injury to Argentine prisoners of war last year. The Prime Minister has further noted your Secretary of State's intention to make a written reply on these matters today.

T. J. COLES

Barry Neale, Esq.,
Ministry of Defence.

SB

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MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1
Telephone 01-~~930 7022~~ 218 2111/3

MO 5/21

11th April 1983

Prime Minister.

Dear John,

FALKLANDS VISIT OF ARGENTINE NEXT OF KIN

In your letter of 6th April to Brian Fall you conveyed the Prime Minister's views on the negotiations with the ICRC over this visit. The Commander of British Forces on the Falkland Islands (CBFFI) has separately sought advice on the steps he should take if the Argentines arrive having failed to observe some of our conditions.

Mr Heseltine has explained the impracticability of preventing a determined ship from reaching the Falkland Islands without risking loss of life or damage to our own vessels. At the OD(EM) meeting on 28th March, the point was made that if Destefanis set sail without ICRC approval it would be preferable to allow the Argentine next of kin to visit the Darwin cemetery than to let an unseemly scene develop.

Against this background, the Defence Secretary believes that we should instruct CBFFI as follows:

a. If the visit takes place with the agreed ICRC involvement, CBFFI should assume that they have taken the necessary steps to ensure the strictly humanitarian nature of the visit and that our specific conditions have been met. No searches of those involved should therefore be carried out unless CBFFI has reason to believe that some of the conditions are being infringed (eg the presence of press or uniformed personnel, carriage of firearms or flags). In such cases, he should have full discretion to take whatever steps he considers necessary to safeguard the integrity of the Falkland Islands and the safety of troops and Islanders, including detaining those involved until their ship is ready to depart. He may also take such action as he considers necessary if at any time his instructions are not observed.

A J Coles Esq

b. If the Argentines arrive without authority of ICRC involvement, CBFFI should challenge the vessel at the edge of the FIPZ and seek (if possible by an agreed boarding) to satisfy himself that its purpose is genuinely humanitarian. He should report the position to the MOD, and escort the vessel to Choiseul Sound. If he is not satisfied with the Argentines' purpose, or if their ship refuses to lower an Argentine flag, he should tell the occupants to remain on board until he has received instructions from his Government. If they attempt to land, he should arrest them. If, on the other hand, he is satisfied that the visit is genuinely humanitarian, he should allow the next of kin to visit the cemetery, but should apply the same conditions passed to them via the ICRC (eg no Argentine press, no uniforms, no Destefanis, etc).

On the question of press coverage of the visit, Mr Heseltine believes that we should allow those press (UK or other) on the Falklands to film, photograph and report the visit, not least to demonstrate our sympathetic humanitarian stance, but that no interviews should be allowed.

I understand that the Foreign Secretary broadly agrees with the approach outlined in this letter, and would be grateful if you would seek the Prime Minister's early reaction.

I am copying this to the Private Secretaries of OD(EM) members and to Richard Hatfield in the Cabinet Office.

Yours ever

Nick Evans

(N H R EVANS)

ARGENTINA
Relations 1983

11 APR 1983

010

CONFIDENTIAL

Foreign and Commonwealth Office

London SW1A 2AH

Prime Minister

Agree telegram?

A.J.C. 11/4.

– see note overside

11 April, 1983

Dear Julian,

Falkland Islands: Argentine Next-of-Kin Visit

You will have seen from UKMIS Geneva telno 145 that Destefanis has now responded to the conditions put to him by the ICRC. I enclose a translation of his message.

Destefanis's response is unsatisfactory. It has a distinctly propagandist tone, and its contents are unacceptable in their insistence on an Argentine ship; the attempt to widen the interpretation of next-of-kin; and the demand for press participation. The ICRC have undertaken to give us, very soon, their comments on the message; but we believe that we should be ready without delay to leave them in no doubt of our own views, and also to remind the ICRC that it is they who must run the negotiations with Destefanis. I enclose a draft telegram which we propose to send to Geneva with this in view.

We have not, in the circumstances, been able to show this to Mr Pym today. I am arranging for the draft telegram to be sent to him this evening for clearance, with a view to despatching to Geneva during the course of tomorrow morning.

Yours ever

Roger Bone

(R B Bone)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street

CONFIDENTIAL

OUT TELEGRAM

Classification and Caveats	Precedence/Deskby
CONFIDENTIAL	IMMEDIATE

ZCZC
GRS
CLASS
CAVEATS
DESKBY
FM FCO
PRE/ADD
TEL NO

ZCZC
GRS
CONFIDENTIAL

FM FCO APRIL 1983
TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER
YOUR TELNO 145 AND TELECON LONG/WESTBROOK: ARGENTINE NEXT OF KIN VISIT

1. Please ensure that all discussion with ICRC of Destefanis's response is at the highest possible level. Either when they call you in to give their promised comments or, if you judge it appropriate, before, you should ~~express our appreciation for early sight of text of response.~~ thank them for showing us so quickly the text of Destefanis's answer. For your own information, however, ICRC's transmission of response to us without comment suggests a need to stiffen their resolve, and your main objective must be to get the ICRC more positively engaged in the exercise. Should it break down, it is important that we should be able to point out that such a decision derives from ICRC's judgement of Destefanis's credentials. You should therefore politely but firmly remind the ICRC that it is they who are in negotiation with Destefanis, not the British Government, and that they have from the first been generally content with the conditions we have proposed.

2. On detailed points in Destefanis's response, you may draw

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File number	Dept Private Office	Distribution
Drafted by (Block capitals) R B BONE		
Telephone number 233 4831		
Authorised for despatch		
Comcen reference	Time of despatch	

XY 48

<<<<

on the following:

a. We imagine that the ICRC will agree with us that much more is needed than a mere personal assurance from Destefanis of the humanitarian purpose of the trip (his point 'b'). We must rely on the ICRC's assessment and would expect them to have consulted the Argentine Government on the point.

b. Destefanis's response, especially point 'h', is couched in terms that make it more difficult for us to believe in the genuine humanitarian purposes he himself professes. He seems to be making political capital out of the sorrow of the bereaved families. This is very much at odds with the sincerity of a delegation from the Association of Parents and Relatives of Servicemen Missing in the Falklands received in London on 7 April. (The latter volunteered to Mr Onslow that they regarded Destefanis's organisation as politically motivated, and specifically disclaimed any connection with him).

c. Destefanis's point 'd'. Against the background that Argentina has still to declare a definitive end to hostilities or to renounce the use of force, and our consequent need to guarantee the security of the Falkland Islands; and bearing in mind Islander reluctance to accept the idea of Argentines visiting their land, the ICRC will understand that we should not be expected to accept an Argentine vessel nor an Argentine crew.

d. As far as the press is concerned, insistence on their presence only increases our unease that Destefanis is engaged in a political exercise. This has to be a private visit. We recognise however that the Argentine next of kin would not wish the occasion to go entirely unrecorded and to that end we are prepared to offer the services of a photographer.

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Classification and Caveats		Page
CONFIDENTIAL	IMMEDIATE	3

<<<<

e. Destefanis's point 'c'. We are prepared to be flexible in our interpretation of next of kin. But not so flexible as to allow Destefanis himself to accompany the party ashore. The ICRC will no doubt agree that both of us will need adequate time to scrutinise the Argentine list.

How flexible? Please define

3. You should assure the ICRC that we stand by our statement of readiness in principle to authorise a purely humanitarian visit by close relatives of the dead. Please also remind them that the same statement recalled the offer which has been made to the Argentine Government on several occasions to return to Argentina the bodies of their servicemen at present buried on the Falkland Islands. Acceptance of the offer would remove the need for exchanges such as those of the ICRC with Destefanis.

PYM

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Unofficial Translation

FALKLAND ISLANDS : ARGENTINE NEXT-OF-KIN VISIT : RESPONSE TO CONDITIONS PUT BY INTERNATIONAL COMMITTEE OF THE RED CROSS

[In French]
Text of the response of Mr Destefanis received on 6 April 1983 at our delegation in Buenos Aires.

[In Spanish]
(a) This is accepted on the understanding that the organisation of the trip will be carried out by [or at the expense of] The Centre of Volunteers for the Fatherland and that the ICRC will supervise the organisation of the trip with all its possibilities. We shall accept all the co-operation which the ICRC may be willing to provide.

(b) We assure the ICRC emphatically that the purpose of the trip is absolutely humanitarian.

(c) We shall inform the ICRC with all possible notice of the names of the travellers and their relationship with the Argentinian soldiers who fell in the Malvinas. We consider that admission must be granted to all family members without any exclusions based on the degree of the relationship. The fiancées of the soldiers must also be admitted.

(d) The ICRC will be informed in advance of the name and other characteristics of the ship. We request that it should fly the Red Cross flag. Because of lack of economic resources, it is completely impossible for us to contract a ship which is not Argentinian. We have accepted the generous offer of a private Argentinian shipping company to provide the means of transport for us free of charge. But the crew will consequently be its existing one. No member of the crew will disembark in the Malvinas.

(e) We shall inform the ICRC of the route foreseen to reach the Malvinas.

(f) We have no objection, to savour the negotiations, in carrying out the trip after 16 April provided that the delay does not exceed 20 days at the most.

/(g)

(g) We accept this. This point was proposed by us.

(h) Bearing in mind the openly hostile declaration made by the inhabitants of the Islands, the negative declaration of the British military and civil authorities present in the Malvinas and in the light of some facts which occurred during the conflict such as:

(i) The sinking of the cruiser General Belgrano by a British submarine outside the Zone of War or Exclusion by the British Government itself, causing hundreds of victims.

(ii) The death of the Argentine NCO Felix Oscar Artuso at the hands of British soldiers after he had been taken prisoner and as such being protected by the Geneva Convention.

(iii) The attack by British forces on the Argentine hospital ship by Bahia Paraiso which was flying a Red Cross flag and was appropriately identified and registered and carrying out the evacuation of wounded at Puerto Argentina.

(i) We consider that the presence of representatives of the international press will prevent repetition of incidents of this type and will serve to ensure a correct and humanitarian treatment for the Argentine family members. In order to ensure the greatest equanimity [sic] in the handling of information we have invited members of the most serious British press for them and those of other internal countries.

(j) The family members will have to disembark in a single group and be taken altogether to the cemetery. We consider it inappropriate that contact should take place between the members of the Argentine group and the inhabitants of the Islands. We must be allowed to remain a minimum of two hours at the cemetery.

WA/FCO 001/9

++ DBY

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00 FCO (DESKBY 110800Z)

00 PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY

00 MODUK

00 MONTEVIDEO

00 BISBA

PP WASHINGTON

PP UKMIS NEW YORK

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ADVANCE COPY

Head FID
Head SAm D.
Head News D.
PS(6)
PS/Mr Ons/Ow
Mr Richard
Mr Ure
Mr 010 (4).
Rc.

GRS 230
CONFIDENTIAL
DESKBY 110800Z
FROM UKMIS GENEVA 090950Z APR 83
TO IMMEDIATE FCO
TELNO 145 OF 9 APRIL
INFO IMMEDIATE PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY, MODUK, MONTEVIDEO, BIS BUENOS AIRES,
INFO PRIORITY WASHINGTON, UKMIS NEW YORK

MY TELNO 142: ARGENTINE NEXT-OF-KIN VISIT TO FALKLANDS

1. AS REPORTED BY TELEPHONE, ICRC HEADQUARTERS INFORMED US LATE ON 8 APRIL OF THE RECEIPT OF A TELEX FROM THEIR DELEGATE, CORTHESY, IN BUENOS AIRES. IN THE ABSENCE ON SICK LEAVE OF ALL THEIR SENIOR PEOPLE INVOLVED, THEY SIMPLY GAVE US AN ADVANCE COPY OF THIS TELEX, WHICH IS TO BE CONVEYED TO US MORE FORMALLY ON 11 APRIL. WE COPIED IT TO THE DEPARTMENT BY FACSIMILE.

2. THE ICRC TELEX CONSISTS OF A REPETITION OF A TELEX IN SPANISH RECEIVED AT THE ICRC OFFICE IN BUENOS AIRES ON 6 APRIL FROM DESTEFANIS. IN CORTHESY'S ABSENCE IN MONTEVIDEO, NO ACTION WAS TAKEN ON THIS UNTIL 8 APRIL.

3. DESTEFANIS'S MESSAGE ACCEPTS SEVERAL OF OUR CONDITIONS BUT REJECTS OTHERS, NOTABLY IN INSISTING ON AN ARGENTINE SHIP, ON A WIDE DEFINITION OF FAMILY RELATIONSHIPS (CLEARLY DESIGNED TO INCLUDE DESTEFANIS HIMSELF) AND ON THE INCLUSION OF MEDIA REPRESENTATIVES.

~~B. DESTEFANIS'S MESSAGE ACCEPTS SEVERAL OF OUR CONDITIONS BUT REJECTS OTHERS, NOTABLY IN INSISTING ON AN ARGENTINE SHIP, ON A WIDE DEFINITION OF FAMILY RELATIONSHIPS (CLEARLY DESIGNED TO INCLUDE DESTEFANIS HIMSELF) AND ON THE INCLUSION OF MEDIA REPRESENTATIVES,~~ WHOM DESTEFANIS CLAIMS TO HAVE INVITED ALREADY IN ORDER TO PREVENT ANY INCIDENTS LIKE THE SINKING OF THE BELGRANO, THE SHOOTING OF ARTUSO AND THE ATTACK ON THE BAHIA PARAISO (SIC).

4. WE SHALL PRESS THE ICRC ON 11 APRIL TO GIVE US THEIR VIEWS ON THIS RESPONSE, AND IN PARTICULAR WHAT SOLID REASONS THEY CAN SEE TO CONTINUE TO REGARD DESTEFANIS'S PLANS IN A HUMANITARIAN LIGHT. IT MAY TAKE A LITTLE TIME TO EXTRACT A CONSIDERED AND AUTHORITATIVE VIEW FROM THEM. THEIR LACK OF RESOURCES IS CLEARLY EVIDENCED BY PARAGRAPHS 1 AND 2 ABOVE.

LONG

NNNN

SENT / RECD AT 09/1013Z IM/RK

CONFIDENTIAL FILE

da Argentina

10 DOWNING STREET

From the Private Secretary

8 April 1983

Falkland Islands: Visit of Argentine Next of Kin

The Prime Minister has seen Port Stanley tel. no. 234 of 5 April. She has noted the comment in paragraph 3 about the need to keep a close watch on Destefanis over the next few days, and has asked what arrangements have been made for monitoring Destefanis' movements.

She has also noted the comment in paragraph 4 that visiting journalists in Stanley are making their own dispositions now so that they can travel to Darwin without military or FIG assistance to cover a possible Argentine visit. She has asked how it is possible for these journalists to make such arrangements, with whose co-operation they are making these arrangements, and by what means they are travelling to Darwin.

I should be grateful for your advice on the Prime Minister's comments as soon as possible.

W. F. S. RICKETT

John Holmes, Esq.,
Foreign and Commonwealth Office.

CONFIDENTIAL

BACK TO TYPISTS

FALKLAND ISLANDS GENERAL (ADVANCES) 39

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

HD/PUSD (2)
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HD/PLANNING STAFF

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PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

Prime minister

~~RESIDENT CLERK~~

IMMEDIATE

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GRS 440
CONFIDENTIAL
FROM UKMIS GENEVA 080940Z APR 83
TO IMMEDIATE FCO
TELNO 142 OF 8 APRIL
INFO IMMEDIATE PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY,
INFO PRIORITY MONTEVIDEO, WASHINGTON, UKMIS NEW YORK, BISBA

YOUR TELNO 83: ARGENTINE NEXT-OF-KIN VISIT TO FALKLANDS

1. THE ICRC DELEGATE-GENERAL FOR LATIN AMERICA, PASQUIER, DESCRIBED TO ME ON THE MORNING OF 8 APRIL AN AFP DESPATCH FROM BUENOS AIRES DATED 8 APRIL WHICH REPORTS DESTEFANIS AS TELLING A PRESS CONFERENCE THAT ARGENTINE NEXT-OF-KIN WILL BE ABLE TO VISIT THE FALKLANDS AFTER 16 APRIL. HE IS REPORTED AS CITING SEVERAL OF THE UK CONDITIONS, AND SAYING THAT LACK OF MONEY WOULD MAKE IT IMPOSSIBLE TO SECURE A NON-ARGENTINE VESSEL: AN ARGENTINE SHIPPING COMPANY HAD ALREADY OFFERED AN ARGENTINE SHIP FREE OF CHARGE. THE FULL AFP TEXT IS PRESUMABLY AVAILABLE IN LONDON.

2. PASQUIER WANTED US TO HAVE THE FACTS AS KNOWN TO THE ICRC. HE CONFIRMED THAT THE ICRC HAD TRANSMITTED TO BUENOS AIRES ON 31 MARCH INSTRUCTIONS FOR THEIR DELEGATE, CORTHESY, TO CONVEY OUR

2. PASQUIER WANTED US TO HAVE THE FACTS AS KNOWN TO THE ICRC. HE CONFIRMED THAT THE ICRC HAD TRANSMITTED TO BUENOS AIRES ON 31 MARCH INSTRUCTIONS FOR THEIR DELEGATE, CORTHESY, TO CONVEY OUR CONDITIONS TO DESTEFANIS AND THAT CORTHESY HAD DONE SO FORMALLY ON 5 APRIL. DESTEFANIS' INITIAL REACTION HAD BEEN ''NOT NEGATIVE''. HE HAD NOTED OUR CONDITIONS, OBSERVED THAT THE REQUIREMENT FOR A NON-ARGENTINE VESSEL AND CREW COULD CAUSE PROBLEMS, AND HAD UNDERTAKEN TO GIVE THE ICRC HIS CONSIDERED REACTIONS. SINCE THEN THERE HAD BEEN NO FURTHER CONTACT: CORTHESY HAD BEEN IN MONTEVIDEO ON 6 AND 7 APRIL. PASQUIER NOW INTENDED TO INSTRUCT CORTHESY TO CONTACT DESTEFANIS AGAIN, POINT OUT TO HIM THAT USING THE PRESS AS A MEANS OF COMMUNICATION COULD LEAD TO MISUNDERSTANDINGS AND ASK HIM FOR HIS CONSIDERED RESPONSE.

3. I MADE IT CLEAR THAT WHILE WE WOULD NATURALLY LISTEN WITH INTEREST TO DESTEFANIS' REACTIONS AS RELAYED THROUGH THE ICRC, OUR CONDITIONS WERE PRECISE AND DESIGNED TO ESTABLISH A PRACTICAL AND HUMANITARIAN BASIS FOR THE OPERATION, AND I SAW LITTLE CHANCE OF OUR BEING ABLE TO CHANGE THEM IN ANY RESPECT. PASQUIER SAID HE UNDERSTOOD THIS.

4. I RECALLED THAT THE ICRC HAD UNDERTAKEN TO GIVE US AN ASSURANCE OF THEIR SATISFACTION THAT THE VISIT WAS OF A HUMANITARIAN NATURE. IN MAKING THEIR JUDGEMENT ON THIS, ICRC WOULD NO DOUBT TAKE INTO ACCOUNT ALL AVAILABLE EVIDENCE ABOUT DESTEFANIS, INCLUDING THE ATTITUDE TOWARDS HIM OF THE ARGENTINE AUTHORITIES. PASQUIER SAID HE WOULD ASK CORTHESY TO TAKE SOUNDINGS WITH THE ARGENTINE GOVERNMENT ABOUT THEIR ATTITUDE TO DESTEFANIS.

5. IN CONCLUSION, PASQUIER ASKED ABOUT THE CALL ON MR CRANLEY ONSLOW BY THE THREE ARGENTINE RELATIVES DESCRIBED IN YOUR TELNO 47 TO BISBA, ON WHICH I DREW IN REPLY. PASQUIER WAS GRATEFUL, AND NOTED PRESS REPORTS FROM LONDON THAT THE GROUP HAD SPOKEN VERY POSITIVELY ABOUT THE CALL AND THE MATERIALS WHICH MR ONSLOW HAD GIVEN THEM. HE EXPRESSED ICRC APPRECIATION FOR THIS DEVELOPMENT.

LONG

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Prime Minister

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WR 8/4

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1
Telephone 01-~~230 7922~~ 218 6169

MO 5/21

7th April 1983

Agreed MT

Dear Willie,

In accordance with Article 121 of the 3rd Geneva Convention, it has been necessary to carry out formal inquiries into, and produce reports on, two incidents involving the death of and injury to Argentine prisoners-of-war while in British custody last year: on 1st June, an ordnance explosion at Goose Green killed four and injured eight prisoners-of-war; and on 2nd July at Pebbly Pond near Port Stanley a prisoner-of-war who was engaged on the marking out of Argentine minefields stepped on a mine which resulted in the loss of his left leg below the knee. In both incidents the prisoners-of-war were engaged on work which could be regarded as "dangerous" under the terms of Article 52 of the Geneva Convention; and it has therefore been necessary to prove as far as possible that the men were volunteers for the respective tasks (as required by Article 52), and that their supervisors, both British and Argentine, did not disregard the risks involved.

A report has been produced covering both incidents, and this has been approved by my Secretary of State and by FCO Ministers. A copy is attached for your information; and in accordance with usual practice copies are being sent to the Argentine authorities (via Brazil) and to the ICRC.

An inspired PQ has been arranged to announce the conclusions of the report, and my Secretary of State will make a written reply to a question from Mr John Heddle MP on Monday 11th April. I attach for your advance information a copy of the draft PQ and Answer, and also a copy of the defensive material prepared for use by our Press Office, and which your own office may find helpful. I might add that press interest in the two incidents has been minimal, particularly when compared with that generated by the death on 26th April 1982 at Grytviken of Suboficio Artuso.

A copy of this letter, and of the PQ and Q & A material, goes to Roger Bone in the FCO.

Yours ever,
Barry Neale

(B P NEALE)

W F S Rickett Esq

DRAFT PQ

Q. To ask the Secretary of State for Defence, whether inquiries into the death and injury of Argentine prisoners of war while in British custody on the Falkland Islands, have been completed, and if he will make a statement.

A. Inquiries into the death and injury of Argentine prisoners of war at Goose Green on 1 June 1982 and into the injury of one prisoner of war at Pebbly Pond have been completed.

Following the action at Darwin and Goose Green large quantities of Argentine arms and ammunition were found scattered in and around the settlement. This posed an extremely serious threat to the civilian population who could not return home until the houses had been checked and cleared. The British forces had to give high priority to the task of making the ammunition safe and clearing it to a central collection point at the airfield and in addition they had to guard the large number of Argentine prisoners of war who were accommodated in a large sheep-shearing shed.

...../Cont'd

On the afternoon of 1 June 1982, a prisoner of war work detail under the supervision of an Argentine officer and guarded by three British soldiers was engaged on the task of moving ammunition from near the sheep-shearing shed when there was a loud explosion. A very fierce fire began and although rescuers managed to pull the injured clear one prisoner of war was seen to stagger back into the flames. Attempts to reach him failed and a Sergeant of the British forces, who had, over a period of some minutes, been repeatedly driven back by the heat and flames and who thought the prisoner was beyond assistance but still alive and in agony, obtained a rifle and fired three or four shots at the man.

Three prisoners of war died in the incident and a fourth died later at Ajax Bay. A further eight members of the detail were injured and received immediate first aid from the doctor and other medical staff present.

Shortly after the incident an Argentine officer complained that a British soldier had shot a prisoner of war. Eye-witnesses, including the

...../Cont'd

Sergeant, were interviewed and the facts explained to Argentine officers who accepted them and did not pursue the matter further.

As soon as practicable after hostilities had ceased an inquiry was convened which was unable to interview all the witnesses since the Argentinian prisoners of war had been repatriated. Further investigations were therefore made as units and individuals returned from the Falklands. The resulting full reports have been carefully considered and it has been concluded that the work undertaken by the detail could be classed as dangerous for the purposes of article 52 of the Third Geneva Convention of 1949 but that the prisoners of war undertook the task without coercion. The explosion was probably caused by a mine initiated by a faulty or mishandled grenade: phosphorus from charge bags probably caused the ferocity of the fire.

The full results of all these inquiries have been studied by the competent legal authorities who have concluded that no proceedings (whether in a civil court or by court martial or through military disciplinary proceedings) should be instituted against any individual involved.

...../Cont'd

The problems created by the inadequate recording and marking of the extensive Argentine minefields are well known. On 2 July 1982 a group of volunteer Argentine Army engineers were assisting in locating and marking the limits of minefields on Stanley Common. An Argentine officer, followed by Cabo Primero Cattay moved across an area near Pebbly Pond to mark off the end of the minefield when there was an explosion and Cabo Primero Cattay fell with a foot injury. He was treated immediately and evacuated to hospital by helicopter where he had his left leg amputated below the knee.

An inquiry was convened and confirmed that Cabo Primero Cattay was a volunteer in the task of marking off minefields, that he was not engaged on the locating and lifting of individual mines, that the briefings, safety precautions and supervision provided by British and Argentine officers were adequate and that first aid and emergency arrangements ensured rapid medical attention and hospitalisation. It was thought that the mine was probably outside the known limits of the minefield and that Cabo Primero

...../Cont'd

Cattay stepped on it accidentally when he followed the officer round what was believed to be the limits of the minefield. These reports have been considered by the competent authorities who have concluded that no blame should be attached to any of the British or Argentine personnel involved.

A report, covering both incidents, has been prepared in accordance with article 121 of the Third Geneva Convention on the treatment of prisoners of war. This report has been communicated to Brazil, as the protecting power, and a copy has also been passed to the International Committee of the Red Cross. The report includes statements from Argentine prisoners of war although in the case of the incident at Goose Green, the operational situation and rapid repatriation of the prisoners of war prevented the taking of statements from Argentine prisoners of war, with one exception.

I have placed a copy of the report in the Library.

Q & A BRIEF

Q1 Why has it taken so long to prepare the report?

A1 Operational requirements prevented the usual immediate inquiry which could only be convened when hostilities had ceased. The availability of witnesses remained a problem and in view of the serious nature of the incident further inquiries were made over a long period as units returned to the UK. The results had to be collated and considered by the appropriate authorities before the report could be prepared for the Protecting Power and the International Red Cross Committee.

Q2 What happened to the Sergeant who fired the shots; was he disciplined?

A2 No. His actions, following his repeated rescue attempts, were taken to reduce the agony of a man who he believed was burning to death in front of him and who was certainly beyond hope and probably already dead.

Q3 Surely his actions were illegal?

A3 The competent legal authorities have carefully studied the evidence and decided that no proceedings should be instituted.

..../Cont'd

Q4 Why not?

A4 It is not the practice to give reasons or explanations for the decision of prosecuting authorities in individual cases. In this case the facts probably speak for themselves.

Q5 Who were the prisoners of war involved in the incident at Goose Green?

A5 Their names are not known. Senior Argentine officers on the spot made casualty lists and by the time British official inquiries began most of the prisoners of war had been evacuated.

Q6 Why were prisoners of war allowed to do dangerous tasks and was this in breach of the Geneva Convention?

A6 Although this work could be considered to be dangerous no Argentine prisoners of war were coerced into doing these tasks and there has not therefore been a breach of the Convention in either incident. Article 52 of the Third Geneva Convention allows prisoner of war volunteers to undertake such tasks.

Q7 Have you included the statements of British personnel in the report?

...../Cont'd

A7 No. The report contains a full summary of all the evidence which was obtained during our inquiries and the statements which it was possible to obtain from prisoners of war. In the case of the Goose Green incident, rapid evacuation of prisoners of war from the area, which was essential for operational reasons, prevented the taking of statements except for one officer.

Q8 Are you covering up what really happened at Goose Green?

A8 No. The British servicemen were giving evidence under the normal procedures of boards of inquiry or military police investigations and their statements, together with the full proceedings of the inquiries are privileged.

Q9 How many more incidents involving the death and injury of Argentine prisoners of war remain to be reported.

A9 None, There were three incidents which fell to be reported under Article 121 of the Third Geneva Convention; the incidents at Goose Green and Pebbly Pond and the earlier incident at Grytviken when Suboficial Primero Artuso was killed which has already been reported.

EXPLOSION OF ORDNANCE ON 1 JUNE 1982 IN WHICH FOUR ARGENTINE SOLDIERS DIED AND EIGHT OTHERS WERE INJURED WHILE IN THE CUSTODY OF BRITISH FORCES AT GOOSE GREEN, EAST FALKLAND

INJURY TO 243522 CABO PRIMERO NESTOR RUBEN CATTAY, 601 ENGINEER COMPANY, ARGENTINE ARMED FORCES ON 2 JULY 1982 WHILE IN THE CUSTODY OF BRITISH FORCES AT PEBBLY POND, NEAR STANLEY, EAST FALKLAND

REPORTS AND STATEMENTS IN ACCORDANCE WITH ARTICLE 121 OF THE THIRD GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR 12 AUGUST 1949

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EXPLOSION OF ORDNANCE ON 1 JUNE 1982 IN WHICH FOUR ARGENTINE SOLDIERS DIED AND EIGHT OTHERS WERE INJURED WHILE IN THE CUSTODY OF BRITISH FORCES AT GOOSE GREEN EAST FALKLAND

REPORT IN ACCORDANCE WITH ARTICLE 121 OF THE THIRD GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR OF 12 AUGUST 1949

1. Immediately following the action in which the Second Parachute Battalion recovered the settlements of Darwin and Goose Green on East Falkland, very large quantities of abandoned Argentine weapons and ammunition were found scattered in and around the settlements where the Argentine forces had constructed in-depth defensive positions. The nature and condition of the ammunition, which included fused explosive ordnance, posed an extremely serious threat to the civilian population which had been held under guard in the Community Hall by the Argentine forces for 30 days before their release by the British forces. In addition the civilian population could not be allowed to return to their homes until they had been checked for ordnance and made habitable following occupation by the Argentine forces. In addition to the high priority task of checking and clearing the arms and ammunition the small British force had to ensure the welfare of and adequate guards for over 1000 Argentine prisoners of war, until arrangements could be made for their evacuation from the settlements. There was no habitable accommodation for the large numbers of British and Argentine troops, apart from a large sheep-shearing shed within the Goose Green settlement fairly close to the airfield and the prisoners of war were accommodated in that shed.

2. An Argentine battery of 105mm artillery guns had been located a few metres from the shed and two caches of mixed ordnance and small arms ammunition were located in the same area. These caches included ammunition for the guns as well as mixed ordnance and ammunition, some of which had been collected from the immediate area, ready for eventual removal to the airfield where a Central Ammunition Collection Point had been established. On the 1 June, it is believed that one of these caches was about 15 metres long and about 2 metres wide and contained 105mm shells, charge bags, boxes of mines, both anti-personnel and anti-tank, loose mines and grenades and a large quantity of small arms ammunition. In the cache there were also about six or seven large items which were probably aircraft bombs.

3. Responsibility for clearing up the settlement and making safe and collecting ammunition was delegated to a Major of 2 Parachute Battalion. He was aware that Argentine officers were concerned about collecting their dead. An approach was therefore made to Argentine officers through a Lieutenant Gomez who spoke English, and a Major Frontera, who was believed to be the senior officer present, agreed that prisoners of war could be employed in collecting the Argentine dead, clearing up the settlement and moving ammunition to collection centres. The only condition imposed by the Argentine officers was that they should not be required to work but would be present to supervise the work details.

4. At about 0900 on 1 June a Corporal, who was a trained engineer, approached the Lance Corporal responsible for the booking in and out of prisoners of war and asked for a work detail to move ammunition. 20 men and 1 officer were booked out and the Argentinian officer who was regarded as the official interpreter was told that the intention was to split the work detail into two groups, one to provide general airfield assistance to British forces in clearing up the settlement and the other to move spent ammunition from the area of the anti-aircraft gun in the settlement. The Argentine interpreter officer explained the tasks to the supervising officer and the work detail. The prisoners-of-war supervised by their officer continued these tasks until lunchtime when they returned to the sheep-shearing shed, and the Corporal informed the interpreter that he would return for another work detail at about 1400. At that time the interpreter asked whether it would be possible to move some ammunition which was in the shed as well as

the large pile just outside near the guns. During the lunch break the Corporal removed the ammunition in the shed which consisted of rifle grenades, some anti-personnel mines and small arms ammunition; to the Collection Point at the airfield.

5. At about 1400 hours the Corporal returned to the shed and asked for a similar work detail. He told the interpreter that the detail could move the pile of ammunition just outside the shed which had been mentioned before lunch. The Argentine officer said that there would be a delay of about half-an-hour before the men would be available. While waiting the Corporal checked the mines in the pile and found two which were fused, which he made safe. He also checked the grenades to ensure that the pins were in position and ensured that there was nothing hazardous in the small arms ammunition which was loose in the pile. He had been informed earlier that the 105mm shells had been examined by other experts and pronounced safe. Apart from the large objects which were thought to be aircraft bombs he considered that the ammunition was safe for moving.

6. At 14.30 hours the Prisoner-of-War work detail was signed out, and through the interpreter, the Corporal explained what he wanted the detail to do; that is, move all the ammunition which he considered safe except for the bombs which were unfamiliar to him. The interpreter assured the Corporal that everything was clearly understood and after the supervising officer had briefed the detail they made their way to the pile of ammunition. The Corporal handed items to each man and then accompanied the detail to the Collection Point at the airfield where he explained that items should not be mixed but placed in separate piles. When he saw that the detail was carrying out his instructions he left them in the care of their officer and three guards.

7. The distance to the airfield was about 200 metres and after items had been collected the detail walked in line to the Collection Point and then returned, again in single file. The guards took up positions about 10 metres away from the detail so that they could keep the officer and twenty men under observation throughout the journey. On return from their second trip to the airfield, the officer, according to a witness, appeared to be indicating to the five men of the detail who had reached the ammunition pile what should be picked up next, when there was a loud explosion, which may have been preceded by a smaller one. A very fierce fire broke out immediately and at least three prisoners-of-war had their clothes set on fire. One of them who, according to another witness, was already engulfed in flames, was seen to stagger or fall back into the seat of the fire. British personnel including medical staff who, with a doctor, were located nearby pulled injured members of the detail clear of the flames and the immediate hazard that had developed from ignition of small arms ammunition in the pile. Despite the danger, attempts continued for some minutes to reach the prisoner-of-war who could be seen within the fire. A Sergeant managed to get close to the man but was driven back by the heat and ferocity of the fire. He tried several more times from different directions but was unsuccessful. About four to five minutes after the explosion and start of the intense fire, the Sergeant, who was in considerable distress because he thought he saw the man moving and could not reach him, obtained a self-loading rifle and fired three or four shots with the intention of ending his apparently intense suffering because he considered that he was beyond further assistance and in agony.

8. In addition to the man who died in the flames, two other men of the detail were killed by the explosion and fire and a fourth, who had lost both legs, died shortly after arrival at the medical centre at Ajax Bay. Eight members of the detail were injured and received immediate first aid from the doctor and other medical staff present. Those requiring further treatment were transferred by helicopter to the Advance Dressing Station at Ajax Bay. The combined efforts of British and Argentine personnel, assisted by civilians, brought the fire under control and put it out within about half an hour.

9. British Officers and medical staff were unable to identify the dead and injured Argentine prisoners-of-war but a senior Argentine officer and Major Frontera of the Argentine forces made lists of the injured. Shortly after the incident Major Frontera, together with Lieutenant George Gopcevich, who acted as

interpreter, complained to a British officer that one of their officers had seen a British soldier shoot a prisoner-of-war. This complaint was also made by another Argentine officer interpreter, Sub Lieutenant Gomez. The matter was investigated immediately by British officers and the true facts confirmed by the Sergeant concerned and eye witnesses to the incident. An explanation was given to the Argentine officers through Sub Lieutenant Gomez who accepted it and did not pursue the matter further. On 3rd June, two days after the incident, prisoners-of-war remaining in the custody of British forces at Goose Green were invited to make statements on the incident. Only one statement was made and that is attached to this report.

10. For the purposes of ascertaining the facts surrounding this incident and in accordance with Article 121 of the Third Geneva Convention, a full inquiry was convened by the Commander Land Forces, Falkland Islands and conducted on his behalf by four officers, one of whom was a qualified doctor; none were from Units involved in the incident. This action was taken as soon as practicable after hostilities had ceased, when witnesses could be made available. The inquiry concluded that the movement of ammunition under the circumstances prevailing at Goose Green on 1 June 1982 could be classified as dangerous work for the purposes of Article 52 of the Third Geneva Convention but that the prisoners-of-war were volunteers for the purposes of that Article; that four prisoners died and eight were injured; that their identities were not known to the British authorities but that Major Frontera, the senior Argentine Army officer present listed the names of those Argentine prisoners-of-war involved in the incident; that the body of a badly injured or dead prisoner-of-war was shot by a Sergeant who believed that the prisoner was alive but beyond further assistance and wished to spare him further agony; that adequate medical aid and assistance was quickly available and all casualties evacuated to the Main Dressing Station at Ajax Bay within 30 minutes of the explosion; that three of the prisoners died from multiple blast injuries directly resulting from the initial explosion, including one who died later at Ajax Bay; that the cause of death of the fourth may have been the result of burning or of gunshot wounds or both, noting that the deceased had been exposed to very intense heat in the centre of the fire for some four or five minutes before the shots were fired; the condition of the body precluded confirmation of injuries other than burning or gunshot wounds; that the cause of the explosion was unknown but may have been caused by a cigarette, a booby trap or faulty ammunition.

11. In view of the seriousness of the incident and the unavailabiltiy of some witnesses at the time of the inquiry, further investigations were made and additional reports on the incident were prepared. The evacuation of the injured prisoners-of-war and the rapid repatriation programme prevented the obtaining of further statements from Argentine prisoners-of-war.

12. The Government of the United Kingdom has made a careful study of this tragic incident and has considered all the facts which emerged from the inquiry and subsequent investigations. All the relevant information has been submitted to the competent legal authorities who have concluded that no proceedings (whether in a civil court or by court martial or through military disciplinary proceedings) should be instituted against any individual involved.

13. In the circumstances prevailing, it is considered reasonable that the prisoners-of-war should have been allowed to move ammunition which was considered safe after examination and the prisoners-of-war undertook this work without coercion. Following the explosion Argentine prisoners-of-war at Goose Green indicated that in future they did not wish to be involved in moving ammunition.

14. It is noted that expert opinion at the time of the incident and in the subsequent inquiry could not determine the cause of the explosion. Later expert opinion however, based on the various accounts of the incident, suggested that, in the absence of fragmentation in the surrounding area, which would have been present had a 105mm shell exploded, the likeliest cause was a mine, either anti-tank or anti-personnel. Two or three such mines would sound similar to the detonation of a 105mm shell, and being encased in thin

plastic would not provide evidence of fragmentation. The explosion of the mines could have been inititated by a grenade either because of a fault or through mishandling. The ferocity of the fire was probably caused by phosphorus from the charge bags.

TRANSLATION OF ARGENTINIAN WITNESS STATEMENT

Second Lieutenant MARCELO RAUL COLOMBO

On hearing a loud explosion and seeing everyone moving away from one of the entrances, I managed to see through a window that one soldier was opening fire on the body of another Argentinian soldier lying on the ground outside, about 40 or 50 metres from where I was. I was unable to recognise the soldier firing as he had his back to me.

(Signed)

INJURY TO 243522 CABO PRIMERO NESTOR RUBEN CATTAY, 601 ENGINEER COMPANY, ARGENTINE ARMED FORCES ON 2 JULY 1982 WHILE IN THE CUSTODY OF BRITISH FORCES AT PEBBLY POND, NEAR STANLEY, EAST FALKLAND

REPORT AND STATEMENTS IN ACCORDANCE WITH ARTICLE 121 OF THE THIRD GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR 12 AUGUST 1949

1. During their occupation of the Falkland Islands, Argentine forces laid a number of minefields, some of which, after repossession by the British forces, were found to be inadequately recorded and marked. In many cases the mines used were of plastic construction and impossible to locate with the available mine detection equipment. In view of the risk posed by these minefields, particularly to the civilian population, members of the Argentine forces individually volunteered to assist in the task of clearing minefields. However, at the time of the incident in which Cabo Primero Cattay suffered his injury, following a series of accidents to British personnel, defusing and clearing mines hand been stopped and the work was confined to marking out the minefield limits using barbed wire or white tape.

2. On 2 July 1982, a group of Argentine Army Engineers, including Cabo Primero Cattay was engaged on locating and marking the limits of minefields on Stanley Common. Work on two minefields had been completed and work commenced on Minefield 106, near Pebbly Pond, under the direction of an Argentine Engineer Officer who had been involved in the laying of the minefield. The British forces supervised the fencing off which was being carried out with six foot pickets and two strands of barbed wire. At about 1405 hours the Argentine officer and Cabo Primero Cattay moved across to mark off the end of the minefield when there was an explosion and Cabo Primero Cattay was seen to fall with a foot injury. British personnel who were present promptly gave first aid and an emergency call for a helicopter was immediately relayed to Headquarters Land Forces Falkland Islands. The helicopter arrived at about 1420 and Cabo Primero Cattay was admitted to hospital at 1430. He had suffered a severe mutilation injury to his left foot and ankle. After immediate emergency treatment for his injry and its effects he was taken to the operating theatre at 1530 and his left leg amputated below the knee. The surgeon considered that the prompt and effective first aid, coupled with the rapid evacuation to hospital, probably saved Cabo Primero Cattay's life.

3. For the purposes of ascertaining the facts concerning this incident and in accordance with Article 121 of the Third Geneva Convention, an inquiry was convened by the Commander, Land Forces, Falkland Islands and conducted by a Major of the British forces assisted by two officers, one of whom was an Engineer; all were unconnected with the incident itself. Having taken evidence from those involved, the inquiry concluded that Cabo Primero Cattay was a volunteer for the task of locating and marking Argentinian minefields; that he was not involved in the locating and lifting of individual mines within the minefield; that the mine, which was belived to be a P4–B Anti Personnel Mine was probably outside the known perimeter of Minefield 106 at Pebbly Pond; and that Cabo Primero Cattay stepped on it accidentally when he followed the officer marking out the perimeter round what was thought to be its end limits. The inquiry considered that the briefings, safety precautions and supervision provided by the British and Argentine officers concerned in the operation were adequate and that first aid and emergency arrangements had ensured rapid medical attention and hospitalisation.

4. The findings of the inquiry were submitted to the competent superior authorities who endorsed them and concluded that the injury to Cabo Primero Cattay was an unfortunate accident and that no blame attached to any of the British or Argentine personnel engaged on the essential task of locating and marking of minefields pending clearance in areas normally accessible to the civilian population. The Government of

the United Kingdom have carefully considered both the findings of the inquiry and the conclusions of the superior military authorities and fully endorse them.

5. Statements taken from members of the Argentine forces who assisted the inquiry, including a statement by Cabo Primero Cattay, while in hospital, are appended.

STATEMENT BY LT H D BLANCO
601 ENGR COY – ARGENTINE ARMED FORCES

The time being 1627 hours, I make the following statement concerning the accident in which Cabo 1st CATTAY was involved. The following were the circumstances:

1. I was marking the limits of the minefield with picquets; when I came to the end of the area being marked off I saw another peg approximately 3 metres away from the end of the line of our demarcation.

2. I went towards the end of the pond to put more picquets in when I heard the explosion of an anti-personnel mine behind me, I then saw Cabo 1st CATTAY fall down shouting.

3. I went to where he was and called to Cabo VILLAREAL who was about 50 metres away.

4. The English SNCO quickly went to get a helicopter which arrived approximately 20 minutes later.

5. I then tried to find out what had happened; it appeared that there was some of the original wire laid by the Argentinians missing; I do not know why.

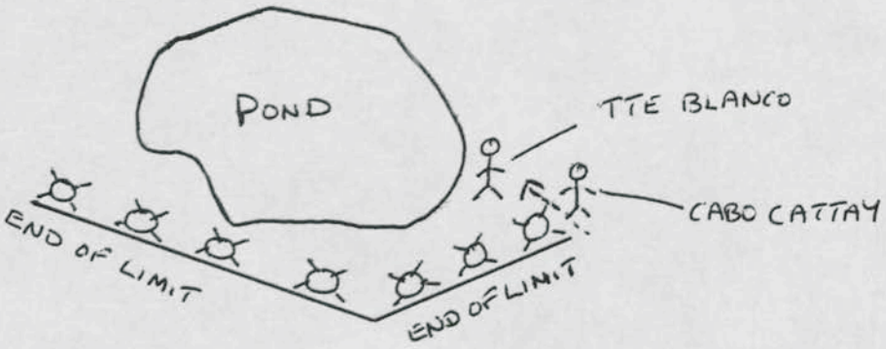
6. I write this statement of my own free will.

7. I do not sign this statement because I have not had the authorisation to do so.

8. The accident occurred at approximately 1430 hours at the pond in the environs of Port Stanley.

9. I give this statement to WO1 A C CANESSA.

DIAGRAM OF ACCIDENT



H D BLANCO
Lt
Argentine Armed Forces

STATEMENT BY A BROUSSON
LIEUTENANT – 601 ENGINEER COMPANY
ARGENTINE ARMED FORCES

I proceed to write concerning the accident involving Cabo 1st of Engineers Nestor Ruben Cattay. The following circumstances occurred:

1. I was approximately 1 km from the place where the accident happened, employed on similar work.

2. Between 1400 and 1430 approximately, I heard a explosion and I sent to Sr Mullen and the SNCO in our work group who were coming from the area of the explosion.

3. A few minutes later another Argentinian SNCO ran towards us asking for a helicopter.

4. Sr Mullen ran to the radio and the rest went to the scene of the accident.

5. The first to arrive was the SNCO i/c the group (an English sergeant) and he gave an ampoule of morphine to two Argentinian SNCOs; the morphine was applied to the casualty immediately.

6. Approximately 20 to 25 minutes after the accident happened, a helicopter arrived; it took the casualty to the civil hospital.

7. I was questioned straight away by a doctor who asked me what had happened; he also asked me to explain to Cabo 1st Cattay that he would be operated on and that he would be asleep in 10 minutes.

8. Approximately one hour later, somebody came out of the operating theatre and told me that Cabo 1st Cattay's condition was good and that he would be asleep for a few hours.

9. All the English authorities we depend were at the hospital.

I certify that I have not been forced to make this statement, and I do not sign as I have not received the necessary authority to do so.

I give this to Sr WO1 A C CANESSA.

2 July 1982

ALEJANDRO BROUSSON
Lieutenant
601 Engineer Company

STATEMENT BY C V DOMINGO
601 ENGINEER COMPANY
ARGENTINE ARMED FORCES

It being 11.30 hours, I proceed to bear witness concerning the accident which involved Cabo 1st Class Nestor Cattay.

I was carrying pickets when I heard an explosion and I saw the Cabo 1st fall. I went to help him with the Blanco. The safety measures in force were very well taken. The fencing was right and the minefield was securely marked off.

Cabo Bono Valligigo ran to fetch help and the English sergeant immediately requested help on the radio.

I write this statement freely of my own will.

I do not sign because my superiors have not given me the necessary authority.

I bear witness of this to Sr. WO1 A C CANESSA.

2 July 1982
Port Stanley

CABO VILLARREAL DOMINGO
601 Engineer Compnay

This statement was taken in the King Edward Memorial Hospital in Port Stanley on 7 July 1982. WO 1 Canessa acted as the interpreter for the Board when it questioned Corporal 1st Class CATTAY.

I 243522 Corporal 1st Class Nestor Ruben CATTAY of 601 Engineer Company having been duly sworn state:

Q. Can you tell the Board in your own words what happened.

A. We were putting in pickets when we came to the end of the wire, which gives the impression of the end of the minefield. We then headed towards the coast to close the minefield when the accident occurred. Lt Blanco was leading.

Q. Had you been involved in marking other minefields before you began work on the Pebbly Pond minefield? If so had you been forced to carry out these tasks?

A. Yes, I had. No, I had not been forced.

Q. Did you volunteer to help mark the Pebbly Pond minefield?

A. Yes.

Q. You have made this statement voluntarily?

A. Yes.

7 July 1982

Signed
N R CATTAY
Corporal 1st Class

FALKLAND ISLANDS GENERAL (ADVANCES) 38 Prime Minister

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
~~SIR I SINCLAIR~~ Mr DARWIN
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
~~MR EVANS~~ MR THOMAS
~~MR URE~~
MR GILLMORE

HD/PUSD (2)
HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

PS/NO 10 DOWNING ST (3)

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFI
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

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FM MONTEVIDEO 071832Z APR 83

TO IMMEDIATE FCO

TELEGRAM NUMBER 209 OF 07 APRIL

ARGENTINE NEXT OF KIN VISIT

1. WE HAVE HEARD THAT DESTAFANIS WAS HOLDING A PRESS CONFERENCE IN BUENOS AIRES THIS MORNING, 7 APRIL.

2. HIS PROPOSED DATE OF EMBARCATION HAS SLIPPED FROM 23 TO 26 APRIL.

3. LOCAL RADIO TODAY CARRIED DETAILS OF TWO OF OUR CONDITIONS FOR PROPOSED VOYAGE, NAMELY THAT NEITHER CREW NOR SHIP SHOULD BE ARGENTINE.

HUTCHINSON

NNNN

SENT/RECD AT 07/18437 PG/TIPS

CONFIDENTIAL

cc MOD
HMT

10 DOWNING STREET

From the Private Secretary

6 April 1983

Falklands: Visit of Argentine next-of-kin

We discussed this question on a number of occasions over the Easter weekend.

The Prime Minister reiterated to me this morning her view that, particularly given the attitude of the Falkland Islanders to this visit and the fact that Argentina has not agreed to a formal cessation of hostilities, we should stick firmly to the conditions which we have outlined to the ICRC. In particular, we should continue to insist that it is for the ICRC to organise the visit. With regard to the statement in paragraph 4 of FCO telegraph No. 83 of 31 March to UKMIS Geneva that we do not expect Destefanis to land, the Prime Minister has commented that under no circumstances could Destefanis land on the Falkland Islands.

You explained to me earlier the steps you had taken to ensure that UKMIS Geneva were aware of the Prime Minister's views. I should be grateful if, when the ICRC have commented further, you would provide advice on further action.

I am copying this letter to Richard Mottram (Ministry of Defence).

A. J. COLES

Brian Fall, Esq.,
Foreign and Commonwealth Office.

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PS/ NO. 10. DOWNING STREET.

GRS 300

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MT.

FROM PORT STANLEY 051155Z APR 83

TO PRIORITY FCO

Read in full

INFO PRIORITY MONTEVIDEO, BIS BUENOS AIRES

TELEGRAM NUMBER 234 OF 5 APRIL

YOUR TELNO 25: ARGENTINE NOK VISIT

1. MANY THANKS FOR ADVISING US PROMPTLY OF TERMS PUT TO ICRC. WE HAVE SHOWN THEM TO THOSE COUNCILLORS ON WHOSE DISCRETION WE CAN RELY (WHO HAVE BEEN MUCH IRRITATED BY THE PREVIOUS LEAKS).

2. THEIR GENERAL REACTION HAS BEEN RELUCTANT ACCEPTANCE THAT THE ''AGREEMENT IN PRINCIPLE'' WAS NECESSARY IN VIEW OF MONTEVIDEO TELNO 175, IF OUR OWN NOK VISIT WAS TO GO AHEAD UNIMPEDED. YOU SHOULD BE ABSOLUTELY CLEAR HOWEVER THAT, BUT FOR THE IMPLICATIONS FOR OUR OWN NOK VISIT, COUNCILLORS WOULD PROBABLY UNANIMOUSLY HAVE REFUSED TO GIVE THEIR AGREEMENT. ISLAND FEELING REMAINS STRONG AGAINST ARGENTINES SETTING FOOT ON THE ISLANDS AND COUNCILLORS WILL HAVE DIFFICULTY IN PERSUADING THEIR CONSTITUENTS OF THE NECESSITY FOR THE AGREEMENT. ONCE OUR OWN NOK VISIT IS SAFELY OVER THEY WILL BE LOOKING FOR THE STRICTEST INTERPRETATION OF THE TERMS LAID DOWN TO ICRC AND WILL BE SCRUTINISING OUR EVERY MOVE FOR EVIDENCE OF WEAKNESS. THE CONDITIONS MUST BE SEEN AS THE IRREDUCIBLE MINIMUM IF WE ARE TO MAINTAIN ANY LOCAL CREDIBILITY. IN ADDITIONS, THE COURTESY FLAG CONDITION (PARA 2.4 OF MY U/N TELEGRAM SENT VIA MILITARY OF 26 MARCH) IS REGARDED HERE AS MOST IMPORTANT BECAUSE OF THE PRINCIPLES OF SOVEREIGNTY WHICH IT WOULD UNDERLINE.

3. COUNCILLOR TIME BLAKE EXPRESSED ANXIETIES THAT DESTEFANIS MIGHT SAIL HIS SHIP IN THE NEXT FEW DAYS, PRECISELY IN ORDER TO EMBARRASS OUR OWN VISIT. WE TOLD HIM WE THOUGHT THIS UNLIKELY, BUT I TRUST SOMEONE IS KEEPING A CLOSE WATCH ON DESTEFANIS OVER THE NEXT FEW DAYS.

Are they?

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/4.

with whom co-operation? and on what vehicles? nd

4. YOU SHOULD ALSO KNOW THAT VISITING JOURNALISTS IN STANLEY ARE MAKING THEIR OWN DISPOSITIONS NOW SO THAT THEY CAN TRAVEL TO DARWIN WITHOUT MILITARY OR FIG ASSISTANCE TO COVER A POSSIBLE ARGENTINE VISIT.

FCO PLEASE PASS TO MONTEVIDEO AND BIS BUENOS AIRES (FOR INFO)

HUNT

THIS TELEGRAM WAS NOT ADVANCED

(Repetition to BIS BA referred for departmental decision, repeated as requested to other posts.)

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(2).

PRIME MINISTER

PROPOSED VISIT BY ARGENTINE NEXT-OF-KIN

When you spoke to me over the weekend I did not have available the minutes of the meeting of OD(EM) on 28 March (which I now attach). You will see that the minutes record your summing up as including the following:

> "If the ICRC were not able to organise the visit but were prepared to accept that it should be under their auspices and supervision, that would have in the last analysis to be accepted."

It was doubtless this that led FCO officials not to press the ICRC too hard on the question of organisation. But I agreed with the FCO over the weekend that whatever the ICRC's response was to our latest proposals on this matter, the FCO would indicate that it was inadequate and would not commit the Government further until you had had a chance to consider the position.

I have made it clear that Destefanis could under no circumstances land with the expedition.

A.S.C.

I remember the earlier point well. But nothing justifies the point in that telegram about the ICRC because the links between Jorge & the Sleftanis

5 April 1983

MT

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GRS 563
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DESKRT 3116002
FM FCO 3115002 MAR 83
TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER 083 OF 31 MARCH 1983
AND TO IMMEDIATE PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY, MONTEVIDEO, PRIORITY WASHINGTON AND UKMIS NEW YORK.

YOUR TELNO 134: FALKLANDS: ARGENTINE NEXT OF KIN.

1. PLEASE TELL THE ICRC THAT WE APPRECIATE THEIR CONCERN THAT WE SHOULD BE IN AGREEMENT ABOUT THE CONDITIONS BEFORE THEY ARE PUT TO SR DESTEFANIS. WE HOPE THEY WILL MAKE CLEAR TO EIN THAT WE ARE CONCERNED TO ESTABLISH THE DETAILS OF A VISIT WHICH WOULD BE ACCEPTABLE AND PRACTICABLE. IN STRESSING THAT OUR CONDITIONS ARE ENTIRELY GENUINE YOU SHOULD ALSO MAKE CLEAR TO THE RED CROSS THAT IF DESTEFANIS WERE TO SAIL FROM AN ARGENTINE PORT IN AN ARGENTINE VESSEL WITHOUT PRIOR AGREEMENT NO (REPEAT NO) VISIT TO THE CEMETERY COULD TAKE PLACE. WE LEAVE IT TO THE RED CROSS WHETHER OR NOT TO PASS THIS ON AT THIS STAGE.

2. AS FAR AS ORGANISATION IS CONCERNED, YOU SHOULD TELL THE ICRC THAT WE SEE THEIR ROLE AS ESSENTIALLY ONE OF ACTING AS A LINK BETWEEN US AND THE EXPEDITION. WE ARE ASKING THEM TO CONFIRM AND SUPERVISE ORGANISATION, BUT THEY WILL PRESUMABLY REQUIRE DESTEFANIS TO DO MUCH OF THE ORGANISATIONAL WORK, IE IN CHARTERING A VESSEL AND IN ASSEMBLING THE PARTY. WE ARE NOT DEALING WITH DESTEFANIS DIRECT NOR WITH THE ARGENTINE AUTHORITIES AND DO NOT INTEND TO DO SO. IT IS FOR DESTEFANIS TO ENABLE THE ICRC TO PRESENT US WITH A DETAILED PLAN WHICH WE CAN DISCUSS AND HOPEFULLY AGREE WITH THEM. YOU SHOULD REPEAT THAT WE ALSO EXPECT THEM IN DUE COURSE TO GIVE US AN ASSURANCE

/OF

This seems to weaken our position of see the Crisis - def. of organisation the statement (which contradicts that Duleffem said with the expedition. I note this says "we would not expect him to land".
Under no circumstances could he possibly land now

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Telexed to Chequers 1/4

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GRS 563
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DESKBY 311600Z
FM FCO 311500Z MAR 83
TO IMMEDIATE UKMIS GENEVA
TELEGRAM NUMBER 083 OF 31 MARCH 1983
AND TO IMMEDIATE PERSONAL FOR CIVIL COMMISSIONER PORT STANLEY, MONTEVIDEO, PRIORITY WASHINGTON AND UKMIS NEW YORK.

YOUR TELNO 134: FALKLANDS: ARGENTINE NEXT OF KIN.

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/OF

OF THEIR ENTIRE SATISFACTION THAT THE VISIT IS OF A HUMANITARIAN NATURE.

3. IT REMAINS OUR POSITION THAT WE ARE NOT ABLE TO ACCEPT AN ARGENTINE SHIP OR ARGENTINE CREW. (WE HAD ORIGINALLY UNDERSTOOD FROM PRESS REPORTS THAT DESTEFANIS WOULD BE HIRING A URUGUAYAN SHIP). YOU MAY TELL THE ICRC, FOR THEIR OWN INFORMATION, THAT THE ISLANDERS HAVE TOLD US THEY ATTACH IMPORTANCE TO THIS AND WE FEAR LAST MINUTE FLAG PROBLEMS WITH ANY ARGENTINE SHIP. HOWEVER CAREFUL THE ICRC INSPECTION, AN ARGENTINE CREW WOULD GIVE COLOUR TO FEARS OF FOUL PLAY.

4. IDEALLY WE WOULD PREFER THAT SR DESTEFANIS DID NOT SAIL WITH THE PARTY BUT IF IT WOULD HELP THE ICRC WITH THE ORGANISATION OF THE VISIT WE WOULD BE PREPARED TO AGREE TO THAT. WE WOULD NOT EXPECT HIM TO LAND WITH THE RELATIVES OF ARGENTINES WHO DIED ON THE FALKLANDS.

5. WE WOULD EXPECT THE ICRC TO DO A THOROUGH PRELIMINARY CHECK AND GIVE US A LIST OF PEOPLE WHOM THEY BELIEVED TO BE GENUINE NEXT OF KIN OF ARGENTINES KILLED ON THE FALKLANDS AND IN THE AIR. WE AGREE THE EXCLUSION OF THE RELATIVES OF THOSE WHO DIED AT SEA. WE ACCEPT THAT IN THE LAST ANALYSIS RESPONSIBILITY FOR APPROVING THE LIST WOULD BE OURS.

6. FOR THE INFORMATION OF THE ICRC ONLY AT THIS STAGE THEY SHOULD KNOW THAT WE HAVE BEEN GIVING PRELIMINARY THOUGHT TO THE ADMINISTRATIVE DETAIL OF THE VISIT. WE SHOULD NEED TO KNOW THE DETAILS OF THE SHIP'S ROUTE AND TIMINGS BEFORE LEAVING PORT: THE VESSEL WOULD BE ESCORTED TO AN ANCHORAGE: DISEMBARKATION AND EMBARKATION THERE WOULD BE UNDER THE CONTROL OF THE BRITISH FORCES WHO ARE ALONE IN A POSITION TO ARRANGE IT: THE DURATION OF THE VISIT TO THE CEMETERY SHOULD NOT EXCEED 3 HOURS AND NO VISITORS WOULD BE ACCEPTED IN MILITARY UNIFORM.

7. AGAINST THIS FURTHER BACKGROUND, WE ASSUME THE ICRC WILL NOW

/PUT

PUT THE CONDITIONS IN OUR TELNO 80 TO DESTEFANIS AS SOON AS POSSIBLE.

PYM

NNNN

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COMMENT WHICH THE PRIME MINISTER HAS WRITTEN ON TELNO. 134 OF 31 MARCH FROM UKMIS GENEVA – attached.

Argentine Next of Kin Visit to the Falklands

The Prime Minister wants the FCO to know:

We have gone as far as we possibly can to allow a visit. We cannot go further. We must bear in mind:

(i) Permanent hostilities have not ceased;

(ii) the opposition of many of the islanders.

Therefore the only channel for organisation is the ICRC. It would be astonishing if they refused. Those who visit would obviously have to pay all the costs. If the purpose is to see the graves of their relatives, the answer is for a proper ship to transfer the remains to Argentina.

(N.B. John Coles had written on top of this telegram "The FCO are sending a reply today"(dated 31 March). The PM is not happy with the telegram.)

8

ANYWAY ERE GOES THE DESK BY

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IMMEDIATE

+6

GVA/FCO 03/31

00 FCO DESKBY 311000Z

00 MONTEVIDEO DESKBY 310600Z

PP WASHINGTON

PP UKMIS NEW YORK

PS (2)
PS/Mr Onslow
PS/No 10 (4)

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GPS 850
DESKBY FCO 311000Z
DESKBY MONTEVIDEO 310600Z
FM UKMIS GENEVA 310915Z MAR 83
TO IMMEDIATE FCO
TELNO 134 OF 31 MAR
INFO IMMEDIATE MONTEVIDEO
INFO PRIORITY WASHINGTON AND UKMIS NEW YORK

[advanced Head FID
Mr Gifford
Mr Lee]

MY TELNO 128: YOUR TELNO 80 AND KYLES/SQUIRE TELECON OF 30 MARCH:
ARGENTINE NEXT OF KIN VISIT

1. AS REPORTED IN TELCON UNDER REFERENCE, JOSSERON OF ICRC

CALLED ON CHANCERY LATE YESTERDAY AFTERNOON. WE NEED INSTRUCTIONS ON THE DETAILED POINTS IN PARA 7 BELOW.

2. JOSSERON BEGAN BY STATING THAT ICRC HAD GIVEN CAREFUL CONSIDERATION TO THE REQUEST THAT ONE OF THEIR REPRESENTATIVES ACCOMPANY THE UK NEXT OF KIN PARTY TO THE FALKLANDS. ICRC RESOURCES WERE, HOWEVER, FULLY STRETCHED AT PRESENT. MOREOVER, THEY DID NOT BELIEVE THEIR ABSENCE WOULD IN ANY WAY HINDER THE SUCCESSFUL OUTCOME OF THE VISIT. THEY HAD THEREFORE RELUCTANTLY TO DECLINE THE INVITATION (COPY OF ICRC LETTER FOLLOWS BY BAG). JOSSERON POINTED OUT HOWEVER THAT AS AN ICRC DELEGATION WOULD BE IN MONTEVIDEO FROM 4 APRIL (INSPECTIONS PRISONS), A REPRESENTATIVE WOULD BE MOST WILLING TO MEET THE UK NEXT OF KIN BEFORE THE SHIP DEPARTS ON THE EVENING OF 5 APRIL. THEY WOULD REQUIRS ONLY 24 HOURS NOTICE.

3. ON THE PROPOSED ARGENTINE NEXT OF KIN VISIT, JOSSERON MADE CLEAR THAT ICRC HAD NOT YET DISCUSSED WITH DESTEFANIS ANY OF THE CONDITIONS CONTAINED IN YOUR TUR. THEY WISHED FIRST TO DISCUSS WITH US THE DETAILS OF EACH CONDITION, AND THE DEGREE TO WHICH WE WISHED THEM INVOLVED. IN PARTICULAR, THE WORD ''ORGANISE'', IN ITS STRICT SENSE, CAUSED THEM DIFFICULTY. JOSSERON MADE IT CLEAR THAT ICRC DID NOT (REPEAT NOT) HAVE THE RESOURCES AVAILABLE EITHER TO FIND A SHIP (AND BY IMPLICATION A CREW) OR TO FINANCE THE JOURNEY. THEY WOULD HOWEVER BE FULLY PREPARED TO SUPERVISE THE ENTIRE VISIT AND WOULD INSPECT THE SHIP AS WE REQUIRED. THEY AGREED, WITHOUT CONDITION, TO THE FLYING OF THE RED CROSS FLAG. JOSSERON WENT ON TO POINT OUT THAT ACCORDING TO VARIOUS REPORTS. DESTEFANIS SEEMED TO HAVE PREPARATIONS ALREADY WELL UNDERWAY. WHILE THIS PRESUMABLY IMPLIED BOTH AN ARGENTINE SHIP AND CREW (TWO OF THE CONDITIONS UNACCEPTABLE TO US(, JOSSERON GAVE THE CLEAR IMPRESSION THAT ICRC WERE QUITE PREPARED TO ACCEPT SUCH ARRANGEMENTS. THIS VIEW IS NO DOUBT GOVERNED BY THE FACT THAT ICRC SEE NO OTHER PRACTICAL ALTERNATIVE WITHIN THE SHORT TIME AVAILABLE. WHATEVER THE CIRCUMSTANCES, THEY WOULD HAVE NO PROBLEM IN COMMUNICATING TO US THE NAME OF THE VESSEL.

4. AS REGARDS DESTEFANIS HIMSELF, ICRC REPEATED THEIR POSITION AS DISCUSSED WITH LONG ON 25 MARCH (PARA 5 OF MY TELNO 122). WE EXPLAINED THAT OUR INSTRUCTIONS REMAINED AS SET OUT IN PARA 3(D) OF YOUR TUR. WE AGREED HOWEVER TO RE-EMPHASISE THEIR VIEWS WITH YOU ON THIS POINT.

5. JOSSERON THE RAISED THE QUESTION OF VERIFICATION OF THE NEXT OF KIN. ICRC WERE QUITE PREPARED TO VERIFY, AS FAR AS

5. JOSSERON THE RAISED THE QUESTION OF VERIFICATION OF THE NEXT OF KIN. ICRC WERE QUITE PREPARED TO VERIFY, AS FAR AS POSSIBLE, ANY LIST PROVIDED BY DESTEFANIS. THE FINAL DECISION ON WHO WERE ACCEPTED WOULD REST WITH HMG. JOSSERON POINTED OUT THAT ICRC WOULD NOT (REPEAT NOT) ACCEPT RELATIVES OF EITHER THE CREW OF THE BELGRANO OR THE AIRCREW. WHERE NEXT OF KIN OF UNIDENTIFIED INFANTRYMEN WERE INVOLVED, THEY WOULD CROSS CHECK THE RELATIVES' CLAIMS WITH THEIR OWN RECORDS AND WITH THE ARGENTINE MILITARY AUTHORITIES.

6. ON THE REMAINING CONDITIONS, JOSSERON REAFFIRMED THEIR ACCEPTANCE OF THESE AS SET IN IN PARA 3(B), (E), (F), (H) AND (I) OF YOUR TUR.

7. ICRC NOW WISH TO CONVEY TO DESTEFANIS, AS SOON AS POSSIBLE, OUR AGREED CONDITIONS. BUT BEFORE DOING SO, THEY WISH US, GIVEN THEIR ABOVE COMMENTS TO CLARIFY THE FOLLOWING POINTS:

A) WITHIN THE TERMS OF HMG'S STATEMENT, HOW IN SPECIFIC TERMS DO WE WISH ICRC TO ORGANISE THE JOURNEY?

?) CAN WE IN ANY CIRCUMSTANCES ACCEPT THE USE OF DESTEFANIS' SHIP? (IF SO, WE WOULD PRESUMABLY REQUIRE THAT IT FLEW ONLY THE RED CROSS FLAG)

C) CAN WE CLARIFY FURTHER OUR POSITION ON THE NATIONALITY OF THE CREW?

D) IF DESTEFANIS IS UNWILLING TO ACCEPT THE IDEA THAT HE SHOULD NOT TRAVEL AT ALL, CAN WE ACCEPT ICRC'S SUGGESTION THAT HE SHOULD BE ALLOWED TO TRAVEL BUT NOT DISEMBARK?

8. AS MENTIONED IN THE TELECON UNDER REFERENCE, ICRC WILL HAVE A REPRESENTATIVE ON CALL IN GENEVA THROUGHOUT THE EASTER BREAK SHOULD WE WISH THEM TO CONTACT DESTENFANIS DURING THAT PERIOD.

COMMENT

9. ICRC FULLY AGREE WITH HMG THAT THE VISIT SHOULD BE PURELY HUMANITARIAN: AND SHOULD BE ORGANISED IN SUCH A WAY AS TO AVOID ANY POSSIBILITY OF UNTOWARD ACTIVITY BY THE ARGENTINE PARTY. THEY REALISE THAT THIS WOULD REFLECT ON THEM. THEIR WILLINGNESS TO FLY THE RED CROSS FLAG GIVE US SOME LEEWAY OVER OUR OTHER CONDITIONS E.G. THE PROBLEM OF THE SHIP'S AND CREW'S NATIONALITY. YOU WILL I KNOW HAVE IN MIND THE POINT THAT, HAVING MADE PUBLIC OUR WILLINGNESS, IN PRINCIPLE, TO SEE A STRICTLY HUMANITATIAN VISIT PROCEED WE SHOULD NOT ALLOW

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10 FCO PLEASE PASS COPIES TO MODUK (DS 14).

MARSHALL

NNNN

SENT AT 311022Z AA

The F.C.O. are sending a reply to this today.

A.J.C. 31/3.

ANYWAY ERE GOES THE DESK BY

We have gone as far as we possibly can to allow a visit. We cannot go further.

We must bear in mind
(1) permanent hostilities have NOT ceased
(2) the opposition of many of the islanders

∴ the only channel for organisation is the ICRC.

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00 MONTEVIDEO DESKBY 310600Z

PP WASHINGTON

PP UKMIS NEW YORK

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GPS 850

DESKBY FCO 311000Z

DESKBY MONTEVIDEO 310600Z

FM UKMIS GENEVA 310915Z MAR 83

TO IMMEDIATE FCO

TELNO 134 OF 31 MAR

INFO IMMEDIATE MONTEVIDEO

INFO PRIORITY WASHINGTON AND UKMIS NEW YORK

Would be astonishing if they refused. Those who visit would obviously have to pay all the costs.

If the purpose is to see the graves of their relatives - the answer is for a proper ship to transfer the remains to Argentina.

PS (2)

PS/Mr Onslow

PS/Mr Ure

PS/10 (4)

[advanced Head FID
Mr Gillard
Mr Ure]

MY TELNO 128: YOUR TELNO 80 AND KYLES/SQUIRE TELECON OF 30 MARCH:

ARGENTINE NEXT OF KIN VISIT

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The answer to this will be no.

C) CAN WE CLARIFY FURTHER OUR POSITION ON THE NATIONALITY OF THE CREW?

D) IF DESTEFANIS IS UNWILLING TO ACCEPT THE IDEA THAT HE SHOULD NOT TRAVEL AT ALL, CAN WE ACCEPT ICRC'S SUGGESTION THAT HE SHOULD BE ALLOWED TO TRAVEL BUT NOT DISEMBARK?

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10 FCO PLEASE PASS COPIES TO MODUK (DS 14).

MARSHALL

NNNN

SENT AT 311022Z AA

FALKLAND ISLANDS GENERAL (ADVANCES) 39

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

HD/PUSD (2)
HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

PS/NO 10 DOWNING ST (3)

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFI
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

IMMEDIATE

O 291900Z MAR 83
FM CIVIL COMMISIONER
TO FCO LONDON
BT
C O N F I D E N T I A L
SIC EUA PORT STANLEY
TELEGRAM NUMBER 218 OF 29 MARCH
MIPT -17: ARGENTINE NOK: COUNCILLOR REACTION
1 COUNCILLOR REACTION WAS PREDICTABLY NEGATIVE, ALTHOUGH IN THE END THEY PROBABLY FOR THE MOST PART ACCEPTED THE NECESSITY FOR THE AGREEMENT QUOTE IN PRINCIPLE UNQUOTE AND THE PUBLIC ANNOUNCEMENT - INITIAL REACTION INCLUDED ACCUSATIONS THAT HMG WAS BACK-TRACKING FROM ITS COMMITMENT (WHICH I QUESTIONED) THAT NO ARGENTINES WOULD VISIT BEFORE THEIR GOVERNMENT FORMALLY ANNOUNCED THE END OF HOSTILITIES AND THAT FIG WAS BEING OVERRULED ON THE FIRST MAJOR POLITICAL ISSUE SINCE THE INVASION AFTER THE PRIME MINISTERS STATEMENT THAT ISLANDERS SHOULD HAVE MORE SAY IN THEIR OWN AFFAIRS. WHILE COUNCILLORS WERE SYMPATHETIC ON THE PROBLEMS WHICH MIGHT FACE URUGUAY ON THE UK NOK VISIT, URUGUAY WAS NOT (REPEAT NOT) A FRIEND AND WAS MAKING CAPITAL OUT OF THE AFFAIR. ~~THE VISIT WOULD~~

~~SNOWBALL: IT COULD END UP AS ANOTHER QUOTE SCRAP MERCHANT DEALER~~
UNQUOTE. WHAT WOULD HAPPEN IF THE NOKS WOULD NOT LEAVE QUES
3 I REHERSED AGAIN THAT THIS WAS AN INDIVIDUAL PROJECT BY DESTAFANIS AND THAT THE ARGENTINE GOVERNMENT WAS NOT INVOLVED: THAT THEY COULD NOT CHARGE HMG WITH ACTING BEHIND THE FIGS BACK OR OF NOT CONSULTING COUNCILLORS, THAT URUGUAY HAD, FOR ITS OWN UNDERSTANDABLE REASONS TO BE SEEN AS BEING EVEN HANDED AND THAT THE SHIP AND VISITORS WOULD BE ESCORTED BY THE MILITARY THROUGHOUT
4 ONE COUNCILLOR (PECK) SAID HIS CONSTITUENTS WERE VERY OPPOSED TO THE ARGENTINE VISIT AND HAD SUGGESTED A PUBLIC MEETING. IF COUNCILLORS MADE DECISIONS ON BEHALF OF COMMUNITY AND THEY WERE COMPLETELY OPPOSED, HE WOULD HAVE TO RESIGN. THERE WAS RELUCTANT AGREEMENT THAT THINGS WERE TOO FAR ADVANCED TO CHANGE NOW. (I EMPHASISED THAT IS WAS NOT HMGS FAULT, BUT DESTEFANIS AND THE URUGUAYAN AUTHORITIES THAT EVENTS HAD NOW TO MOVE SO QUICKLY.)
I SAID THAT I WOULD HOPE THAT AT ANY PUBLIC MEETING COUNCILLORS WOULD SAY THAT THEY HAD AGREED IN PRINCIPLE THAT THE VISIT COULD TAKE PLACE: IT WAS FOR THEM TO LEAD THEIR COMMUNITY.
5 THERE WAS SOME PERCEPTION OF THE POLITICAL DIFFICULTIES IN NOT QUOTE YIELDING TO ARGENTINE PRESSURE UNQUOTE WHEN ASKED IF ICRC

HAD TOLD THE ARGENTINE PEOPLE ABOUT THE OFFER TO SEND BODIES BACK
I SAID THAT THE ICRC WERE NEUTRAL AND WOULD ONLY TELL THE ARGENTINE GOVERNMENT. (YOU SHOULD BE VERY AWARE OF THE DEEP SUSPICION WITH WHICH ISLANDERS VIEW ICRC AS A RESULT OF THE INCIDENT DURING THE OCCUPATION WHEN AN ICRC REPRESENTATIVE LANDED ON BOARD A SUPPOSED ARGENTINE HOSPITAL SHIP WHICH ALLEGEDLY UNLOADED EXOCET MISSILES WITHOUT REPORTING THAT FACT. WHILE WORLD OPINION WOULD DOBTLESS ACCEPT THE NEUTRALITY OF ICRC THE SAME DOES NOT HOLD WITH ISLANDERS)
6 WHEN CHEEK SAID HE WAS ANNOYED THAT HMG HAD MADE THE ANNOUNCEMENT BEFORE COMING BACK TO COUNCILLORS I TOLD HIM THAT HMG HAD HAD NO OPTION AS THE STORY WAS ABOUT TO BREAK IN UK AS A RESULT OF THE PRESS
S
HERE KNOWING WHAT WAS SAID IN COUNCIL LAST WEEK. IT WAS IMPORTANT THAT DISCUSSIONS IN COUNCIL REMAINED STRICTLY CONFIDENTIAL
BT

FALKLAND ISLANDS GENERAL (ADVANCES) 57

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

HD/PUSD (2)
HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

PS/NO 10 DOWNING ST (3)

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MISS M E CUND) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFI(
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

IMMEDIATE

GRS 268
CONFIDENTIAL
DESKBY 290800Z MAR
FM SANTIAGO 282200Z MAR 83
TO IMMEDIATE F C O
TELEGRAM NUMBER 325 OF 28 MARCH
INFO IMMEDIATE DESKBY MODUK (FOR D14) SIC U2J

UK/CHILE COOPERATION DURING THE FALKLANDS WAR

1. ACCORDING TO AN AFP STORY DATELINED PARIS MARCH 28, THE CHILEAN NAVAL COMMANDER IN PUNTA ARENAS INFORMED THE ROYAL NAVY OF THE POSITION OF THE ARGENTINE CRUISER GENERAL BELGRANO DURING THE LAST WEEK OF APRIL 1982. THIS INFORMATION IS ALLEGED TO HAVE BEEN PASSED THROUGH THE BRITISH MILITARY (SIC) ATTACHE IN SANTIAGO.

2. THE AFP STORY HAS RESURRECTED FROM THE BOOK ''EYEWITNESS FALKLANDS PUBLISHED IN LATE 1982 BY THE BBC CORRESPONDENT ROBERT FOX. AFP QUOTES FROM FOX'S BOOK VERBATIM (SEE HIS LAST PARA) IN THIS CASE BUT THEIR STORY IS IN FACT ONLY THE LATEST IN A SEQUENCE OF MISCHIEVOUS PIECES.

3. BOTH WE AND THE CHILEAN NAVY HAVE RECEIVED MANY PRESS ENQUIRIES TODAY ABOUT THIS STORY. SO FAR WE HAVE REFUSED TO COMMENT AND THE CHILEAN NAVY HAVE TAKEN THE SAME LINE WHILST IMPLYING THAT FOX IS NOT WORTHY OF ANY CREDENCE.

Passage deleted and closed, 40 years, under FOI Exemption.

D A Wayland
12 February 2013

4. GRATEFUL FOR IMMEDIATE ADVICE OF ANY STATEMENT WHICH YOU OR MOD MAY BE PREPARED TO MAKE, EG THAT THIS IS NO MORE THAN A REVIVAL OF A STALE CANARD CURRENT AT THE TIME OF THE WAR.

HICKMAN

NNNN

SENT AT/RECD AT 282243ZP L N /BCC

CONFIDENTIAL

cc TV

(2)

Foreign and Commonwealth Office

London SW1A 2AH

28 March 1983

Prime Minister

The ICRC have agreed and this is being issued this evening.

A.J.C. 28/3

Dear John,

Falklands: Argentine Next of Kin Visit

Following this morning's meeting of OD(EM) I enclose the text of a public statement on the request which has been received from Sr Destefanis. The text is being put to the ICRC with a view to making a statement this evening.

I am copying this to Private Secretaries to other members of OD(EM).

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

CONFIDENTIAL

OUT TELEGRAM

Classification and Caveats	Precedence/Deskby
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TO UKMIS GENEVA
TELEGRAM NUMBER
ARGENTINE NEXT OF KIN VISIT
1. Proposed text of a public statement.
BEGINS: We have received through the International Committee of the Red Cross a letter from Sr Osvaldo Destefanis, the President of an Argentine group called The Centre for Volunteers for the Fatherland, requesting the support and protection of the ICRC for a visit by a group of relatives of Argentine servicemen who died during the Falklands hostilities.

We so no objection in principle to a visit by relatives taking place provided it is organised and supervised by the ICRC, is purely humanitarian in nature, and certain conditions are observed. We have asked the ICRC so to inform Sr Destefanis and we are discussion with them about the details of such a visit.

/// // / We stand by the offer which has been made to the Argentine Government on several occasions to return to Argentina the bodies of their servicemen at present buried on the Falkland

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File number	Dept	Distribution
Drafted by (Block capitals) PRIVATE SECRETARY		
Telephone number 233 4641		
Authorised for despatch		
Comcen reference	Time of despatch	

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Confidential

CABINET OFFICE
70 WHITEHALL
LONDON SW1A 2AS

~~01-930 5400 ext~~
2835458

28/3/83

Dear John,

We spoke and I agreed to send you an unofficial copy of this paper so that you could judge whether or not it needs shortening before submission to the Prime Minister.

The key paragraphs are 20 - 22 but the rest of it is relevant if the argumentation is to be described in full.

Yours ever

Brian

John Coles Esq
No 10 Downing St

p.a.

29/3

Confidential

EXTENSION OF THE FALKLAND ISLANDS TERRITORIAL SEA

Note by Officials

Introduction

1. At present the breadth of the territorial sea around the Falkland Islands, as around the United Kingdom and all other dependent territories, is 3 nautical miles. This paper examines the advantages and disadvantages of extending the Falkland Islands territorial sea to 12 nautical miles.*

2. a. Annex A explains the concept of the territorial sea and its legal implications.

   b. Annex B, which is an updated version of MISC 19(82) 9 explains in detail the background to the question of extending United Kingdom territorial sea and the options now facing us in relation to that subject.

   c. Annex C describes the particular problems of Gibraltar.

   d. Annex D provides details of the historic fishing rights which might be affected by an extension to 12 miles around the United Kingdom.

   e. Annex E gives a list of countries (125) who have already extended their territorial seas beyond 3 nautical miles and those still retaining a 3 mile limit.

Falkland Islands Aspects

3. These can be divided into five categories -

   a. defence
   b. pollution
   c. economic
   d. relations with Argentina
   e. policing.

---

*(All subsequent references to "miles" should be read as meaning "nautical miles".)

4. As regards defence, whether or not the existing 150 mile protection zone continues, an extension of the territorial sea around the Falkland Islands would give limited powers to constrain the activities of foreign ships, submarines and aircraft in the 3-12 mile belt (see Annex A for details of these powers). But ships, including warships and submarines on the surface are entitled to pass in "innocent passage" through the territorial sea. This right can only be suspended temporarily. Thus we could not generally prevent foreign vessels from making visual observations or sending or receiving radio signals within the territorial sea. (There is no evidence at present that foreign vessels, eg Polish trawlers, are gathering intelligence in the 3-12 mile belt of a nature which they would not be able to gather if it were declared territorial sea.) We would be legally entitled to force foreign submarines to pass through the 3-12 mile belt on the surface and showing their flag; and all overflights by foreign aircraft, civil or military, would require our permission which is not the case at present. But any action against passing ships would have to be justified on the basis of illegal action by the ships or within the strict rules of the international right of self defence, and it seems unlikely that these could be invoked against any ships other than Argentine ships. (The above assumes that we would want to interpret "innocent passage" very carefully in order to avoid setting precedents which might be used against us in contexts other than the Falklands.) However, so long as the Argentine position remains unclear and we maintain a protection or exclusion zone around the Falkland Islands, it is possible to obtain the same (indeed greater) advantages in the field of defence without extending the territorial sea; and if the cost of maintaining a wide exclusion zone of 150 miles (as at present) became prohibitive, it would be possible to reduce it and obtain the defence advantages which extension of the territorial sea to 12 miles would offer, without actually having to alter the territorial sea limits.

5. On the other hand there would be some defence advantage in going over to a system of straight baselines and bay closing lines, from which the territorial sea is measured, as illustrated in Chart A. Although such a system would not produce so great an area of sovereignty as a 12 mile territorial sea

measured, as at present, from the coastline and assumed bay closing lines, it would cause the 3 mile territorial seas to be displaced seawards. It would also cause some sensitive areas close to the coast to be designated as internal waters (for example, Falkland Sound and the islands fringing West Falkland): but under the 1958 Territorial Sea Convention it is necessary to concede a right of innocent passage in areas previously High Seas or Territorial Sea which are to be enclosed for the first time by straight baselines. Such innocent passage may be suspended temporarily except in straits used for international navigation. A right of innocent passage does not however exist in waters enclosed by bay closing lines. Consideration is being given urgently to how passage can be best controlled, temporarily or permanently, within a systen of straight base lines or bay closing lines. The method chosen will depend upon the frequency of present use of the Sound by foreign shipping and upon the existence of similar baselines elsewhere.

6. As regards pollution, extension to 12 miles could involve an extension of certain powers to cover the 3-12 mile belt, namely powers -

a. to prosecute foreign vessels when they arrive at a United Kingdom-controlled port for offences committed;

b. to give directions to foreign citizens in this belt in the event of marine casualties;

c. to prevent trans-shipment of oil during tanker lightening operations;

d. to make casualty enquiries relating to incidents involving foreign vessels in this belt.

7. But in the Falkland Islands, pollution by passing foreign vessels is not at present a problem and there is no significant advantage to be obtained from the extension of such powers.

8. As regards economic advantages, the territorial sea does incidentally confer certain powers over the resources contained within its limits as explained in Annex A. But as to fisheries, it would be simpler to obtain the economic advantages in the 3-12 mile belt by imposing exclusive fishing limits. In his 1982 report Lord Shackleton has advocated declaring a 200 mile exclusive fishing zone around the Falkland Islands; this - or a fishing zone of any other breadth up to 200 miles - could be declared at any time without having to alter the breadth of territorial sea. (This subject is being studied separately as part of the follow-up to Lord Shackleton's Report.) In any case shellfish exploitation if it were developed, would be likely to take place both inside and outside the 12 mile limit. A 12-mile territorial sea would not therefore offer a complete guarantee for the protection of such fisheries. Our understanding is that salmon ranching, which has more potential benefit than other fisheries, would not benefit to a significant degree from an extension to 12 miles, since it is carried on mostly within the existing 3 mile limit.

9. As regards offshore minerals, including oil and gas, we already have a right to control the mineral resources of the continental shelf around the Falkland Islands, irrespective of the breadth of territorial sea. This right is based on our sovereignty over the islands themselves. Extension of the territorial sea around the Falkland Islands would therefore have no economic advantages which could not be obtained by other means.

10. Extension of the territorial sea around the Falkland Islands would be likely to provoke a protest from Argentina. This would itself not damage our interests except in so far as it attracted support from other Latin American countries (eg in the United Nations). It is doubtful however whether such a protest would lead to a practical challenge to the extension, at least so long as there is a sizeable United Kingdom naval presence around the Falkland Islands.

11. The policing of an extended territorial sea around the Falkland Islands is not likely to be a practical, as opposed to a theoretical, requirement, except with regard to enforcing any fisheries regime that may be established (see paragraph 8 above).

Implications for wider United Kingdom interests

12. Extension of the territorial sea around the Falkland Islands could not be kept separate from extension around the United Kingdom and other dependent territories. There is already strong pressure for an extension around the United Kingdom on the grounds that it would give us increased powers to combat marine pollution (see paragraph 6 above); and it would add to existing pressure from the Isle of Man for an extension. Similarly, the Channel Islands and other dependencies (especially in the Caribbean) are watching the situation closely. Three wider aspects therefore need to be considered -

a. United Kingdom navigational rights in other countries' territorial seas, especially as regards international straits covered by territorial sea claims and innocent passage of warships in the territorial sea;

b. historic fishing rights enjoyed by EC Member States off the United Kingdom coast;

c. Greco-Turkish relations in the Aegean.

13. As regards United Kingdom navigational interests, it is important that if we extend the territorial sea around the Falklands, we should not set any precedents which could prejudice our freedom of passage elsewhere. The main problems relate to inter-nationally used straits between 6 and 24 miles wide which are covered by territorial sea claims; and the passage of warships through the 3 to 12 mile belt off the coasts of countries which have claimed 12 mile territorial seas. About 100 straits fall into the category described, including Gibraltar, Hormuz and Malacca (see Chart B); and 12 mile territorial sea claims cover large areas used by our navy and merchant navy. Extension to 12 miles could have serious implications for our ability to reinforce Gibraltar in an emergency (see Annex C).

14. Even though there are no internationally used straits between 6 and 24 miles wide in the Falkland Islands, an extension to 12 miles would put at issue our attitude to all such straits, which are covered by territorial sea claims.

Hitherto, we have refused to recognise formally any territorial sea claims beyond 3 miles in keeping with our own claim, although we do not protest against claims of up to 12 miles. An extension to 12 miles around any British territory would make it impossible to hold this formal position which is still useful to us in ignoring certain 12 miles claims, particularly those which have the effect of "closing" international straits (eg around Gibraltar, as explained in Annex C). Although rights of "innocent passage" are allowed in the territorial sea, they are inferior to "high seas" rights. In particular, submarines must travel on the surface showing their flag and overflights by both civil and military aircraft have to be approved in advance by the coastal state concerned unless they fall within existing civil aviation agreements.

15. The navigational regime envisaged in the 1982 UN Law of the Sea Convention would offer a solution to this problem by allowing foreign ships, submarines and aircraft special "transit passage" rights in international straits in exchange for recognising the validity of 12 mile territorial sea claims. These rights would allow submarines to travel submerged and overflights to take place without prior approval. HMG publicly supported this package when it was negotiated and it was our hope that it would be possible to extend the United Kingdom territorial sea in the context of a generally agreed UNLOSC Convention which would institute such a regime. However, UNLOSC has now finished without achieving a generally agreed result, and HMG have not felt able to commit themselves to signature of the Convention, let alone to ratification.

16. In these circumstances it is extremely doubtful whether the "transit passage regime" would offer a solution to our problem. We could extend the territorial sea around the United Kingdom or any of our dependencies without relying on the UN Convention, but it would be difficult to claim transit passage rights in other countries' territorial seas, since such rights are not yet part of customary international law - no state has instituted a transit passage regime in any strait. Both Spain and Oman are opposed to the transit passage regime and have not signed the Convention. Annex B describes in detail various possibilities which might help us to get round this problem, but none of them are without serious objections. Meanwhile a major

difficulty would remain as regards Gibraltar, where, as explained in Annex C, our ability to reinforce the colony in times of tension would be adversely affected, if we had only the right of innocent passage to rely on in the face of a Spanish 12-mile claim which we could not dispute.

17. As regards innocent passage of warships through the territorial sea, many states claim that foreign warships should not be allowed to enter their territorial seas without prior authorisation or at least notification. Although an amendment reflecting this view was defeated in the UNLOSC negotiations, and although present international law upholds the right of innocent passage for warships in foreign territorial seas, it may be difficult in practice to exercise such rights in the 3-12 belt if we ourselves extend to 12 miles. For instance, naval intervention in the Gulf could become more difficult. Provided we stick to a 3 mile territorial sea limit around the United Kingdom and dependencies, we will have a better chance of maintaining flexibility of deployment for our warships in the 3-12 mile belt. (Countries which have signed the UN Convention, eg the USSR, will be in a better position to send warships through this belt without prior authorisation because they could point to their attitude towards the Convention.)

18. With regard to historic fishing rights, now that the main elements of the CFP have been settled, MAFF believe it would be possible to extend the baselines in the five small areas described in Annex D without causing major complications. It is relevant that the French have already extended their territorial sea to 12 miles. They have also already accepted the possibility of our extending our baselines in connection with the recent delimitation of the Continental Shelf in the Channel.

19. Any extension of 12 miles by the United Kingdom either round the United Kingdom itself or its dependencies, could provoke a reaction from the Turks because of the situation in the Aegean. At present Greece claims a 6 mile territorial sea and signed the 1982 Convention which will permit them to claim 12 miles. Turkey sees this provision of the Convention as a means whereby the Greeks could turn the Aegean into a Greek lake and have therefore refused to sign the Convention. They are likely to see any United Kingdom extension beyond 6 miles as affording the Greeks additional support in their case for extending the Greek territorial sea in the Aegean.

Conclusions

20. An extension of the territorial sea around the Falkland Islands would confer no particular defence advantages, and any economic advantages could be obtained by other means (eg declaring fishing limits). Moreover, any such extension would be likely to affect our interests in other parts of the world and should be considered in the context of United Kingdom policy on the law of the sea as a whole. Although it would be legally possible to extend the territorial sea around the Falklands without extending it around the United Kingdom or any other dependent territory, politically this would be difficult to justify, especially as the advantages to be gained from an extension around the Falklands are so limited. There is, in any event, a political need not to be seen to be giving the Falkland Islands any different status from other British territories.

21. However none of these difficulties would arise if it were decided to establish a system of straight baselines and bay closing lines as illustrated in Chart A. This would be permitted by Articles 4 and 7 of the 1958 Territorial Sea Convention and would reflect the practice of many countries, including the United Kingdom around West Scotland. Under the 1958 Convention it would be necessary to publish the system of straight baselines, and make legislative provision either through Order in Council or by an Instrument of the Falkland Islands Government. This would be advantageous from the defence point of view. It would not have the difficult repercussions of extending the breadth of the Territorial Sea itself; but would have a similar effect of pushing seaward the outer limit of the Territorial Sea. In addition it would give greater possibilities of control over some sensitive stretches of sea close to land than would be achieved by a simple extension of the Territorial Sea.

22. It would be preferable not to extend the territorial sea around the Falklands until the question of extending the United Kingdom territorial sea has been settled. But if the United Kingdom territorial sea were extended, the objections to extending around the Falkland Islands would largely disappear.

ANNEX A

THE CONCEPT OF THE TERRITORIAL SEA AND ITS LEGAL IMPLICATIONS

A The territorial sea and other maritime zones

1. The territorial sea is only one of several kinds of maritime zones which can be claimed by coastal states (see Chart D). These are -

a. the territorial sea (extending to 3 or, according to most countries, 12 miles) where the coastal state enjoys sovereignty in respect of the seabed and the airspace over it;

b. the contiguous zone (lying outside the territorial sea, to a limit of 12 miles from the baselines of the territorial sea under the 1958 Convention and 24 miles from those baselines under the 1982 Convention) where the coastal state has powers to take action to prevent infringements of customs, fiscal, immigration or sanitary regulations within the territorial sea;

c. the exclusive economic zone (now often extending to 200 miles from the coast) where the coastal state has power to control the exploitation of living resources, eg fish, but should not interfere with navigation; some states take only a fishery zone of the same width;

d. the continental shelf (the seabed adjacent to the coast extending to 200 miles or in favourable geological circumstances even further) where the coastal state has control of mineral resources eg oil/gas on or underneath the seabed.

2. Thus, as regards the exploitation of living resources of the sea (fish), it is accepted that coastal states can establish fishing zones or 'exclusive economic zones' up to 200 miles from their coast while maintaining their territorial sea limits at only 3 or 12 miles. The resources of the seabed (eg oil and gas) can be exploited on the basis of the continental shelf concept, stretching often many miles off shore, without extending their territorial

sea. The United Kingdom has only a 3 mile territorial sea but has claimed a fishing limit of 200 miles from its coast; and the majority of our off shore oil wells are located about 100 miles from it. In sum, there is no need to extend the territorial sea in order to encourage fishing or secure mineral rights.

B Legal Implications of the Territorial Sea

3. A state enjoys sovereignty in the territorial sea. This implies a right to control to a large extent what happens in the territorial sea, eg warlike operations must not be carried out in a neutral territorial sea, and no other state can carry out military operations eg manoeuves there. The major limitation on coastal states' sovereignty is the obligation to grant innocent passage (see paragraph 5 below). Sovereignty also implies exclusive control over economic resources in or under the sea, but this is not the purpose or main interest of the zone, which has always been security. Indeed access to the resources may be governed by agreements giving, frequently for historical reasons, rights to other states.

4. The breadth of territorial sea now claimed by states varies widely. The traditional breadth was 3 nautical miles, based on the maximum range of cannon shot in the eighteenth century. But this limit was not universally accepted as part of international law. About 125 countries now claim more than 3 miles (see Annex E).

5. The regime of the territorial sea involves the following navigational rights and obligations -

a. on the surface of the territorial sea foreign vessels enjoy the right of innocent passage; this means navigation for the purpose of either traversing the territorial sea without entering internal waters, or proceeding to internal waters, or making for the high seas from internal waters. Passage includes stopping and anchoring, but only in so far as they are incidental to ordinary navigation or are rendered necessary by force majeure or by distress. Passage is deemed innocent so long as it is not prejudicial to the peace, good order or security of the coastal state. A state may, without discrimination amongst foreign ships,

suspend the right of innocent passage temporarily in specified areas of its territorial sea if such suspension is essential for the protection of its security; but, under the 1958 Convention, there can be no suspension of innocent passage through straits which are used for international navigation between one part of the high seas and another part of the high seas or the territorial sea of a foreign state. (Under the 1982 Convention a special regime of transit passage would apply in straits used for international navigation between one part of the high seas or an EEZ and another part of the high seas or an EEZ.) No charges may be levied on foreign ships passing through the territorial sea except in payment for specific services. Nor can the criminal jurisdiction of the coastal state be exercised on board a foreign ship unless the consequences of a crime extend to the coastal state or the crime is of a kind to disturb its peace and good order or exercise of jurisdiction is necessary for the suppression of drug trafficking;

b. under the surface of the territorial sea: foreign submarines are not allowed to travel submerged; they must navigate on the surface and show their flag;

c. in the airspace above the territorial sea: all overflights (by both military and civil aircraft) must be cleared with the authorities of the coastal state in advance, unless they fall within general civil aviation agreements.

ANNEX B

EXTENSION OF THE UNITED KINGDOM TERRITORIAL SEA

Note by Officials

Introduction

1. OD agreed in principle in July 1980 that the United Kingdom territorial sea should be extended from 3 to 12 nautical miles, but that this decision should remain confidential and that MISC 19 should submit further recommendations in the light of developments at UNLOSC.

2. In February 1981, MISC 19 agreed that work should be carried out on preparing legislation for an extension. It was subsequently agreed that an announcement should be made in Parliament. Mr Hurd accordingly stated in reply to an inspired PQ on 15 June 1981 that:

> "The Government support the provision in the draft Convention on the Law of the Sea which envisages an extension of the territorial sea up to 12 nautical miles. The Government have set in hand the necessary preparations for United Kingdom legislation for such an extension. It is hoped that it will be possible to introduce this legislation in the context of the results emerging from the United Nations Conference on the Law of the Sea".

3. In January 1982, ODO(S) reported to MISC 19 on the preparatory work carried out so far and MISC 19 agreed that the Foreign and Commonwealth Office should bid for a place in the government's legislative programme for the 1982/83 Parliamentary Session for a bill to extend the territorial sea. Officials were also instructed to continue the legislative preparations and report back with recommendations on the timing and form of legislation in the light of developments at UNLOSC and in the Common Fisheries Policy (CFP) negotiations. Since then, the bid for a bill to be included in the 1982/83 legislative programme has been turned down for lack of space but a bid has been entered for the 1983/84 programme.

4. MISC 19 considered an earlier version of this note on 9 November 1982, but put off discussion to a later date granted that it had earlier decided to defer a decison on whether the United Kingdom should sign the Convention itself (MISC 19(82) 2nd Meeting). The final session of UNLOSC took place in December 1982. 124 delegations have now signed the Convention, with the notable exception of the USA, UK, FRG, Italy, Belgium and two important straits states, Spain and Oman. Subsequently there have been further PQs from Lord Kennet asking whether the United Kingdom will be extending its territorial sea in the light of Mr Hurd's statement of June 1981. Dutch and German officials say that legislation will be introduced to extend Dutch and German territorial waters to 12 miles, although in the German case this concerns only a small part of the German coastline near Hamburg where there is a high risk of pollution.

Argument

5. United Kingdom objectives as regards the extension of the territorial sea are as follows -

a) that the Government should be seen to be taking every available measure to combat marine pollution;

b) that such measures should not however jeopardise our commercial, defence and fishing interests.

Because of objective (a), it would be desirable to extend the United Kingdom territorial sea from 3 to 12 miles along the whole of our coastline soon. (Some Dependent Territories' administrations are also keen for such an extension for the same reason.) But such an extension would apply also in the three straits round the United Kingdom which are used for international navigation ie the Dover Strait, the North Channel (between Northern Ireland and Scotland) and the Fair Isle Gap (between Orkney and Shetland). All these straits are less than 24 miles wide. If our territorial sea is extended to 12 miles in these straits, the high seas passage which at present exists throught those straits as a result of our three mile territorial sea would be eliminated;

and we would not be able to question the validity of similar claims to 12 mile territorial seas made in other very important straits round the world, notably at Gibraltar, Hormuz and Malacca. (Hitherto by sticking to a three mile claim ourselves, we have been in a position to maintain that a high seas passage exists in all those straits, which are between 6 and 24 miles wide, although the weight of state practice in favour of 12 mile claims makes it doubtful whether we could in fact challenge such claims under existing international law.)

6. Under the 1982 UNLOSC Convention, claims to territorial seas up to 12 nautical miles would be considered valid; and in any straits used for international navigation where as a result of such claims no high seas passage would exist, a special regime of transit passage would be applicable in the territorial sea, notably in that -

i) submarines would not be required to navigate on the surface showing their flag, and

ii) overflights by aircraft could take place without authorisation from the coastal states concerned.

Our commercial and defence interests make it strongly desirable that we should try to have such rights in straits abroad such as Gibraltar, Hormuz and Malacca.

7. It is for consideration therefore whether in the Dover Strait, the North channel and the Fair Isle Gap, we should establish the transit passage regime envisaged in UNLOSC, even if it is not yet decided whether we will sign, still less ratify, the Convention, and the Convention itself has not yet entered into force.

8. It might be argued that the introduction of a transit passage regime would assist us to claim the right of submerged passage for submarines and unannounced overflights through straits less than 24 miles wide where the coastal States have claimed a 12 mile territorial sea, such as the Straits of Gibraltar. However, to introduce transit passage unilaterally would not

strengthen our hand significantly. Since the transit passage regime does not form part of general international law, it would be easy for the other States concerned to refuse to grant the substance of transit passage to us on the grounds that, until the UNLOSC Convention has been signed and ratified by the United Kingdom and the other State concerned, there was no obligation to grant anything more than innocent passage, which does not include submerged passage or unannounced overflights.

9. There is a second difficulty. The international law rules of innocent passage are applied in English law without any statutory enactment because they are part of established international law. We interpret and apply all existing statutes in a manner consistent with international law. Thus, when the United Kingdom ratified the 1958 Geneva Conventions on the High Seas and on the Territorial Sea, it was not thought necessary to pass any legislation since the Convention rules concerning innocent passage and activities on the high seas, which were declaratory of general international law, could be applied without more ado. Therefore the natural way to give effect to the transit passage regime would be, if we ratified the Convention, to make clear that in the same way as we gave effect to innocent passage as part of general international law, so in future we would give effect to transit passage in straits relating to coastal waters, as from the date when the Convention came into force for the United Kingdom. But this approach will not work if we are trying to put in transit passage before the Convention comes into force and at a time when we cannot say that it is part of general international law.

10. Particularly since the rules of innocent passage are nowhere described in our legislation, it is very difficult to translate rules of transit passage into our legislation. As to overflight, the natural way would be to amend the Air Navigation Order; as to submarines, there is at present no prohibition on submerged passage, so nothing need be done.

11. If it was decided not to establish a regime of transit passage, it would be necesary to answer questions in Parliament about this matter. The natural reply would be along the following lines: in application of statutes in the extended territorial sea, in straits as elsewhere, we will conform to the rules of general international law. We will apply transit passage if it is decided to ratify the Convention and it comes into force for the United Kingdom. If asked, we would have to add that we did not think it possible to apply it in advance while it did not form part of general international law; if necessary, we could add that we did not consider that to do so would give any significant advantage in discussion with other countries, as long as we did not have the contractual relationship which would result from our ratification of UNLOSC.

12. An advantage of not applying transit passage at this stage is that it would avoid the difficulties which might arise in the North Channel if transit passage were applied. A transit passage regime in the North Channel would affect our defence interests there adversely in that -

a) Warsaw Pact submarines would be able to travel submerged in between the three mile limit and the base-line across the entrance to the Firth of Clyde, where at present they would not be permitted to do so under international law, since that is part of our territorial sea; similarly Warsaw Pact aircraft would be able to overfly that piece of water without authorisation from us. This would give them legally a marginally greater ability to monitor the passage of United States and United Kingdom nuclear submarines to and from their bases in the Firth of Clyde;

b) the terms of the transit passage regime envisaged in UNLOSC are such that the exercise of our powers of search in the North Channel might be challenged, which could affect our ability to intercept gun-running to Northern Ireland. (Although Article 42.1 (d) of the UNLOSC Convention gives states bordering straits the right to adopt laws and regulations in respect of the "loading or unloading of any commodity, currency or person in contravention of the customs, fiscal, immigration or security laws and regulations of states bordering straits", too zealous exercise by us of this right could provide grounds for states bordering straits abroad

which we wish to pass through to interfere with our ships and aircraft to the detriment of our commercial and defence interests. Iran, for instance, might stop all ships and aircraft trying to pass through the Straits of Hormuz and use our action in the North Channel as an excuse to do so.)

13. In order to avoid these disadvantages, it would be possible not to extend the territorial sea from three to 12 miles in the North Channel, thereby preserving our more extensive territorial sea powers in the waters within the three mile limit. There are precedents for extending the territorial sea in some places but not in others, where it does not suit the coastal state concerned. For instance, Japan and Sweden have both, in extending their territorial waters to 12 miles, exempted straits where they considered that it was not in their interests to do so. In the Swedish case, this move was particularly designed to avoid offering advantage to the Warsaw Pact, for which there could be no quid pro quo. But if we were to introduce a Bill extending the territorial sea to 12 miles everywhere round the United Kingdom coast, except in the North Channel, this might be interpreted by the Republic of Ireland to mean that we accepted their view that the territorial sea round Northern Ireland belonged to the Irish Republic, which only claims a three mile territorial sea. This would clearly be undesirable, although, since the North Channel does not extend as far as the borders of Northern Ireland in either direction, it would not be difficult to refute any Irish mis-representations by pointing to the fact that we were extending to 12 miles along some parts of the Northern Ireland coastline, notably in areas adjacent to the border with the Republic. The situation could change if the Republic itself extended its territorial sea to 12 miles. But it has at present shown no signs of doing so, probably out of inertia, but possibly because it would then have to deal with, and probably reiterate, its claim that the territorial sea round Northern Ireland also belonged to the Republic, a claim which causes less trouble while both territorial seas are in practice the same breadth. There is also the point that non-extension in the North Channel would not give us greater powers to combat pollution in that area. The communities on both sides of the Channel could justifiably claim that they were being discriminated against by comparison with the rest of the United Kingdom where extension to 12 miles would improve the chances of avoiding marine pollution.

14. As regards fisheries, the extension of the territorial sea would not in general affect fishery limits, which are regulated on the basis of six-mile, 12-mile and 200-mile zones. But it would enable us to claim as base points for measuring the territorial sea and fishing zones, points which we were not able to use so long as our territorial sea remained at three miles This would have the effect of pushing out our fishing limits for small distances at five points on the coastline; in the Thames Estuary, at the Goodwin Sands, off the Scilly Isles (two areas) and off the Firth of Forth. Some fishing, mainly by French and Belgian vessels, takes place in four of these areas. Since the extension would deprive Member States, and especially the French, of access to these areas, there will be EC implications. It is relevant that in another area (the Goodwin Sands) the French have already signed a Continental Shelf delimitation agreement with the United Kingdom, drawing a median line which takes account of some of these new base points. These considerations do not however affect the question whether transit passage should be applied or not, especially now that the CFP has been settled (see also Annex D). Baselines would also be pushed further out on the West coast of Scotland, including the Firth of Clyde, but this would only marginally alleviate the problem described in paragraph 12(a) above.

Conclusions

15. The following options are open to us -

a) not to extend the territorial sea at present;

b) to extend, but make no provision for transit passage through the straits;

c) to extend, applying transit passage in straits.

16. Not to extend United Kingdom territorial sea would be unsatisfactory in that:

a) the Government would not be seen to be taking every available measure to combat marine pollution; and if there was a serious incident, the Government would come under strong attack for not having extended;

b) we are already committed to considering legislation in the context of the results emerging from UNLOSC. It would be difficult to explain politically why we were still holding back, now that UNLOSC has ended, even if one could argue that the results of the Conference are not generally agreed.

17. To extend the United Kingdom territorial sea to 12 miles would involve accepting formally 12 mile claims made by other coastal states, including those in a number of important international straits. But it would be difficult anyway to challenge such claims under existing international law, given the degree of support provided by state practice for 12 mile claims. Application of a transit passage regime in United Kingdom straits would have little weight in bolstering any claim we made to similar rights in other straits if, at the same time, we could be accused of trying to obtain benefits from the UNLOSC Convention before its entry into force and without signing or ratifying it. If we had not signed the Convention when we extended our territorial sea, applying a transit passage regime might provoke challenges to our ability to pass through foreign straits covered by 12 mile territorial sea claims. If we had signed the Convention, the argument that application of a transit passage regime in our straits would have no weight would be slightly reduced, because we could not be acused of picking and choosing which parts of the Convention we wished to enjoy. But even so, we would soon run up against the argument that if we really wished to enjoy transit passage rights in other peoples' straits, then we should ratify the Convention forthwith; and in the absence of ratification, we would again be in danger of being regarded as trying to enjoy transit passage without making any commitment on deep sea mining.

18. Application of a transit passage regime in United Kingdom straits also involves problems posed by the North Channel, described in paragraphs 12 and 13 above.

19. If now, or at some later stage, Ministers decide to extend the United Kingdom territorial sea to 12 miles, it would be desirable to consult -

a) the United States, who share our defence and commercial interests in obtaining transit passage through straits abroad and also have a direct interest in the North Channel because of their nuclear submarine base at Holy Loch. They have recently made it clear that they would not challenge 12 mile claims provided they accord with UNLOSC and allow transit passage. They would be likely to press us to declare transit passage in the Straits of Dover if we told them we intended to extend.

b) the French, with whom it makes sense to co-ordinate anti-pollution measures in the Dover Channel and who raised the possibility of consultations when our Parliamentary announcement was made in June 1981. France has signed the UNLOSC Convention but may not ratify it;

c) the Dependent Territories' administrations: although the extension would apply in the first instance to the United Kingdom alone, it would be useful to know, before we are committed to legislation, what the Dependent Territories might wish to do in the event of a United Kingdom extension. Preliminary research suggests that a number of Dependent Territories would be able to extend without major difficulties. But there may be problems about straits in Dependent Territories; and in some cases it may be undesirable to alter the status quo for local reasons eg at Gibraltar because of Spain and at Hong Kong because of China. Consultations would also need to include the Channel Islands and the Isle of Man.

20. Meanwhile, legislative preparations for a Bill to extend the territorial sea continue. The Foreign and Commonwealth Office has submitted a bid for a contingency Bill, to be included in the legislative programme for the 1983/84 Parliamentary Session although it now seems unlikely that time for it will be found in the programme.

ANNEX C

PROBLEMS OF GIBRALTAR

1. The colony of Gibraltar lies to the east of the Straits of Gibraltar; these are more than 6, but less than 24 miles wide; Spain claims a 12 mile territorial sea extending both from the northern shore of the Straits and from the Spanish enclave of Ceuta on the North African coast; this means that claimed Spanish territorial waters stretch across the whole width of the Straits just to the west of Gibraltar (see Chart E).

2. This situation presents a problem should we wish to send reinforcements to Gibraltar in the face of any pressure over the colony short of armed hostilities. The problem is not serious so long as we can continue our present policy of refusing to recognise any claim beyond 3 miles. But if we extend to 12 miles ourselves, the problem will be seriously aggravated, since it would be impossible not to recognise the Spanish territorial sea claims.

3. The problem would be less severe if we had signed and ratified the 1982 UN Convention on the Law of the Sea, because we could then answer any Spanish objections, eg to unannounced overflight of the straits, by reference to the provision in the Convention on transit passage. This would be the case whether or not Spain was a party to the Convention if we could show that the Convention was also widely accepted by other states as well as the United Kingdom. But if we extend to 12 miles and do not sign and ratify the Convention, we can neither dispute Spanish 12 mile claims nor invoke transit passage rights. In that case, certain important forms of reinforcement, eg involving overflight of the straits, could only be undertaken with Spanish consent unless we were prepared to risk an international incident. Even though the Spaniards might challenge our overflights if we maintained a 3 mile limit on the grounds that 12 mile territorial seas are widely recognised, we would be on stronger legal ground if we had not extended to 12 miles ourselves.

ANNEX D

EXTENSION OF THE TERRITORIAL SEA

NOTE ON FOREIGN FISHING PATTERNS IN AREAS AFFECTED BY BASELINE CHANGES

1.	Bell Rock:	There are no foreign fishing rights within the 12 mile limit in this area. Our sightings records show that there is no foreign fishing near this area.
2.	Long Sand Head:	Since the CFP settlement, only France (all species) and Belgium (demersal) have historic rights to fish within the 6-12 mile belt here.
3.	Goodwin Sands:	As for Long Sand Head except that Belgium, Germany and the Netherlands also have historic rights to fish for herring here.
4.	and Wolf Rock:	France has historic rights in
5.	Seven Stones Rock:	the 6-12 mile belt in these areas for lobster, crawfish and demersal species (plus escallops at Wolf Rock) and Belgium has rights to demersal species in both areas.

Likely effect of changes

1. Areas 2 and 3: All foreign fishing would be excluded from a circular area (radium 6 miles) where it is at present permitted. This would probably have a small effect on demersal and pelagic (herring) fishing in this area.

2. Areas 4 and 5: Would exclude French and Belgian fishing from part of the demersal and shellfish grounds within the 6-12 mile belt and push out the 12 mile boundary outside which foreign pelagic (mackerel) fishing takes place.

Note: Our sightings data only gives us a guide to fishing activity in these areas according to the grid reference, the smallest identifiable area covering a square approximately 15 miles across. On this scale, the relative size of the adjustments is small and its practical effect limited. We have no data on the value of the catches involved in economic terms. This will doubtless be much lower than the political value, especially to the French.

ANNEX E

LIST OF COUNTRIES CLAIMING TERRITORIAL SEAS OVER 3 MILES (as at 14/2/83) AND THOSE STILL MAINTAINING 3 MILE TERRITORIAL SEAS

Albania	15
Algeria	12
Angola	20
Antigua	12
Argentina	200
Bahrain	12
Bangladesh	12
Barbados	12
Benin	200
Brazil	200
Bulgaria	12
Burma	12
Cameroon	50
Cambodia	12
Canada	12
Cape Verde	12
Chile	200 (still 3 miles in Civil Code)
(PR) China	12
Colombia	12
Comoros	12
Congo	200
Cook Islands	12
Costa Rica (200 Territorial Sea announced in 1970 but not yet implemented	12
Cuba	12
Cyprus	12
Djibouti	12
Dominica	12
Dominican Republic	6
Ecuador	200
Egypt	12
El Salvador	200
Equatorial Guinea	12
Ethiopia	12
Fiji	12
Finland	4
France	12
French Guiana	12
French Polynesia	12
Fujairah (UAE)	12
Gabon	100
Gambia	200
Ghana	200
Greece	6
Grenada	12
Guatemala	12
Guinea	200
Guinea-Bissau	12
Guyana	12
Haiti	12

Honduras	12
Iceland	12
India	12
Indonesia	12
Iran	12
Iraq	12
Israel	6
Italy	12
Ivory Coast	12
Jamaica	12
Japan	12
Kenya	12
Korea (N)	12
Korea (S)	12
Kuwait	12
Lebanon	6
Liberia	200
Libya	12
Madagascar (Malagasy) Republic)	50
Malaysia	12
Maldives	12
Malta	12
Mauritania	70
Mauritius	12
Mexico	12
Micronesia (Fed States)	12
Monaco	12
Morocco	12
Mozambique	12
Namibia	12
Nauru	12
New Zealand	12
Nigeria	30
Niue	12
Norway	4
Oman	12
Pakistan	12
Panama	200
Papua/New Guinea	12
Peru	200
Poland	12
Portugal	12
Romania	12
Saudia Arabia	12
Sao Tome and Principe	6
Senegal	150
Seychelles	12
Sierra Leone	200
Solomon Islands	12
Somalia	200
South Africa	12
Spain	12
Sri Lanka	12
Sudan	12

Surinam	12
Sweden	12
Syria	35
Taiwan	12
Tanzania	50
Thailand	12
Togo	30
Tokelau	12
Tonga	12
Trinidad and Tobago	12
Tunisia	12
Turkey	6 (Aegean) 12 (Black Sea and Mediterranean outside the Aegean)
Sharjah(UAE)	12
USSR	12
Uraguay	200
Vanuatu	12
Venezuela	12
Vietnam	12
Western Samoa	12
Yemen Arab Republic	12
Yemen Peoples Democratic Republic	12
Yugoslavia	12
Zaire	12

Countries still maintaining 3 mile territorial seas

UK and Dependent Territories

USA

FRG (though considering extension to 12 miles in one area)

Netherlands (including Dutch Antilles)(though considering extension to 12 miles)

Belgium

Belize

Australia

Denmark (including Faroe Islands and Greenland)

German Democratic Republic

Irish Republic

Jordan

Kiribati

Nicaragua

Qatar

Singapore

St Christopher Nevis/St Lucia/St Vincent

Tuvalu

CHARTS

Chart A	-	Falkland Islands with 3 nautical mile limits marked, measured from a possible straight baseline system.
Chart B	-	Important Straits around the world and their minimum breadth.
Chart C	-	Effect of claiming 12 mile territorial sea claims in international straits less than 24 miles wide.
Chart D	-	Maritime Zones
Chart E	-	Straits of Gibraltar with current territorial sea claims.

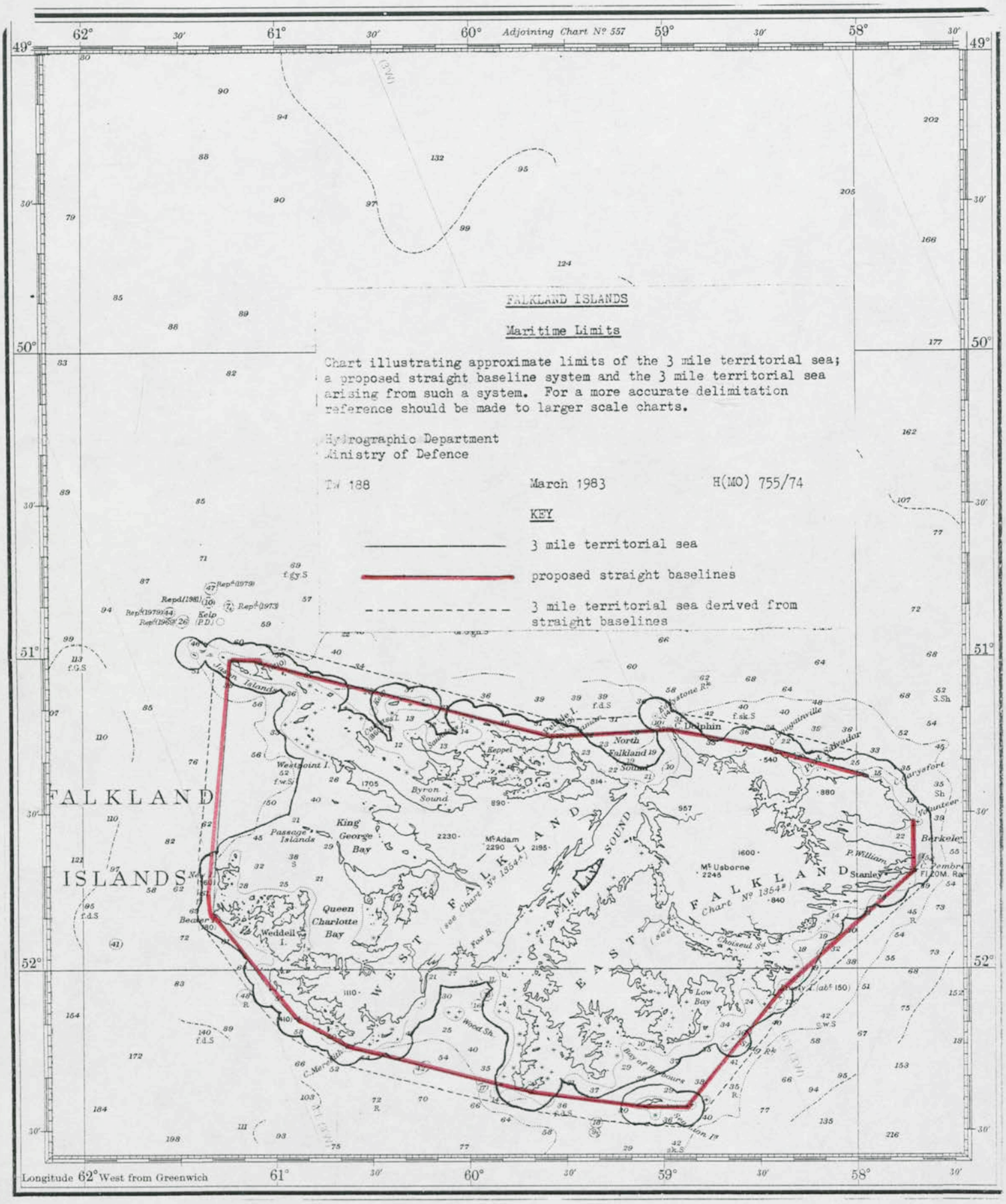
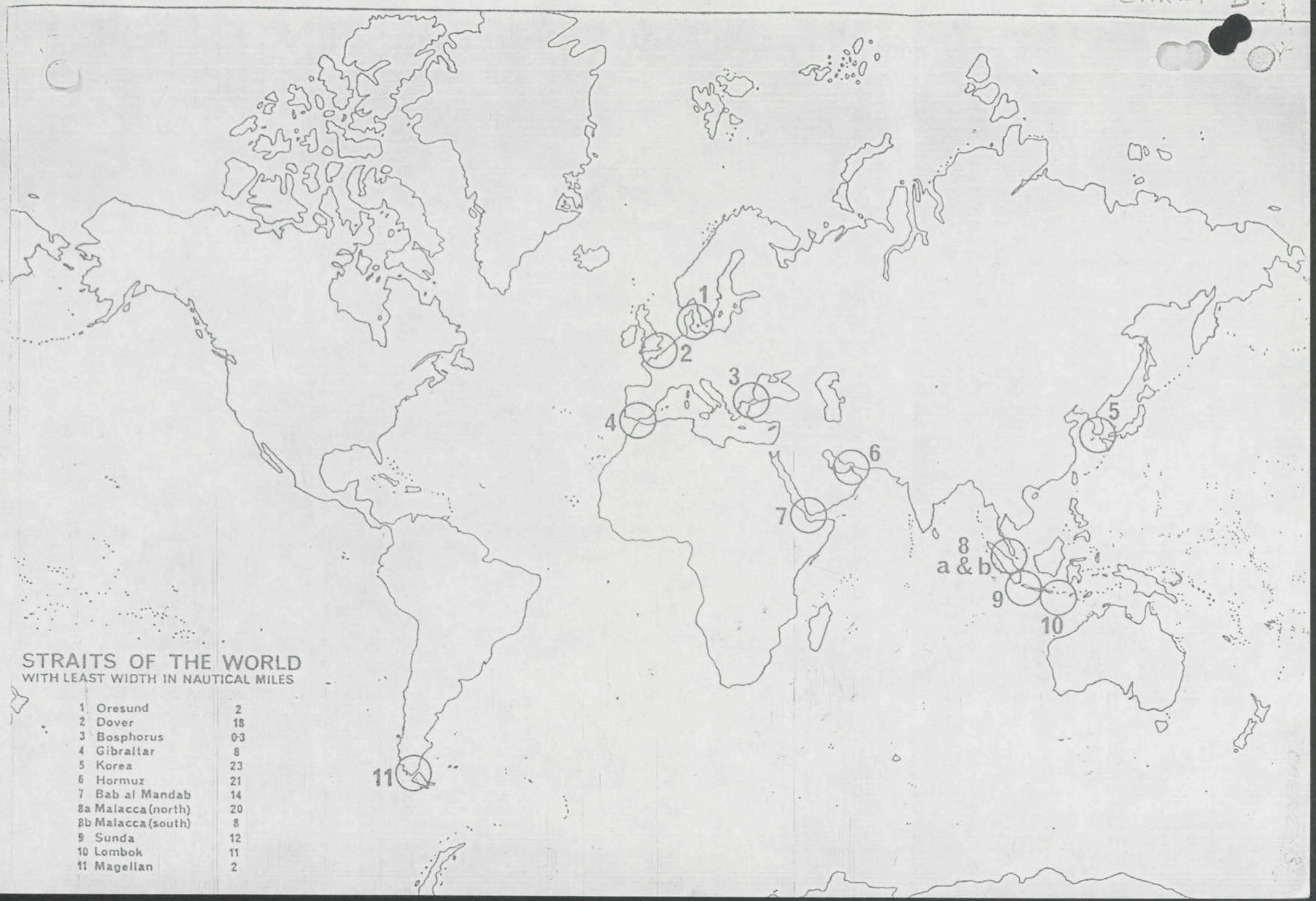

Adjoining Chart Nº 557
FALKLAND ISLANDS
Maritime Limits
Chart illustrating approximate limits of the 3 mile territorial sea; a proposed straight baseline system and the 3 mile territorial sea arising from such a system. For a more accurate delimitation reference should be made to larger scale charts.
Hydrographic Department
Ministry of Defence
TM 188
March 1983
H(MO) 755/74
KEY
3 mile territorial sea
proposed straight baselines
3 mile territorial sea derived from straight baselines
FALKLAND ISLANDS
Jason Islands
Westpoint I.
Passage Islands
King George Bay
Queen Charlotte Bay
Weddell I.
Becker I.
Byron Sound
Keppel I.
North Falkland Sound
Dolphin
Mt Adam
Mt Usborne
Stanley
Berkeley Sound
WEST FALKLAND
EAST FALKLAND
FALKLAND SOUND
Longitude 62° West from Greenwich

CHART B.

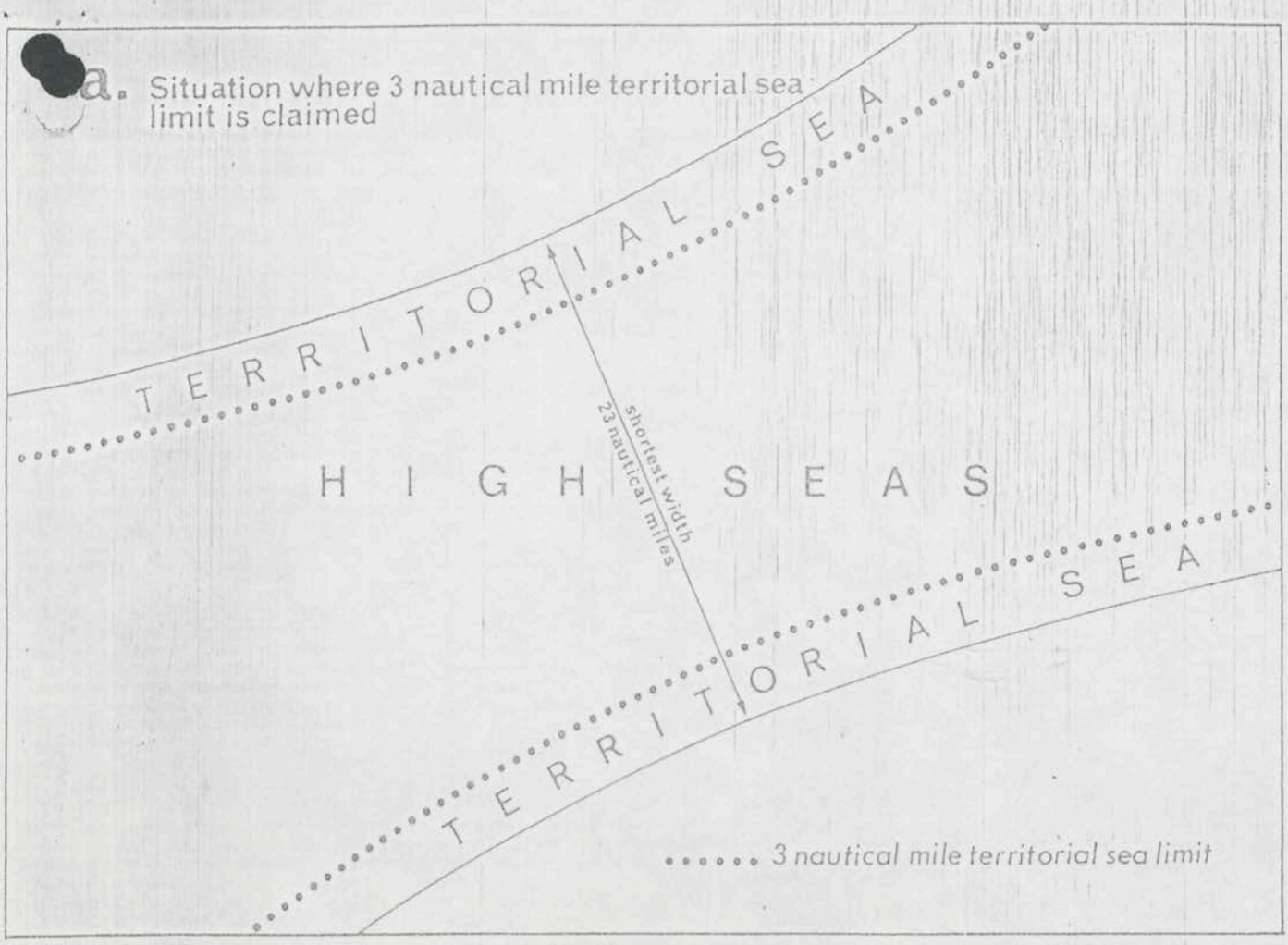


STRAITS OF THE WORLD
WITH LEAST WIDTH IN NAUTICAL MILES

1	Oresund	2
2	Dover	18
3	Bosphorus	0·3
4	Gibraltar	8
5	Korea	23
6	Hormuz	21
7	Bab al Mandab	14
8a	Malacca (north)	20
8b	Malacca (south)	8
9	Sunda	12
10	Lombok	11
11	Magellan	2

EFFECTS OF TERRITORIAL SEA CLAIMS ON STRAITS

CHART C



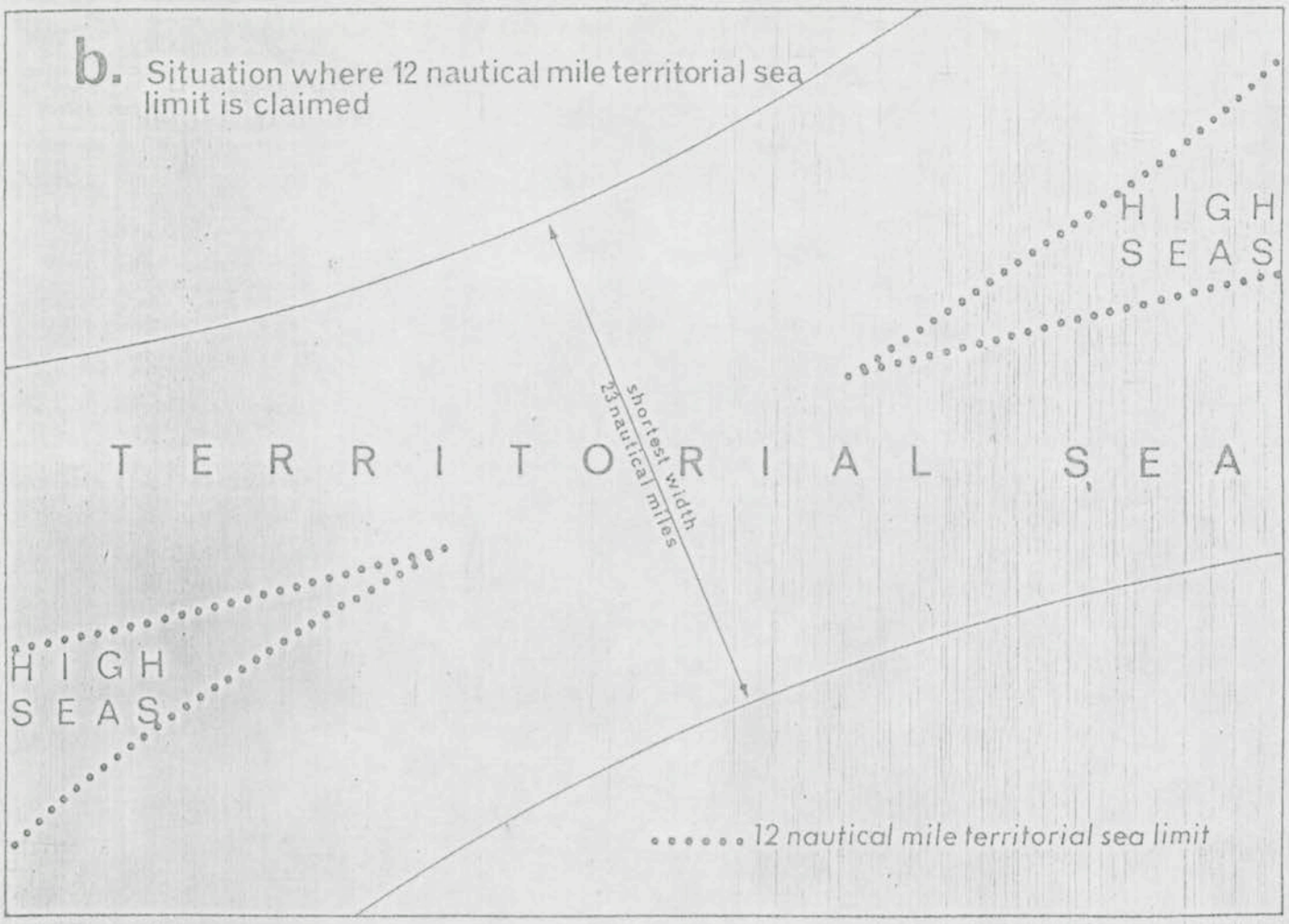


CHART D

DIAGRAM SHOWING MAXIMUM MARITIME ZONES

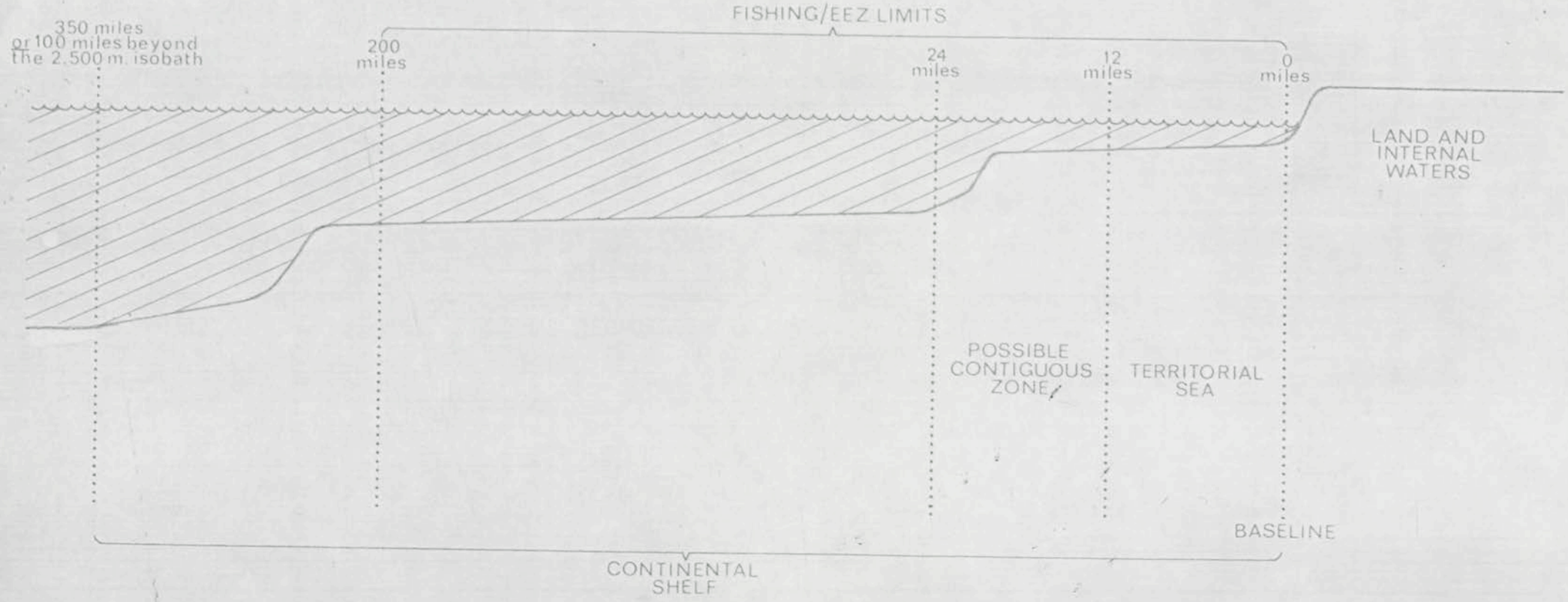


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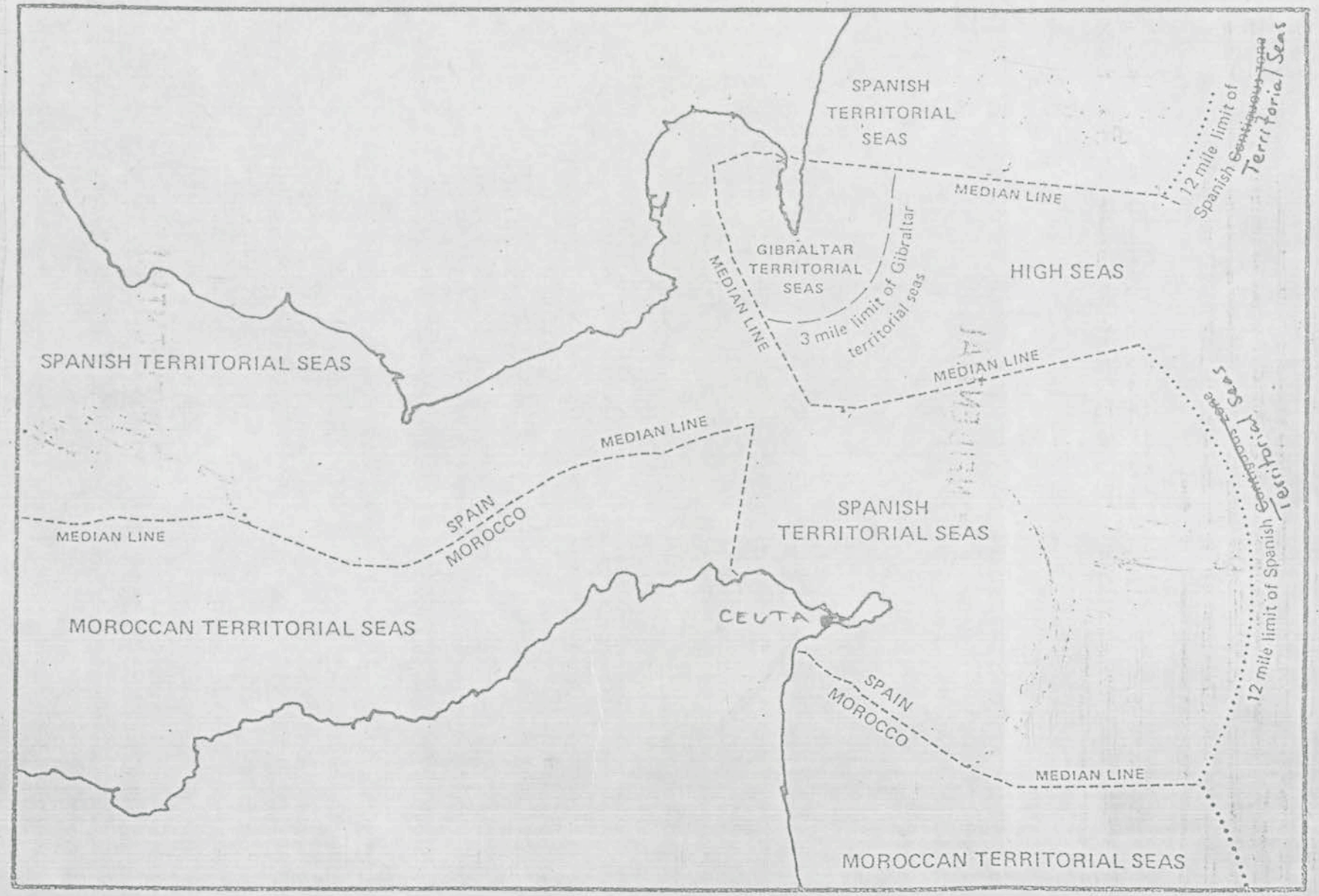
CHART E



Pla.

GRS 213
UNCLASSIFIED
FM FCO 281830Z MAR 83
TO IMMEDIATE CERTAIN MISSIONS AND DEPENDENT TERRITORIES
TELEGRAM NUMBER GUIDANCE 46 OF 28 MARCH 1983
MY TELEGRAM NUMBER GUIDANCE 30:
FALKLANDS: ARGENTINE NEXT OF KIN VISIT

1. THE FOLLOWING STATEMENT WAS ISSUED BY FCO NEWS DEPARTMENT AT 1900Z ON 28 MARCH:

'WE HAVE RECEIVED THROUGH THE INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC) A LETTER FROM SR OSVALDO DESTEFANIS, THE PRESIDENT OF AN ARGENTINE GROUP CALLED CENTRE FOR VOLUNTEERS FOR THE FATHERLAND, REQUESTING THE SUPPORT AND PROTECTION OF THE ICRC FOR A VISIT BY A GROUP OF RELATIVES OF ARGENTINE SERVICEMEN WHO DIED DURING THE FALKLANDS HOSTILITIES.

WE SEE NO OBJECTION IN PRINCIPLE TO A VISIT BY RELATIVES TAKING PLACE PROVIDED THAT IT IS ORGANISED AND SUPERVISED BY THE ICRC, THAT IT IS PURELY HUMANITARIAN IN NATURE, AND THAT CERTAIN CONDITIONS ARE OBSERVED. WE HAVE ASKED THE ICRC SO TO INFORM SR DESTEFANIS AND WE ARE IN DISCUSSION WITH THEM ABOUT THE DETAILS OF SUCH A VISIT.

WE STAND BY THE OFFER WHICH HAS BEEN MADE TO THE ARGENTINE GOVERNMENT ON SEVERAL OCCASIONS TO RETURN TO ARGENTINA THE BODIES OF THEIR SERVICEMEN AT PRESENT BURIED ON THE FALKLAND ISLANDS.'

LINE TO TAKE

2. YOU SHOULD DRAW ON THE ABOVE IN RESPONSE TO ANY ENQUIRIES, AND POINT OUT THAT THE ICRC ARE PURSUING DETAILS WITH DESTEFANIS.

PYM

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From the Private Secretary

28 March, 1983

Falkland Island Dependencies: Whaling Station

The Prime Minister has noted your letter of 25 March describing the recent exchange of messages with Mr. Davidoff about the above matter.

A. J. COLES

R. B. Bone, Esq.,
Foreign and Commonwealth Office

NR

CONFIDENTIAL

MT

O 271915Z MAR 83
FM CIVIL COMMISSIONER PORT STANLEY
TO FCO LONDON
BT
C O N F I D E N T I A L
SIC EAJ
ARGENTINE NEXT OF KIN

1. JOHN IZARD OF THE GUARDIAN CALLED AND ASKED FOR ADVICE ON THE FILING OF A PIECE ON THE ARGENTINE NEXT OF KIN WHICH CONTAINED A SUBSTANTIALLY CORRECT VERSION OF MY DISCUSSIONS WITH COUNCILLORS YESTERDAY, HE WOULD NOT REVEAL HIS SOURCE BUT IT CLEARLY CAME FROM ONE OR MORE OF THE COUNCILLORS PRESENT

2. I PERSUADED HIM THAT IT WOULD BE AGAINST OUR BEST INTERESTS FOR HIM TO FILE HIS STORY TODAY AND HE HAS AGREED TO HOLD IT UNLESS SOME OTHER PAPER BREAKS THE NEWS IN A FIRST EDITION TOMORROW. HUNT
BT

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FM BIS BUENOS AIES

TO IMMEDIATE FCO
TELNO 170 OF 25 MARCH
INFO PRIORITY MOD UKMIS NEW YORK WASHINGTON MONTEVIDEO SANTIGO BRASILIA CARACAS CIVIL COMMISSIONER PORT STANLEY

PRESS SUMMARY

1. MUCH PRESS ATTENTION IS FOCUSED ON THE REGIME'S HITHERTO ABORTIVE ATTEMPTS TO ARREST JORGE FONTEVECCHIA, THE EDITOR OF THE MAGAZINE ''LA SEMANA'' AND ON ALLEGATIONS FROM INTERIOR MINISTRY SOURCES THAT HE WAS INVOLVED IN A BRITISH PLOT TO DE-STABILIZE THE ARGENTINE GOVERNMENT (OUR TELNO 169 REFERS).
2. ECONOMIC NEWS ALSO FIGURES PROMINENTLY. THE GOVERNMENT IS TODAY EXPECTED TO ANNOUNCE SIGNIFICANT WAGE INCREASES IN AN EFFORT TO AVERT THE STRIKE WHICH THE CGT AZOPARDO HAS CONFIRMED FOR 28 MARCH. THE CGTRA MAY ALSO CALL A WALK-OUT ON THE SAME DAY. ON THE PARALLEL MARKET, THE DOLLAR YESTERDAY ROSE BY 5.5 PER CENT TO PESOS 94.500 AMID RUMOURS OF ECONOMY MINISTER JORGE WEHBE'S IMPENDING RESIGNATION AND OF A NEW PESO DEVALUATION.
3. THE LEADERS OF THE PARTIES COMPOSING THE MULTIPARTIDARIA HAVE SETTLED DIFFERENCES OVER THE GROUPING'S ECONOMIC PROGRAMME AND POLICY DETAILS WILL BE RELEASED TODAY.
4. THE MILITARY GOVERNMENT YESTERDAY MARKED THE QUOTE SEVENTH AND LAST ANNIVERSARY UNQUOTE OF THE CURRENT REGIME, WITH A QUIET RELIGIOUS SERVICE, WHILST CIVILIAN POLITICIANS SEVERELY CRITICIZED THE ARMED FORCES FOR STAYING IN POWER TOO LONG.
5. THE CELEBRATIONS COMMEMORATING THE ANNIVERSARY OF THE ARGENTINE INVASION OF THE FALKLANDS WILL CONSIST IN A CATHOLIC MASS AND CEREMONIES HONOURING PERSONNEL KILLED IN THE CONFLICT AND THE FLAGS OF 12 MILITARY UNITS THAT DISTINGUISHED THEMSELVES IN BATTLE.

So they are having their own service.

AR 29/3

/6. SEVERAL

6. SEVERAL PAPERS REPORT THE PRIME MINISTER'S PARLIAMENTARY SPEECH IN DEFENCE OF PARTICIPATION BY BRITISH BANKS IN LOANS TO ARGENTINA. '' CLARIN'' CARRIES A REUTERS REPORT THAT MANY BRITONS ARE KEEN TO FORGET THE FALKLANDS CONFLICT AND WOULD SUPPORT A NEGOTIATED AGREEMENT WITH ARGENTINA OVER THE ISLANDS.

7. ''THE BUENOS AIRES HERALD'' AND ''LA PRENSA'' BOTH NOTE THE DECLARATION FROM THE BRITISH COUNCIL OF CHURCHES THAT ARGENTINE FAMILIES SHOULD BE ALLOWED TO VISIT THE WAR GRAVES OF THEIR RELATIVES KILLED IN LAST YEAR'S FIGHTING.

8. THE WOMEN'S BRANCH OF THE JUSTICIALIST (PERONIST) PARTY YESTERDAY NOMINATED MARIA ESTELA MARTINEZ DE PERON AS A PRESIDENTIAL CANDIDATE, ALTHOUGH SHE TECHNICALLY REMAINS BANNED FROM POLITICAL ACTIVITY.

JACKSON-HOULSTON

POWELL-JONES

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FALKLAND ISLANDS GENERAL
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Argentine

10 DOWNING STREET

From the Private Secretary

25 March 1983

DELEGATION OF ARGENTINE RELATIVES

Thank you for your letter of 23 March. The Prime Minister agrees that it would not be appropriate for her to receive the delegation of five fathers of missing Argentine servicemen which is reported to be visiting Europe. She further agrees that it would be right for Mr. Onslow to see them.

A. J. COLES

R.B. Bone, Esq.,
Foreign and Commonwealth Office.

(2)

Foreign and Commonwealth Office

London SW1A 2AH

25 March 1983

Prime Minister

To note.

A.J.C. 25/3.

Dear John,

Falkland Island Dependencies: Whaling Station

The Prime Minister will wish to be aware of the latest development.

Sr Davidoff has sent us, through the Swiss authorities, the following message:

> 'A refusal on the part of the British authorities to allow a landing on the South Georgias would make it impossible for me to comply with the contract.
>
> For this reason and taking into account that the material on the Islands is my property, I request a concrete reply as to whether I should interpret Mr Onslow's words as an official British reply, or if not, what is that reply?'.

Sr Davidoff is referring to the message we sent him in early March through the Swiss which included a reference to an answer by the Minister of State to a Parliamentary Question on 27 July 1982 indicating that 'it would be most unlikely that permission would be granted for Sr Davidoff to land in South Georgia in the foreseeable future'.

We have asked the Swiss to reply to Sr Davidoff's message as follows:

> 'The Foreign and Commonwealth Office acknowledge receipt of Sr Davidoff's message of 11 March. Any statement by a British Minister in Parliament is an official statement of British policy.
>
> If Sr Davidoff's message of 11 March represents a request for permission to land in South Georgia in the near future, the British Government is not prepared to grant such permission'.

Yours ever

Roger Bone

(R B Bone)
Private Secretary

A J Coles Esq
10 Downing Street

PS 6
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

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PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFIC
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

[Typists aa]

CONFIDENTIAL
(FM BERNE 250025Z)
FM BISBA
TO DESKBY FCO
TELNO 169 OF 25 MARCH 1983
INFO IMMEDIATE UKMIS NEW YORK WASHINGTON MOD
AND PRIORITY MONTEVIDEO SANTIAGO BRASILIA CARACAS AND CIVIL
COMMISSIONER PORT STANLEY.

IMMEDIATE

ALLEGED BRITISH ATTEMPTS TO DE-STABILIZE THE ARGENTINE GOVERNMENT

1. THE MILITARY REGIME YESTERDAY ORDERED THE ARREST OF JORGE FONTEVECCHIA, THE EDITOR OF THE MAGAZINE ''LA SEMANA'', OF WHICH THE LATEST ISSUE WAS CONFISCATED BY THE AUTHORITIES ON 23 MARCH (OUR TELNO 162 REFERS). A GOVERNMENT HOUSE SPOKESMAN CLAIMED THAT FONTEVECCHIA, WHO IS APPARENTLY STILL AT LARGE, WAS INVOLVED IN A QUOTE CAMPAIGN TO DE-STABILIZE THE DEMOCRATIZATION PROCESS BEGUN BY THE ARMED FORCES UNQUOTE. AN INTERIOR MINISTRY REPRESENTATIVE LATER TOLD JOURNALISTS THAT HIS DEPARTMENT HAD OBTAINED REPORTS FROM SOURCES QUOTE CLOSE TO THE FOREIGN OFFICE (FCO) UNQUOTE THAT THIS CAMPAIGN WAS ORCHESTRATED BY THE BRITISH FROM LONDON (TEXT AND TRANS-LATION BY BAG TO FCO). HE REFUSED TO ELABORATE, BUT PROMISE THAT A FULL EXPOSITION WOULD BE PUBLISHED IN THE NEXT FEW DAYS.

2. THESE ALLEGATIONS TODAY RECEIVED FRONT-PAGE COVERAGE IN THE ''BUENOS AIRES HERALD'' ''LA NACION'' AND THE POPULAR DAILY

2. THESE ALLEGATIONS TODAY RECEIVED FRONT-PAGE COVERAGE IN THE ''BUENOS AIRES HERALD'', '' LA NACION'' AND THE POPULAR DAILY ''CRONICA'', AND WERE ALSO CARRIED BY ALL OTHER PAPERS. THE INTERIOR MINISTRY SPOKESMAN MADE THEM AFTER DECLINING TO ANSWER PRESSMEN'S OTHER QUESTIONS ON THE EXACT NATURE OF THE CHARGES AGAINST FONTEVECCHIA, AND ON WHETHER THE GOVERNMENT INTENDED TO TAKE SIMILAR MEASURES AGAINST FURTHER PUBLICATIONS. THE CLAIMS OF BRITISH INTERFERENCE ARE RELAYED WITHOUT COMMENT, EXCEPT IN THE ''BUENOS AIRES HERALD'' WHERE THEY ARE DISMISSED IN AN EDITORIAL AS QUOTE INCREDIBLE UNQUOTE.

3. IN VIEW OF THE GRAVITY OF THE ACCUSATIONS WE WONDER WHETHER WE SHOULD, THROUGH THE SWISS, MAKE AN OFFICIAL PROTEST TO THE MFA HERE, OR WHETHER YOU WISH TO INITIATE ACTION FROM LONDON.

JACKSON-HOULSTON

POWELL-JONES

NNNNN

SENT AT RECD AT 260110Z SAJ/PH

GENERAL (ADVANCES)

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
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MR GILLMORE

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MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFIC
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR G U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

IMMEDIATE

FROM BERNE
CONFIDENTIAL.

TO IMMEDIATE FCO

TELNO 062 OF 25 MARCH

[Typists aa]

INFO IMMEDIATE UKMIS NEW YORK WASHINGTON MOD
AND PRIORITY MONTEVIDEO SANTIAGO BRASILIA CARACAS AND CIVIL
COMMISSIONER PORT STANLEY.

BISBA TELEGRAM NO 169 TO FCO.

(UNDERLINED) ALLEGED BRITISH ATTEMPTS TO DESTABILISH THE ARGENTINE
GOVERNMENT.

INTRANSMITTING THE TUR TO US AT 2330 GMT ON 25 MARCH THE SWISS
FDFA SAID THE SWISS AMBASSADOR IN BUENOS AIRES HAD COMMENTED
THAT AMBASSADOR LUPIZ, UNDER SECRETARY IN THE ARGENTINE
MFA, HAD TOLD HIM HE KNEW NOTHING OF SUCH A DECLARATION BY THE
ARGENTINE MINISTRY OF THE INTERIOR AND HAD NOT READ OF IT IN
THE PRESS. HE HAD EXPRESSED DOUBTS ABOUT THE AUTHENTICITY OF
SAUCH A REPORT, AND HAD ADDED QUOTE IT IS OUR JOURNALISTS WHO
ARE DESTABALISING ARGENTINA UNQUOTE

ARE DESTABALISING ARGENTINA UNQUOTE.

THE SWISS AMBASSADOR WAS PREPARED TO RAISE THE MATTER WITH THE ARGENTINE MFA IF NECESSARY.

POWELL-JONES

Ref: B06750

PRIME MINISTER

c Sir Robert Armstrong

OD(EM): Possible Visit to the Falkland Islands by Argentine Next-of-Kin

BACKGROUND

Flag A

You are familiar with the earlier background which was set out in a letter of 7th March from the Foreign and Commonwealth Secretary's Private Secretary to Mr Coles. Subsequent information from Buenos Aires suggests that, in the absence of an answer to his request, Senor Destefanis may sail any way. He has claimed to the International Committee of the Red Cross that he has a ship at his disposal and that 211 relatives of Argentine soldiers killed in the fighting are ready to make the journey. The local ICRC representative believes that Senor Destefanis is trying to extract a decision from the United Kingdom by 2nd April, the anniversary of the Argentine invasion. Ministers agreed after OD on 24th March that if the Destefanis party sailed without British authorisation aggressive action should be avoided: the aim should be to escort the vessel to a suitable mooring point, after which the position could be further considered. Meanwhile consideration should be given to making an early public statement to the effect that we could consider a visit by Argentine next-of-kin only if it were organised by the ICRC and carried out strictly under their auspices.

Flag B

2. Since then Sir Rex Hunt has reported (his signal of 24th March) the reluctance of the Falkland Islands Executive Council to accept a visit of the Destefanis group (unless Argentina first declares a formal cessation of hostilities) and has drawn attention to the fact that permission to allow such a visit is the responsibility of the Falkland Islands Government rather than the British Government. We have also made a further approach to the Headquarters of the ICRC in Geneva, the outcome of which will be known by the time the Sub-Committee meets; and the Uruguayans, through HM Ambassador at Montevideo, have pressed us to respond positively to the Destefanis proposal (Montevideo telegram no. 167). A key consideration in the whole problem is the need not to upset the arrangements we have made with Uruguay for the visit of our own next-of-kin who are due to arrive in Montevideo on on 4th April.

Flag C

3. The Attorney General has been invited to the meeting. The Home Secretary is unable to attend.

HANDLING

4. You might open the discussion by asking the Foreign and Commonwealth Secretary to report any developments over the weekend; and to advise on the Civil Commissioner's contention that it is for the Falkland Islands Government rather than the British Government to give authority for the proposed Argentine visit. You might then ask the Defence Secretary if there are any problems from his point of view about allowing an Argentine ship to visit the Falklands. At the discussion on 24th March he mentioned the risk of the Argentines using the ship as a Trojan horse: is there a risk of the Argentines mounting a raid of some sort at the time of the anniversary of the invasion to coincide with the next-of-kin visit?

5. The main points for decision are -

a. In the light of the information received from the ICRS and the Uruguayan authorities, should the Destefanis visit be allowed to go ahead?

b. If so, how can the Falkland Islands Government be brought to acquiesce in it? (One possibility might be for you to send a personal message to the members of the Executive Council).

c. What should be the terms and timing of a public statement announcing our decision?

d. If the Destefanis visit goes ahead how can Argentine opportunities for subversion and propaganda be minimised? Should we insist on excluding any press representatives? How will any conditions which we seek to impose affect the conditions for our own next-of-kin visit?

e. What physical arrangements should be made for the Destefanis group's reception? Should the ship be directed to Darwin and the group transported to the Argentine cemetery and back under escort, thus ensuring that they spend as short a time as possible on Falkland Islands soil?

f. What further action is needed vis-à-vis the ICRC and the Uruguayan authorities?

CONCLUSION

6. In the light of the decisions taken you will wish to invite the Foreign and Commonwealth Secretary to take the necessary follow up action with the Civil Commissioner, the ICRC and the Uruguayan authorities; and the Defence Secretary to issue appropriate instructions to the Military Commissioner. The Foreign and Commonwealth Secretary might also be invited to advise on the terms of the proposed public statement.

David Goodall

25th March 1983

A D S GOODALL

Prime Minister

See also new F.C.O. letter attached.

A.T.C. 25/3

Foreign and Commonwealth Office

London SW1A 2AH

25 March 1983

Dear John,

Argentine Next of Kin

Thank you for your letter of 24 March (not to all) about the action we should take if an attempt is made to sail a vessel containing Argentine next of kin to the Falkland Islands. In advance of the OD(EM) meeting on 28 March it may be helpful to set out recent developments.

The ICRC have put our preliminary conditions to the Argentine organiser of the visit, Sr Destefanis. They have reported that he claims to be willing to offer all possible guarantees, ie the group will consist only of close relatives of Argentines who died during the hostilities; he would give guarantees of good behaviour; the ICRC would be permitted to search the boat; and there would be no press on board.

The Uruguayan Government have belatedly informed us of an approach they received from Destefanis on 7 March requesting humanitarian assistance with a visit. They ask for our urgent confirmation that we would agree to such a visit. Their concern is to be able to respond to the Argentine Government offering their good offices with the object of deflecting the intense criticism from Argentina which they have been experiencing over their involvement in our own next of kin visit which stages through Montevideo on 5/6 April and 16 April.

It would appear that the Argentine Government are keeping their distance from Sr Destefanis. He claims that he deliberately has not approached his government and the ICRC confirm that the Argentine Government are taking no position on his project, at least until the British Government's attitude becomes clear.

/The Civil

The Civil Commissioner has spoken to Falkland Island Government Councillors. He has not been able to move them far from a position of total opposition. But in a telephone conversation on 25 March he has been asked to try again to explain to Councillors the international and domestic difficulties and the sort of visit we envisage, ie direct from a ship moored close to the Darwin cemetery and involving no contact with the Islanders. He has indicated that he is not sanguine.

The ICRC have commented that Sr Destefanis himself will be the only member of the group who is not a close relative, and have indicated that they would expect us to stipulate that he should not be permitted to sail with the group. They have not gone on to make it clear whether this is a hint that they consider Destefanis to be a troublemaker who should be excluded.

We see advantage in an early public statement in this country of our position on the proposed Argentine visit. We are coming under pressure from the Uruguayans and now, as reported in the media on 25 March, from a delegation of the British Council of Churches which has recently visited Argentina. There is also the danger that Destefanis might at some point set sail with his group without waiting for our permission.

The subjects for discussion at the ministerial meeting on Monday appear therefore to be:

(a) the terms and timing of any public announcement about acceptance of an Argentine visit;

(b) what is to be said to the International Red Cross about the role we expect them to play in the vetting of Argentine visitors;

(c) the instructions to be sent to the Civil Commissioner regarding the immigration arrangements to be made for any Argentine visitors;

(d) what is to be said to the Uruguayan Government about our attitude towards Destefanis's request.

/I am

I am copying this letter to the Private Secretaries of all members of OD(EM).

Yours ever

Roger Bone

(R B Bone)
Private Secretary

A J Coles Esq
10 Downing Street

FALKLAND ISLANDS GENERAL (ADVANCES) (45)

PS 6
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
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DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C H ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

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FM CIVIL COMMISSIONER
TO FCO LONDON
BT
C O N F I D E N T I A L
SIC EIA

IMMEDIATE

DESK BY 261300Z. YOUR TELNO PERSONAL 22: ARGENTINE NEXT-OF-KIN

1 AFTER TELEPHONE CONVERSATION WITH URE I DISCUSSED THE PROBLEM WITH ALL COUNCILLORS PRESENT EXCEPT LUXTON (WHO WAS HOWEVER PRESENT WHEN THIS WAS DISCUSSED AT EXECUTIVE COUNCIL ON 24 MARCH)

2 COUNCILLORS WERE MOST UNHAPPY AT PROSPECT OF ARGENTINES BEING ALLOWED TO SET FOOT ON FALKLAND ISLANDS SOIL BUT RECONGNISED THE NEED TO JEOPARDISE OUR OWN NEXT-OF-KIN VISIT NEXT MONTH. I EXPLAINED HOW YOU PROPOSED TO HANDLE THE VISIT AND PUT ACROSS THE CONCEPT THAT NEXT-OF-KIN WOULD BE IN QUOTE BOND UNQUOTE AND IN TRANSIT AND THERFORE IMMIGRATION FORMALITIES MIGHT BE WAIVED WITHOUT INFRINGING BRITISH SOVEREIGNTY. COUNCILLORS REMAINED SUSPICIOUS AND SCEPTICAL BUT AGREED TO THE VISIT ON THE FOLLOWING CONDITIONS:

A. DESTENFANIS SHOULD BE TOLD THROUGH THE ICRC THAT NAMED NEXT-OF-KIN COULD COME TO SEE THE GRAVES OF NAMED DEAD PROVIDED THAT THEY

TOOK THEIR DEAD BACK WITH THEM TO ARGENTINA

B. NO ARGENTINE OTHER THAN NAMED NEXT-OF-KIN WHO AGREED TO TAKE AWAY THEIR DEAD SHOULD BE ALLOWED IN THE PARTY (EXCEPT PERHAPS

TOOK THEIR DEAD BACK WITH THEM TO ARGENTINA

B. NO ARGENTINE OTHER THAN NAMED NEXT-OF-KIN WHO AGREED TO TAKE AWAY THEIR DEAD SHOULD BE ALLOWED IN THE PARTY (EXCEPT PERHAPS DESTEFANIS HIMSELF)

C. THE SHIP SHOULD NOT BE ARGENTINE, NOR SHOULD ANY OF ITS CREW

D. THE SHIP MUST FLY THE COURTESY FLAG

E. NO PHOTOGRAPHERS, PRESSMEN OR CAMERAS SHOULD BE ALLOWED (AN OFFICIAL PHOTOGRAPHER WOULD BE PROVIDED AND PHOTOGRAPHS OF THE CEMETERY GIVEN TO NEXT-OF-KIN)

F. THE VISIT MUST NOT TAKE PLACE UNTIL AFTER THE VISIT OF BRITISH NEXT-OF-KIN

3 COUNCILLORS SEE THE FIRST AND LAST CONDITIONS AS THE MOST IMPORTANT THEY NEVER WANTED THE ARGENTINE BODIES TO BE BURIED HERE AND THEY CONSIDER THAT IT IS A REASONABLE REQUEST THAT NEXT-OF-KIN SHOULD TAKE THEIR DEAD BACK WITH THEM. IF THE PROPOSED SHIP IS NOT SUITABLE DESTEFANIS SHOULD FIND ONE THAT IS. IF THIS IS NOT DONE, COUNCILLORS BELIEVE THAT THERE WILL BE NO END TO SUCH VISITS

BT

FALKLAND ISLANDS GENERAL (ADVANCES) (45)

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IMMEDIATE

PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

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PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

CONFIDENTIAL

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FM MONTEVIDEO 252215Z MAR 83

TO IMMEDIATE FCO

TELEGRAM NUMBER 175 OF 25 MARCH

REPEATED TO UKMIS GENEVA AND CIVIL COMMISSIONER PORT STANLEY

[Typists aa]

IMMEDIATE

YOUR TELEGRAM NO 219: ARGENTINE NEXT OF KIN.

I SPOKE TO AMBASSADOR BERTHET AS INSTRUCTED IN PARAGRAPHS TWO AND THREE.

1. AMBASSADOR BERTHET SAID THAT HE REGRETTED HAVING TO BE SO INSISTENT BUT THE URUGUAYANS MUST HAVE A REPLY AS SOON AS POSSIBLE AND BEFORE THE ARRANGEMENTS FOR THE BRITISH NEXT OF KIN VISIT WERE FINALISED. WAS THERE ANY HOPE OF A SUBSTANTIVE REPLY ON MONDAY? I SAID THAT I DID NOT KNOW BUT WOULD AGAIN REPORT ON THE URGENCY OF THE MATTER FOR URUGUAY.

2. AMBASSADOR BERTHET EXPLAINED THAT THE URUGUAYAN GOVERNMENT MUST BE ABLE TO SAY SOMETHING TO THE ARGENTINE GOVERNMENT NEXT WEEK ABOUT URUGUAY'S SYMPATHY TOWARDS THE DESTEFANIS REQUEST. THE ARGENTINE GOVERNMENT WOULD THEN HAVE TO DECIDE WHETHER OR NOT TO SUPPORT DESTEFANIS OFFICIALLY. IN HIS VIEW THE ARGENTINE GOVERNMENT WAS WELL AWARE OF DESTEFANIS' ACTIVITIES AND WERE PROBABLY ENCOURAGING THEM. THE URUGUAYANS WERE DELIBERATELY NOT TRYING TO FIND OUT MORE ABOUT DESTEFANIS AND HIS GROUP UNTIL SUCH TIME AS THEY COULD SEND A REPLY. WE COULD HOWEVER REST ASSURED THAT THEY WOULD MAKE VERY FULL ENQUIRIES AT THE APPROPRIATE TIME.

3. TURNING TO THE BRITISH NEXT OF KIN VISIT AMBASSADOR BERTHET SAID THAT IN ANY EVENT THE URUGUAYANS FEARED A VIRULENT ARGENTINE PRESS CAMPAIGN NEXT WEEK PARTICULARLY WHEN IT BECAME KNOWN HOW LARGE THE PARTY WAS. IF ON TOP OF THIS URUGUAY WAS NOT PREPARED TO HELP OVER THE ARGENTINE NEXT OF KIN VISIT URUGUAYS POSITION WOULD BE UNTENABLE.

4. SPEAKING CONFIDENTIALLY AND OFF THE RECORD AMBASSADOR BERTHET SAID THAT I MUST BE AWARE OF VARYING VIEWS WITHIN THE URUGUAYAN GOVERNMENT, ESPECIALLY IN THE ARMED FORCES, ABOUT THE BRITISH VISIT. IF IT BECAME KNOWN THAT THE BRITISH COULD NOT ACCEPT AN ARGENTINE NEXT OF KIN VISIT, THE BRITISH VISIT WOULD INEVITABLY BY JEOPARDISED. IT WAS FOR THIS AS WELL AS ANY OTHER REASON THAT HE HOPED FOR AN EARLY AND POSITIVE BRITISH REPLY. IT WOULD BE SAD FOR THE BRITISH NEXT OF KIN IF THE VISIT HAD TO BE CANCELLED AT THE VERY LAST MOMENT.

5. THE POSITION IS NOW CLEAR. IT WILL BE ALMOST IMPOSSIBLE FOR THE BRITISH VISIT TO GO AHEAD UNLESS IN THE NEXT FEW DAYS WE CAN AGREE IN PRINCIPLE TO AN ARGENTINE VISIT. THERE COULD ALSO BE LONGER TERM REPERCUSSIONS ON OUR RELATIONS WITH URUGUAY.

HUTCHINSON

FALKLAND ISLANDS GENERAL (ADVANCES) 39

IMMEDIATE

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
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MR A TITCHENER)
~~MR C U ROBERTS~~, IAT) DOT
MR A FORTNAM

RESIDENT CLERK

O 242150Z MAR 83
FM CIVIL COMMISSIONER
TO FCO LONDON
BT

IMMEDIATE

C O N F I D E N T I A L
SIC EIA
YOUR TELNO PERSONAL 22: ARGENTINE NEXT OF KIN
1 YOUR TUR ARRIVED TOWARDS THE END OF EXECUTIVE COUNCIL MEETING AND COUNCILLORS WISHED ME TO EMPHASISE TO YOU THAT THEY FULLY UNDERSTAND THE WIDER CONSIDERATIONS THAT ARE CAUSING YOU SUCH DIFFICULTIES IN REACHING A DECISION ABOUT ARGENTINE NEXT-OF-KIN VISIT
2 THEIR IMMEDIATE REACTION TO YOUR PROPOSED PUBLIC STATEMENT WAS ONE OF TOTAL OPPOSITION BUT, AFTER LENGTHY DISCUSSION, THEY INSTRUCTED ME TO SAY THAT THEY WOULD AGREE TO ACCEPT A VISIT BY ARGENTINE NEXT OF KIN ON THE FOLLOWING CONDITIONS:
A ARGENTINA MUST FIRST DECLARE A FORMAL CESSATION OF HOSTILITIES
B NEXT OF KIN MUST TRAVEL WITH VALID VISAS ISSUED BY FIG
C NEXT OF KIN MUST BE CLOSE RELATIVES OF NAMED DEAD IN DARWIN CEMETERY

PAGE 2 RBVBAA 240 C O N F I D E N T I A L
3 I PRESUME THAT THESE CONDITIONS WILL BE TOTALLY UNACCEPTABLE TO ARGENTINE GOVERNMENT, WHO WILL DENY ALL RESPONSIBILITY FOR AN UNOFFICIAL INITIATIVE

3 I PRESUME THAT THESE CONDITIONS WILL BE TOTALLY UNACCEPTABLE TO ARGENTINE GOVERNMENT, WHO WILL DENY ALL RESPONSIBILITY FOR AN UNOFFICIAL INITIATIVE

4 IF, IN SPITE OF COUNCILLORS VIEWS, YOU DECIDE TO GO AHEAD WITH A PUBLIC STATEMENT AS PROPOSED, I SHALL HAVE TO ADVISE THAT A MILITARY GUARD BE PUT ON THE ARGENTINE CEMETERY AT DARWIN AND THAT A MILITARY ESCORT BE PROVIDED TO PROTECT ARGENTINE NEXT-OF-KIN VISITING CEMETERY FROM SAFE ANCHORAGE. I CANNOT RULE OUT THE POSSIBILITY THAT ISLANDERS WILL TAKE THE LAW INTO THEIR OWN HANDS

5 YOUR PROPOSED PUBLIC STATEMENT COULD ALSO CAUSE LEGAL DIFFICULTIES AS IT IS NOT FOR HMG TO ACCEPT OR REFUSE A VISIT BY ARGENTINE NEXT-OF-KIN TO THE FALKLAND ISLANDS, IT IS THE RESPONSIBLITY OF THE FIG

HUNT

BT

NNNN

GRS 400 CONFIDENTIAL

Read in full.

CONFIDENTIAL

FM MONTEVIDEO 241650Z MAR 83

TO FLASH FCO

TELEGRAM NUMBER 167 OF 24 MARCH

INFO PRIORITY UKMIS GENEVA

(This is to be discussed at OD(ER) on Monday.)

25. 3

MY TELEGRAM NO 166: ARGENTINE NEXT OF KIN.

1. DIRECTOR OF EXTERNAL POLITICAL AFFAIRS CALLED ME IN AT VERY SHORT NOTICE AN HOUR AGO TO INFORM ME THAT THE URUGUAYAN GOVERNMENT HAD RECEIVED A REQUEST FOR HUMANITARIAN SUPPORT FROM A PRIVATE ARGENTINE ORGANIZATION. HE THEN GAVE ME A COPY OF DESTEFANIS' LETTER WHICH HAD BEEN HANDED IN PERSONALLY TO THE URUGUAYAN EMBASSY IN BUENOS AIRES ON SEVEN MARCH. (PLEASE SEE MY IMMEDIATELY FOLLOWING TELEGRAM). UNFORTUNATELY IT HAD BEEN HANDLED IN A VERY ROUTINE WAY BOTH BY THE EMBASSY AND WITHIN THE LOWER REACHES OF THE MFA.

2. AMBASSADOR BERTHET SAID THAT THE URUGUAYAN GOVERNMENT VERY MUCH WANTED TO REPLY CONSTRUCTIVELY IN THE SAME WAY AS THEY HAD TO THE BRITISH NEXT OF KIN VISIT. HOWEVER THEY FIRST WOULD LIKE HMG'S REACTIONS. THE URUGUAYAN GOVERNMENT STRONGLY HOPED THAT THESE WOULD BE POSITIVE AS THIS QUOTE WOULD HELP THE BRITISH NEXT OF KIN VISIT UNQUOTE. TIME WAS SHORT AND HE HOPED THAT I WOULD HAVE A REPLY FOR HIM BY TOMORROW. I SAID THAT THIS MIGHT PROVE DIFFICULT. HE THEN AGAIN URGED THE NECESSITY FOR SPPED AND A POSITIVE REPLY.

3. IN SUBSEQUENT CONVERSATION THE FOLLOWING POINTS EMERGED:

(A) THE URUGUAYANS KNOW LITTLE ABOUT DESTEFANIS OR THE CENTRE OF VOLUNTEERS FOR THE FATHERLAND.

(B) THE URUGUAYANS HAVE NOT RECEIVED ANY OFFICIAL COMMUNICATION FROM THE ARGENTINE GOVERNMENT.

(C) THE URUGUAYANS BELIEVE THAT REGARDLESS OF WHETHER DESTEFANIS AND HIS GROUP HAVE OFFICIAL SUPPORT, THE ARGENTINE GOVERNMENT WILL EXPECT A HELPFUL REPLY FROM URUGUAY.

4. WHEN I POINTED TO THE LACK OF PRACTICAL LOGISTIC DETAIL IN THE LETTER, AMBASSADOR BERTHET SAID HE WAS WELL AWARE OF THIS. HOWEVER PRACTICALITIES COULD BE SORTED OUT LATER. WHAT WAS URGENT WAS THAT THE URUGUAYANS SHOULD BE ABLE TO SEND A HELPFUL REPLY BEFORE THE BRITISH NEXT OF KIN VISIT. WHEN I MENTIONED ICRC INVOLVEMENT HE EXPRESSED INTEREST BUT ADDED THAT URUGUAY WOULD WISH IN ACCORDANCE WITH HER HUMANITARIAN TRADITION TO BE HELPFUL TOWARDS A GROUP WHICH WISHED TO PAY RESPECTS TO THEIR DEAD. HE HOPED THE BRITISH WOULD ALSO RECOGNISE THE HUMANITARIAN POINT. SURELY WE HAD NOTHING TO LOSE AND MUCH TO GAIN IN AGREEING TO THE VISIT.

5. THE SITUATION WHICH HAS ARISEN IS THE ONE WE FEARED. (MY TELEGRAM NO 105.) TIME IS INDEED SHORT WITH THE HOLY WEEK HOLIDAYS HERE AND IN ARGENTINA, AND THE CUNARD COUNTESS ARRIVING ON 4 APRIL.

CONFIDENTIAL

/6.

6. I STILL CANNOT BE CERTAIN WHETHER URUGUAY WOULD CALL OFF THE BRITISH NEXT OF KIN VISIT IF WE DO NOT PRODUCE POSITIVE REACTIONS. HOWEVER THE DANGER DOES NOW EXIST.

HUTCHINSON

[COPIES SENT TO NO 10 DOWNING STREET]

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FALKLAND ISLANDS

CONFIDENTIAL

bc Sir A. Parson

file

10 DOWNING STREET

From the Private Secretary

24 March 1983

Dear John,

Argentine Next-of-Kin

After OD this morning the Prime Minister had a brief discussion of this subject with the Secretary of State for Defence and Mr. Hurd. The discussion was concerned in particular with the question of what action we should take if, contrary to present expectations, an attempt was made to sail a vessel containing or purporting to contain Argentine next-of-kin to the Falklands this weekend. It was agreed that, if this eventuality occurred, aggressive action should be avoided (Ministers had in mind both the effect on international opinion of such action and the possible consequences for our own next-of-kin visit to the Islands). The aim should be to escort the vessel to a suitable mooring point, after which the position could be further considered.

The Prime Minister would like to carry the discussion further on Monday, 28 March after the ministerial meeting which is to consider the question of loan service personnel in Oman. The Prime Minister's present inclination is that we should state publicly that we could consider a visit by Argentine next-of-kin only if it were organised by the International Red Cross and carried out strictly under their auspices. She would see advantage in an early public statement to this effect.

It would be helpful if you could circulate for the meeting on 28 March a letter summarising the stage reached in our discussions with the International Red Cross and containing recommendations for further action.

I am copying this letter to Richard Mottram (Ministry of Defence).

Yours ever

Robin

John Holmes Esq
Foreign and Commonwealth Office

CONFIDENTIAL

(1).

Prime Minister

It seems right that you should not see these people but that Mr. Onslow should.

A.J.C. 23/3

Foreign and Commonwealth Office

London SW1A 2AH

23 March 1983

Dear John,

Delegation of Argentine Relatives

We know from reports in the Argentine press and a BBC television news report that a delegation of five fathers of missing Argentine servicemen is visiting Europe as representatives of 'The Association of Fathers and Relatives of Servicemen Missing in the Falklands'.

They are hoping to see Heads of State in Paris and Madrid, the Pope and the ICRC, but we have no information so far as to the level at which they will in fact be received. They have said that they intend to come to London and hope to be received by the Prime Minister. As yet we have not received any visa applications, but we think it necessary to prepare a position against the probability of a request to visit this country at short notice.

Before leaving Argentina the leader of the group, Sr Gimenez, told the press that their object was to bring pressure to bear on the British Government to release more facts about those not yet accounted for. Presumably the tour of European capitals is intended to help achieve this purpose. The delegation's visit is partially subsidised by a grant from the Argentine Army.

Although this indicates that the tour does have a propagandist element, it is also clear that 'The Association of Fathers and Relatives' has a genuine, humanitarian task to perform. It appears that the Argentine authorities have been less than conscientious in passing on information to servicemen's families: and in the confusion of hasty conscription and troop deployments the authorities themselves may be unable to account for the movements of every serviceman

/involved

involved in the Falklands campaign. This has given rise to rumours of the existence of internment camps on the Islands, and to false hopes that individual Argentines may still be in hiding.

Our own record on the treatment of Argentine prisoners of war and burial of the dead is good and stands up well to public scrutiny. We have adhered strictly to the requirements of the Geneva Convention and passed on all information promptly to the ICRC. The ICRC have commented favourably on our co-operation. Mr Onslow (in Mr Pym's absence) believes there would be every advantage in admitting the delegation to Britain and receiving them at ministerial level, making it clear that we have nothing to hide. We could give the delegation the full POW register and the Graves Register, as already transmitted to the ICRC. Mr Onslow would be prepared to see the delegation. We would not consider that a meeting with the Prime Minister would be appropriate.

According to a BBC News interview with members of the delegation on their arrival in Paris on 19 March, they plan to request that the bodies of individual Argentines buried at Darwin should be returned to their families. On several occasions before the burial ceremony on 19 February we offered to repatriate the 220 bodies. The Argentine Government have not taken up this offer. We would propose to stand by the offer, and to tell the delegation that they must approach their own government to achieve repatriation of the dead.

Yours ever,

Roger Bone

(R B Bone)
Private Secretary

A J Coles Esq
10 Downing Street

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
~~MR WRIGHT~~
MR ADAMS
LORD N G LENNOX
~~MR EVANS~~
MR URE
MR GILLMORE

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MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
MR C U ROBERTS, IAT) DOT

~~RESIDENT CLERK~~

We must do what we can to make very sure that we only provide more than we should be under the circumstances I think. MT

See my letter to FCO. AA 23/3

CONFIDENTIAL

FROM PORT STANLEY 231135Z MAR 83

TO IMMEDIATE FCO

TELEGRAM NUMBER 197 OF 23 MARCH

ADVANCE COPY

YOUR TELNO 34 TO BUENOS AIRES: ARGENTINE NEXT-OF-KIN

1. I HOPE THAT YOU HAVE CONSIDERED THE FULL IMPLICATIONS OF ACCEDING TO A ''REASONABLE-SOUNDING ARGENTINE PROPOSAL'' FOR NEXT OF KIN TO VISIT ARGENTINE GRAVES AT DARWIN.

2. MY UNDERSTANDING IS THAT THE ARGENTINE INVASION LAST YEAR INVALIDATED OUR 1971 AND SUBSEQUENT AGREEMENTS. THERE IS THEREFORE NO SOVEREIGNTY UNMRELLA AND NO ''WHITE CARED'' PROCEDURE. ARGENTINES, LIKE ANY ALIENS, WOULD REQUIRE A VISA BEFORE SETTING FOOT ON BRITISH SOVEREIGN TERRITORY IN THE FALKLAND ISLANDS, JUST AS THEY WOULD BEFORE ENTERING THE UK. THEY WOULD BE REQUIRED TO UNDERGO NORMAL IMMIGRATION FORMALITIES IN

SETTING FOOT ON BRITISH SOVEREIGN TERRITORY IN THE FALKLAND ISLANDS, JUST AS THEY WOULD BEFORE ENTERING THE UK. THEY WOULD BE REQUIRED TO UNDERGO NORMAL IMMIGRATION FORMALITIES IN THE SAME WAY THAT RELATIVES OF MISSING ARGENTINE SERVICEMEN NOW VISITING EUROPE ARE REQUIRED TO UNDERGO NORMAL IMMIGRATION FORMALITIES BEFORE ENTERING THE UNITED KINGDOM.

3. I PRESUME THAT THE ARGENTINE GOVERNMENT WOULD NOT WISH THEIR CITIZENS TO COMPLY WITH OUR NORMAL IMMIGRATION FORMALITIES BEFORE ENTERING THE FALKLAND ISLANDS, AS THIS WOULD IMPLY RECOGNITION OF BRITISH SOVEREIGNTY. BY THE SAME TOKEN, IF WE WERE TO ALLOW THEM TO SET FOOT ON FALKLANDS SOIL WITHOUT COMPLYING WITH OUR NORMAL IMMIGRATION FORMALITIES, THE ARGENTINE GOVERNMENT COULD INTERPRET THIS AS BRITISH RECOGNITION OF ARGENTINE SOVEREIGNTY.

4. NOR WOULD IT STOP AT ONE VISIT. HAVING BEEN ALLOWED IN ONCE, THEY WOULD TRY TO MAKE A REGULAR ANNIVERSARY VISIT AND BRING IN MORE NEXT-OF-KIN. WITH SO MANY UNIDENTIFIED BODIES, FURTHER REQUESTS WOULD BE DIFFICULT TO RESIST.

5. IN THE UNLIKELY EVENT OF ARGENTINA ALLOWING THE NEXT-OF-KIN TO COMPLY WITH OUR IMMIGRATION FORMALITIES, I AM CERTAIN THAT COUNCILLORS WOULD DIRECT ME UNDER THE IMMIGRATION ORDINANCE TO DECLARE THEM PROHIBITED IMMIGRANTS.

6. WITH ALL THESE COMPLICATIONS, I CONSIDER THAT WE SHOULD REST OUR CASE ON THE FACT THAT WE HAVE REBURIED THEIR DEAD WITH DIGNITY ON CONSECRATED GROUND AND THAT WE STAND READY TO SHIP THEM BACK TO ARGENTINA WHENEVER THE ARGENTINE GOVERNMENT SAY THAT THEY ARE PREPARED TO ACCEPT THEM. WE SHOULD POINT OUT THAT WE HAVE TAKEN BETTER CARE OF ARGENTINE SERVICEMEN DEAD THAN THEIR OWN GOVERNMENT DID ALIVE.

HUNT

VC

CONFIDENTIAL

10 DOWNING STREET

From the Private Secretary

22 March 1983

European Council : French Arm Sales to Argentina

Thank you for your letter of 18 March.

In the light of Paris telegram no. 234, the Prime Minister decided not to raise this question with President Mitterrand at the European Council. As things turned out, this would have been unlikely to be productive since President Mitterrand's mind was, throughout the Council, much on his preparations for a Government reshuffle and the contents of the televised press conference which, I understand, he is to give in Paris tomorrow evening.

A Sc

J.E. Holmes Esq.,
Foreign and Commonwealth Office.

CONFIDENTIAL

FOEC 002/21

OO UKREP BRUSSELS (FOR PS/PRIME MINISTER) DESKBY 211000Z

RR MOD DS 11

RR MOD DD 1 (ROW)

RR MOD D 1 73/AAT

IMMEDIATE

GRS 110
CONFIDENTIAL
DESKBY 211000Z MAR 83
FM PARIS 210856Z MAR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 234 OF 21 MAR 83
INFO IMMEDIATE UKREP BRUSSELS (FOR PS/PRIME MINISTER)
ROUTINE TO MOD DS 11, MOD DD 1 (ROW) MOD D 1 73/AAT

MY TELS NOS. 215 AND 227 (NOT TO UKREP BRUSSELS):

FRENCH ARMS FOR ARGENTINA

1. GAILLARD (ELYSEE) HAS NOW CONFIRMED TO US IN CONFIDENCE THAT MITTERRAND HAS DECIDED TO PUT OFF UNTIL AFTER THE ARGENTINE ELECTIONS IN OCTOBER A DECISION ON WHETHER TO AUTHORISE NEW ARMS CONTRACTS.

2. THIS MAKES IT LESS NECESSARY FOR THE PRIME MINISTER TO RAISE THE MATTER WITH MITTERRAND AT THE EUROPEAN COUNCIL, THOUGH THERE WOULD BE NO HARM IN REMINDING HIM AGAIN OF THE IMPORTANCE WE ATTACH TO IT.

3. I AM SORRY TO HAVE SENT A SERIES OF INCONCLUSIVE REPORTS ABOUT THE FRENCH POSITION, BUT THOUGHT IT BETTER TO LET YOU HAVE EACH PIECE OF EVIDENCE AS WE GOT IT.

FRETWELL

N CCN PARA 1 LINE 3 'AUTHORISE NEW ARMS CONTRACTS'

BM

10 DOWNING STREET

From the Private Secretary

21 March 1983

Thank you for your letter of 18 March enclosing the latest record of payments made by the South Atlantic Fund.

The Prime Minister has noted these details.

A. J. COLES

D.O. Arnold-Forster, Esq.,
Ministry of Defence

8-P

File

Bre

10 DOWNING STREET

From the Private Secretary

21 March 1983

Dear John,

ARMS SALES TO ARGENTINA

The Prime Minister has noted without comment the contents of your letter of 18 March.

Yours ever

John Coles.

John Holmes, Esq.,
Foreign and Commonwealth Office

Bre

cc: Mr. Rickett

PRIME MINISTER

Tam Dalyell MP (West Lothian) telephoned this morning. He asked me to convey his hopes that you would agree to see the Argentinian delegation, representing those lost in the Falklands, in the interests of dialogue.

?

He hoped that you would issue a statement to that effect.

MT

Duty Clerk
19 March 1983

Foreign and Commonwealth Office

London SW1A 2AH

Prime Minister

A.J.C. 21/3.

18 March 1983

Dear John,

European Council: French Arms Sales to Argentina

You will have seen Paris telnos 212 and 215 of 15 and 16 March. In the second of these, the Embassy reported a strong hint that President Mitterrand had decided against further arms sales to Argentina.

In a meeting with Dorin at the Quai d'Orsay today, John Ure attempted to obtain confirmation. But the French official was evasive and said that the matter should be taken up at the political level. This seems a signal that the French may expect the Prime Minister to ask the President what French intentions are.

The margins of the European Council meeting on 21/22 March offer a good opportunity to do this. I enclose some speaking notes and background information which the Prime Minister may wish to use if her conversation with the President indicates that he has not taken a firm decision not to permit further sensitive arms sales to Argentina.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

FRENCH ARMS SALES TO ARGENTINA

POINTS TO MAKE (UNLESS PRESIDENT MITTERRAND INDICATES THAT HE HAS MADE A DECISION THAT THERE SHOULD BE NO NEW SALES)

1. We were disappointed at the French decision in November to deliver Exocet AM39s and Super Etendard aircraft, although we recognise that they had been ordered before the hostilities.

2. We hope France will not permit any further arms sales to Argentina. Particularly important that French should not accept new orders for Exocets, Super Etendards or any other sensitive weapons.

3. Such future sales would not be understood in Britain. They would seriously increase Argentine military capability and give the wrong signals to the Junta, who have not accepted a definitive cessation of hostilities and still threaten to attack the Islands.

4. The Argentine regime have not yet produced their promised report on the 'disappeared' and their human rights record remains lamentable.

FRENCH ARMS SALES TO ARGENTINA

ESSENTIAL FACTS

1. Our Embassy in Paris have been keeping closely in touch with the Quai d'Orsay on the question of new French arms sales to
A Argentina. We know that the Defence Ministry, backed by the arms lobby, have been pressing strongly, but that elements in the Quai believe that further sales to Argentina would have a destabilising effect in Latin America. We have been told that the final decision will be made by President Mitterrand himself: we hope he will be influenced by distaste for the Argentine regime among members of the Socialist party and throughout the country.

B 2. On 16 March, there was a more encouraging report from Paris, suggesting the President could well decide not to conclude any new contracts with Argentina at least until after the Argentine elections. These are to take place on 30 October 1983. However, when Mr Ure saw M. Dorin of the Quai d'Orsay on 18 March the French official was evasive and said that the matter should be taken up at the political level. This seems a clear signal that the French expect the Prime Minister to sound out the President.

3. Since raising their total arms embargo in September 1983, the French have fulfilled certain pre-existing contracts, notably the delivery last December of 10 Exocet AM39s and 14 Super Etendard aircraft, and the equipping in February of the German-built destroyer Almirante Brown with 4 Exocet MM40s.

4. We believe the Argentines have told the French they would like to obtain 20 more Exocet AM39s and 10 Super Etendards, as well as other less sensitive equipment such as Puma helicopters (although these could be fitted to carry and fire Exocets). In December we
C handed to the Quai a list of 8 categories of equipment considered particularly sensitive. This remains unaltered.

Falkland Islands Department
18 March 1983

GRS 200
CONFIDENTIAL
DESKBY 170800Z
FM PARIS 161715Z MAR83
TO IMMEDIATE FCO
TELEGRAM NUMBER 215 OF 16 APRIL 1983
INFO ROUTINE MOD DS11, MOD DD1 (ROW), MOD DI 73/AAT.

MY TELNO 212 : FRENCH ARMS SALES TO ARGENTINA

1. A RELIABLE SOURCE IN THE QUAI HAS TOLD A MEMBER OF THE EMBASSY THAT A DECISION HAD BEEN TAKEN BY THE FRENCH GOVERNMENT NOT, REPEAT NOT, TO CONCLUDE ANY NEW CONTRACTS WITH ARGENTINA ''FOR THE MOMENT''. IN REPLY TO A QUESTION, OUR CONTACT SAID THAT ''FOR THE MOMENT'' MEANT AT LEAST UNTIL AFTER THE ARGENTINE ELECTIONS. ALTHOUGH HE WOULD NOT SAY SO, HE CLEARLY IMPLIED THAT IT WAS INDEED THE PRESIDENT HIMSELF WHO HAD TAKEN THE DECISION BUT HE WOULD NOT SAY WHEN. HE ADDED THAT THE ARMS LOBBY WAS FURIOUS.

2. THIS CONFLICTS WITH GAILLARD'S FORECAST (MY TUR). ON THE OTHER HAND, OUR CONTACT WAS QUITE CATEGORIC IN WHAT HE SAID. I SUGGEST THAT WITHOUT REVEALING THAT WE KNOW ANYTHING, URE MIGHT PROBE DORIN GENTLY WHEN THEY MEET ON 18 MARCH. IF URE RECEIVES CONFIRMATION THAT A DECISION NOT TO GO AHEAD HAS INDEED BEEN TAKEN, THEN IT WOULD BECOME UNNECESSARY FOR THE PRIME MINISTER TO RAISE THE SUBJECT. BUT IF THERE APPEARS TO BE DOUBT, IT MIGHT STILL BE USEFUL IF SHE WERE TO CAST A FLY OVER MITTERRAND.
I SHALL TELEGRAPH AGAIN AFTER URE'S CONVERSATION.

FRETWELL

LIMITED
FID
DEF D
WED
PUSD
PS/LORD BELSTEAD
SIR J BULLARD
MR GIFFARD
MR WRIGHT
MR URE
MR GILLMORE
MR GOODISON

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MR HEATH ASSESSMENTS STAFF
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GRS 330
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FM PARIS 151745Z MAR 83
TO PRIORITY FCO
TELEGRAM NUMBER 212 OF 15 MARCH 1983
INFO ROUTINE MOD (DS11), MOD DD1 (ROW), MOD D173/AAT

MY TELNO 141: FRENCH ARMS SALES TO ARGENTINA

1. THERE ARE SIGNS THAT THE FRENCH ARE MOVING CLOSER TO A DECISION TO SIGN NEW ARMS CONTRACTS WITH ARGENTINA.

2. GUTMANN REPEATED TO ME AT DINNER LAST WEEK THE LINE HE TOOK WITH LORD BELSTEAD (TUR): SOME SALES WERE LIKELY BUT THE FRENCH WOULD KEEP OUR INTERESTS IN MIND. HOWEVER GAILLARD, THE DEPUTY DIPLOMATIC ADVISER AT THE ELYSEE, TOLD US YESTERDAY THAT THE ARMS LOBBY WERE BEING PARTICULARLY ACTIVE AND THAT THE DEBATE WITHIN THE ADMINISTRATION LOOKED INCREASINGLY LIKELY TO BE RESOLVED IN FAVOUR OF SELLING THE ARGENTINES EXOCETS AND POSSIBLY OTHER SENSITIVE WEAPONS. GAILLARD HAD SAID EARLIER IN THE CONVERSATION THAT FOLLOWING THE GOVERNMENT'S SCARE IN THE MUNICIPAL ELECTIONS ITS TOP PRIORITY WOULD BE TO REDUCE THE BALANCE OF PAYMENTS DEFICIT, WHICH LAY AT THE ROOT OF FRANCE'S ECONOMIC TROUBLES. THIS MEANT THAT THE FRENCH WOULD PROBABLY BE GUIDED EVEN MORE BY PURELY COMMERCIAL CONSIDERATIONS.

3. GAILLARD SAID THAT THE PRESIDENT HIMSELF WOULD TAKE THE FINAL DECISION ON ARMS FOR ARGENTIAN. HE DID NOT GIVE THE IMPRESSION THAT THE DECISION WAS IMMINENT (IE WITHIN DAYS) BUT IT CANNOT BE LONG DELAYED.

4. YOU WILL NO DOUBT WISH TO CONSIDER WHETHER TO RECOMMEND TO THE PRIME MINISTER THAT SHE SHOULD TRY TO INFLUENCE THE PRESIDENT'S DECISION. I DO NOT THINK AN APPROACH AT ANY LOWER LEVEL WOULD BE EFFECTIVE IN DOING SO. IT IS ALSO FAR FROM CERTAIN THAT EVEN A DIRECT APPROACH TO THE PRESIDENT WOULD SUCCEED. BUT IF IT IS DECIDED TO TRY, I SUGGEST THAT THE BEST COURSE MIGHT BE FOR THE PRIME MINISTER TO HAVE A WORD WITH THE PRESIDENT IN THE MARGINS OF NEXT WEEK'S EUROPEAN COUNCIL. SHE MIGHT THEN FOLLOW THIS UP WITH A LETTER. IN MAKING AN APPROACH, IT MIGHT BE HELPFUL IF THE PRIME MINISTER SHOWED THAT SHE RECOGNISED THE ECONOMIC PRESSURES ON THE FRENCH GOVERNMENT TO INCREASE ITS ARMS SALES. SHE WOULD ALSO NO DOUBT WISH TO CONCENTRATE ATTENTION ON THE PARTICULAR WEAPONS WHICH WE WANT TO KEEP OUT OF ARGENTINE HANDS IE. THOSE ON THE LIST ENCLOSED WITH DEW'S LETTER OF 13 DECEMBER 1982 TO FORD.

FRETWELL.

LIMITED
FID
DEF.D
WED
PUSD

PS/LORD BELSTEAD
SIR J BULLARD
MR GIFFARD
MR WRIGHT

MR URE
MR GILLMORE
MR GOODISON

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MR HEATH
ASSESSMENT STAFF
CABINET OFFICE

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Super Etendard aircraft

Exocet missiles (AM39, SN39, MM38 and MM40)

Phimatt (sophisticated Chaff dispenser)

AR Martel (anti-radar air-to-surface Martel missile)

Durandal (penetration bomb)

Hot/Milan anti-tank weapons

Air-to-air refuelling equipment (including technical assistance)

Beluga Cluster Bombs

FALKLAND ISLANDS GENERAL (ADVANCES) 39

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

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MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
MR C U ROBERTS, IAT) DOT

RESIDENT CLERK

ADVANCE COPY

IMMEDIATE

DESKBY 181700Z

SENT
18 MAR 1983

CONFIDENTIAL
DESKBY 181700Z
FM MONTEVIDEO 181520Z MAR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 147 OF 18 MARCH

YOUR TELEGRAM NO 68 TO UKMIS GENEVA AND MY IMMEDIATELY PRECEDING TELEGRAM: ARGENTINE NEXT OF KIN.

1. GIVEN THE REAL WORRIES EXPRESSED BY DR MAESO I ASKED WHAT THE URUGUAYANS KNEW ABOUT DESTEFANIS. IT IS EVIDENT THAT THERE HAS BEEN NO OFFICIIAL APPROACH TO THE URUGUAYAN GOVERNMENT.
2. DR MAESO HOWEVER SAID THAT GIVEN THE CURRENT PROBLEMS WITH ARGENTINA, IF HMG WERE PREPARED TO ACCEPT AN ARGENTINE NEXT OF KIN VISIT IT MIGHT BE HELPFUL ALL ROUND IF MONTEVIDEO WERE TO BE USED AS A STAGEING POST. THIS, AS DURING THE CONFLICT WOULD PROVIDE EVIDENCE OF URUGUAY'S EVEN-HANDEDNESS AND WOULD BE HELPFUL TO URUGUAY. DR MAESO ASSUMED THAT HMG WISHED TO AVOID AN INCIDENT IN THE SOUTH ATLANTIC. ON THE OTHER HAND IF WE ACCEPTED A HUMANITARIAN VISIT WE WOULD ALSO BE MAKING THE TACIT POINT OF OUR DE FACTO JURISDICTION.
3. I DID NOT REFER IN ANY WAY TO OUR EXCHANGES WITH THE ICRC BUT SAID THAT JUDGING FROM WHAT I HAD SEEN IN THE PRESS IT WAS DIFFICULT TO KNOW WHO DESTEFANIS REPRESENTED. DR MAESO SAID THAT HE DOUBTED WHETHER THIS MATTERED ALL THAT MUCH. HE UNDERSTOOD THAT HMG WOULD WANT TO BE SURE THAT THE DESTEFANIS BOAT WAS NOT FULL OF BOMBS AND ARMED MEN. HOWEVER URUGUAY NOW HAD CONSIDERABLE EXPERIENCE OF CHECKING THAT HUMANITARIAN OPERATIONS WERE WHAT THEY WERE ALLEGED TO BE.
4. WHILE I REALISE THAT DR MAESO'S SUGGESTION PROVIDES A

~~OPERATIONS WERE WHAT THEY WERE ALLEGED TO BE.~~
~~4. WHILE I REALISE THAT DR MAESO'S SUGGESTION~~ PROVIDES A COMPLICATING FACTOR IT IS PERHAPS WORTH PURSUING. AT NO TIME IN THE CONVERSATION WAS THERE ANY SUGGESTION THAT OUR NEXT OF KIN VISIT WAS TO BE CANCELLED. WE MUST HOWEVER BEAR IN MIND HIS REFERENCE TO EVEN-HANDEDNESS.
4. MATTERS WERE LEFT THAT I WOULD REPORT.

HUTCHINSON

NNNN

SENT/RECD AT 18/1550Z PG/DP

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

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MR LITTLER)

SIR R ARMSTRONG)
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PRESIDENT CLERK

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DESKBY 181700Z

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18 MAR 1983

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DESKBY 181700Z
FM MONTEVIDEO 181503Z MAR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 146 OF 18 MARCH

ARGENTINE PRESSURE ON URUGUAY: THE BISCOE AND THE MONSUNEN.
1. DR MAESO TOLD ME LAST NIGHT AT A DINNER PARTY FOR THE AMBASSADOR DESIGNATE TO LONDON THAT THE VISITS TO MONTEVIDEO OF THE MONSUNEN AND THE BISCOE WERE CAUSING SERIOUS PROBLEMS. THE ARGENTINE PRESS YESTERDAY CARRIED STORIES ABOUT THE BISCOE AND THE MONSUNEN VISITING MONTEVIDEO TO TAKE ON SUPPLIES FOR THE FALKLANDS AND THE URUGUAYAN AMBASSADOR IN BUENOS AIRES WAS BEING PRESSED FOR COMMENT ON WHAT THE ARGENTINES ARE REGARDING AS PROVIDING UNEXPECTED LOGISTIC SUPPORT TO A NEIGHBOURING SISTER COUNTRY.

2. Paragraph deleted and closed, 40 years, under FOI Exemption.

CWayland
12 February 2013

3. TODAY'S URUGUAYAN PRESS HAVE TAKEN UP THE STORY AND CARRY A STATEMENT BY THE ARGENTINE AMBASSADOR IN BUENOS AIRES TO THE EFFECT THAT WHATEVER THE SHIPS DID IN MONTEVIDEO WAS IN ACCORDANCE WITH NORMAL PRIVATE COMMERCIAL OPERATIONS AND THE URUGUAYAN GOVERNMENT WAS IN NO POSITION TO INTERVENE.
4. WE ALSO ARE BEING ASKED TO COMMENT. WE ARE TAKING THE LINE THAT BRITISH MERCHANT VESSELS HAVE VISITED MONTEVIDEO FOR

4. WE ALSO ARE BEING ASKED TO COMMENT. WE ARE TAKING THE LINE THAT BRITISH MERCHANT VESSELS HAVE VISITED MONTEVIDEO FOR DECADES. IT SEEMS NORMAL THAT THEY SHOULD CONTINUE TO DO SO.
5. THE SOURCE OF THE STORIES IN THE ARGENTINE PRESS IS ALLEGEDLY A BRITISH PUBLICATION CALLED QUOTE SEA TRADE UNQUOTE.
6. PLEASE SEE MY IMMEDIATELY FOLLOWING TELEGRAM.

HUTCHINSON

NNNN

SENT/RECD AT 18/1545Z PG/DP

From: Mr D O Arnold-Forster

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB
Telephone 01-218 2452 (Direct Dialling)
01-218 9000 (Switchboard)

PARLIAMENTARY UNDER-SECRETARY OF STATE
FOR THE ARMED FORCES

D/US of S(AF)JW 25/5/7/9

A J Coles Esq
10 Downing Street
London SW1

18 March 1983

Prime Minister

Do you wish to continue receiving these reports?

A.J.C. 18/3

Dear John,

I attach the latest record of payments made by the South Atlantic Fund since 14 February.

Yours Ever,

David

Private Secretary

SOUTH ATLANTIC FUND - REPORT OF PAYMENTS SINCE 14 FEBRUARY 1983

A total of £4,758,526 has now been disbursed by the Fund in grants, an increase of £788,072 since the last report.

Interim Grants to Bereaved

Passage deleted and closed, 40 years, under FOI Exemption

Interim Grants to Injured (Excluding those leaving the Services)

A further £9,000 in five separate payments has been paid to the injured as interim grants. £524,300 has now been disbursed from the Fund in interim payments to the injured.

Interim Grants to those Leaving the Forces

Passage deleted and closed, 40 years, under FOI Exemption

CAWayland
12 February 2013

Payments to Charities

No further grants have been paid to charities.

Other Payments

Specially converted Mini Metros were presented to three disabled men of the Royal Marines on 4 March 1983. £21,989 has been paid from the South Atlantic Fund to the 1939 Royal Marine Welfare Fund to meet the cost of these cars.

£10,671 has so far been paid out from the Fund to meet the cost of telephone calls made over the Christmas period from the South Atlantic.

The Assessment Process

£708,291 has been paid out as a result of the assessment process to 22 widows (an average total amount of about £45,000 including interim grants). Further payments totalling £232,727, on the basis of the assessment process, to 10 widows are expected to be approved by the Trustees of the Fund in the next few days.

The assessment process has now achieved a momentum and a substantial sum will be disbursed to widows over the next four weeks.

In addition, £13,300 has now been paid out in grants as a result of the assessment process to those with minor injuries and burns in 24 separate payments (an average of £554). However, the payments of grants to widows will continue to be given priority.

Foreign and Commonwealth Office

London SW1A 2AH

18 March, 1983

Prime Minister

To note position.

AR 18/3

Copy: Mr. Nicholls.

Dear John,

Arms Sales to Argentina

Pt. 32

In your letter of 22 February you mentioned the Prime Minister's concern that our position could become untenable if many more of these cases were discovered. We and the MOD have looked into this further.

The only licensable items for Argentina which do not fall under our general arms embargo are those few contracts covered by the Ministerial decision of 21 July 1982 (OD(82)15). It was agreed then that pre-existing contracts for German-built destroyers and corvettes and Spanish-built coast-guard vessels could be fulfilled. The MOD have updated the lists submitted to Ministers lastJuly for the OD meeting to show the current state of play, and I enclose extracts listing the remaining contracts under which items are still to be delivered.

You will see that, for the four MEKO 360 destroyers built in Hamburg, the contracts are all but fulfilled. Of the items outstanding (target decoys, helicopter handling trolleys and engine spares), none is particularly sensitive in military terms. The six MEKO 1470 corvettes are being built in Argentina under licence from Blohm and Voss, but British items for inclusion in the ships are despatched to Blohm and Voss in Germany and not direct to Argentina. None of the remaining items to be exported is licensable except for helicopter handling equipment. The MOD are querying this with the manufacturers and tell us that it is unlikely that it will receive an export licence. The five coast-guard vessels being built in Spain have so far attracted no comment in this country. The only remaining British export for them is one communication set, due for delivery in July 1983, the last of five such sets.

We cannot be absolutely certain that there are no further items going to third countries for incorporation in the German and Spanish vessels. But all the vessels' construction is now so far advanced that any which might come up are likely to be minor and, possibly, not licensable.

The information given above does not include details of components exported under standing contracts to arms manufacturers of allied nations where the final purchaser cannot be separately identified. Exocets are the most sensitive and emotive example in this category. As you will be aware there is a special problem here since, under a Memorandum of Understanding signed in 1971 to provide an offset for Exocet missiles purchased for

/the

the Royal Navy, some 40 British manufacturers supply components. It is not practical to insist on end-user certification for a large number of minor components. We take frequent opportunities to remind the French Government of our concern that there should be no new contract to sell Exocets to Argentina or to a country likely to divert them to Argentina, but it is unlikely in practice that this will seriously inhibit the French, except possibly over air-launched Exocets.

There is no doubt that existing policy will continue to be controversial and difficult to defend in Parliament and elsewhere. A new delivery of Exocets including British components to Argentina could provide a fresh round of criticism. But there is little to be done about this short of a complete reversal of policy, which would also be controversial. In Mr Pym's view, the government's position is tenable in present circumstances but we must continue to be vigilant and be prepared to refuse supply where we have a margin of flexibility allowing us to do so.

I am copying this to Richard Mottram (MOD) and Richard Hatfield (Cabinet Office).

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street

Argentina: Citation Pt 33

GENERAL MISCELLANEOUS CONTRACTS

OUTSTANDING CONTRACTS FOR ARGENTINA

EQUIPMENT	COMPANY	REMARKS
VRC 321 Radios) VRC 322 Radios)	MEL	The outstanding equipments (100 of each radio) were to be manufac in Argentina by Phillips of Argentina and a military factory. MEL delivered all the components and information to Argentina pre-Falklands and no contractual relationship with Argentina now exists.
Sea Spray Radar	Ferranti	These radars were the subject of sub-contract between Westlands an Ferranti and formed part of the Westlands contract with Argentina for 8 Lynx helicopters. This contract was cancelled on 14 June 1982. The Argentinians are seeki damages for non-delivery and the return of monies already paid.
BUD/Weapon Arming System	Marconi	This contract has been suspended. Marconi have approached ECGD with a view to obtaining compensation for the equipments produced but not delivered (33).
AFV Drivers Periscopes	N/K	MEL were bidding for thid order bu did not obtain the contract. Vari enquiries have failed to identify a UK manufacturer and we now suspe that no such contract was ever achieved.
Sea Cat Missile Practice Rounds	Shorts	The rounds for Argentina were diverted to RN use. Shorts hold a advance from the Argentinians but have not been approached for its return.
Orange Crop EW Systems	Racal-Decca	No equipments from this contract were delivered. The Argentinians had, however, paid in full and are now seeking damages under a force majeure clause.
Canberra B62 (1)) Canberra T64)	BAe	The aircraft were not delivered. All work on them has been suspende BAe are discussing the frustration of the contract with the Argentini through legal channels.

DS13, MOD
8 March 1983

Four MEKO 360 DESTROYERS constructed in Germany

Annex B

MEKO 360 FRIGATES-UK COMPANIES SUPPLYING EQUIPMENT

COMPANY	EQUIPMENT	VALUE	REMARKS
David Brown Gears Ltd	Gearing	£5.725M	All equipment delivered
Glosier Saro	Air Intake and Exhaust Silencers	£1.475M	All equipment delivered
Graseby Instruments	Towed Target Decoys	£1.1M	Three sets delivered. Final set to be delivered in next three months. Licensable
Hale Hamilton Valves	HP Air Equipment	£218K	All equipment delivered
Hawker Siddeley Dynamics Ltd	Gas Turbine Control Equipment	£3.29M	All main hardware has been delivered. Some test equipment and spares will be delivered shortly. Not Licensable
Maciaggert Scott Ltd	Helicopter Handling Equipment	£618K	All equipment delivered with the exception of trolleys for the 4th ship. Licensable
Premaberg	Combustion Air Filters	£270K	All equipment delivered
Rolls-Royce	Olympus/Tyne Engine Modules	£23M	All equipment delivered with the exception of some stores and tools. Licensable
Wynstruments	Window Wipers	£37K	All equipment delivered
AGI	Naval Logs	£120K	All delivered.
W & J Tool Ltd	Sonar Domes	£100K	All equipment delivered

DS13, MOD
8 March 1983

Six MEKO 1470 CORVETTES constructed under licence in Argentina.

MEKO 1470 CORVETTES - UK COMPANIES SUPPLYING EQUIPMENT

COMPANY	EQUIPMENT	VALUE	REMARKS
Vosper Thornycroft	Stabilising Equipment	£1.1M	3½ sets delivered. ~~½ set due Feb 83.~~ ½ set due Mar 83. 1 set July 83, 1 set Oct/Nov 83.
Vosper Thornycroft	MPD diesel remote control gear	£200K	All sets delivered
Racal-Decca Marine Radar	Navigation Radar	£146K	All sets delivered.
Hamworthy Engineering Ltd	Sewage Plant	£149K	3 sets delivered. Remaining sets due ~~March~~ April 83, Oct 83, April 84.
Deep Sea Seals Ltd	Stern Tube Seals	£15K	3 sets delivered. ~~1 set due March 83.~~ No contract for further 3 sets.
Hale Hamilton Valves Ltd	HP Air Equipment	£288K	2 sets delivered. 2 sets due March 83. 2 sets Dec 83.
AGI	Naval logs	£180K	3 sets delivered. Remaining sets due Dec 8 June 84, Dec 84.
M L Aviation	3 Naval Lynx Handlers	£105K	First 2 handlers due for delivery in mid 1984. ML have been informed that consideration of their licence application will be deferred until nearer the time of delivery. In the meantime, DoT and MOD are investigating this application.

DS13, MOD
8 March 1983

Five COAST GUARD VESSELS to under construction in Spain

UK COMPANIES SUPPLYING EQUIPMENT

Company	Equipment	Remarks
Vosper Thornycroft	Stabilisers	All delivered
Racal	5 Communication sets	Four sets delivered. Final set due for delivery in July 1983

DS13, MOD
8 March 1983

ARMS SALES TO ARGENTINA

Line to Take

Q. Why are we still supplying naval equipment to Argentina through third parties?

A. There is a total embargo on the direct sale of defence equipment to Argentina. However, certain British firms signed contracts in 1980 with the German shipbuilders Blohm and Voss to supply engines and other equipment for incorporation in frigates being built for the Argentine Navy. The bulk of this equipment was delivered before April 1982 and the remainder was embargoed for duration of the conflict. Once the Falkland Islands were recaptured we felt it right to honour our long standing contractual obligations to an important trading partner and fellow member of NATO.

Q. Why don't we stop the supply of Exocet components to France?

A. Under a Memorandum of Understanding signed in 1971, some 40 British companies supply components for the Exocet missile. This arrangement was negotiated to offset the purchase of the ship-launched version for the Royal Navy. Deliveries to the Royal Navy are continuing and, in addition, Exocet in its various versions have been sold to some 30 other countries. An embargo on British components for the Exocet could adversely affect deliveries to the Royal Navy who, we believe, are one of the major purchasers of the ship-launched version. It is not possible to ban the supply of components to one particular country.

Q. Is there not a chance that British equipment in Argentine hands could be used against our own troops?

A. It would be foolhardy of the Argentines to attempt any

further military initiative against the Falklands but. Our forces are capable of responding quickly and effectively to any aggressive action contemplated by the Argentinian government.

Q. Why is it right for British ~~sub-~~components to be supplied for Argentine frigates and Exocet missiles, but wrong to supply Plessey radars to France?

A. The contract for Plessey radars was signed at the end of March 1982, just before the invasion of the Falklands. An export licence was granted in May in the belief that France was the ultimate destination. It recently became known that this equipment was destined for Argentina. Since the licence was granted on incomplete information and this equipment forms part of the fire-control system for Exocet missiles specifically destined for Argentina, it has been decided to withdraw the licences.

The licence was returned to the Department of Trade at our request but we cannot therefore export this equipment. Plessey cannot therefore export this equipment.

BACKGROUND NOTE

MEKO FRIGATES AND CORVETTES FOR ARGENTINA

1. In 1978, Blohm and Voss obtained a contract to build four frigates for Argentina. In 1980 British firms secured contracts with the shipbuilders worth approximately £40M for the supply of equipment (all non-lethal) for the ships. Ministerial approval for this deal was first given in January 1979. Annex A gives details of the equipment involved.

2. Much of this equipment had been delivered by the time of the invasion; this included the Rolls Royce Gas Turbine engines for the first three frigates. A ban on further deliveries was then imposed. Following the recapture of the Islands, Ministers decided to release this equipment on the understanding that assurances were obtained from the German Government that we would be consulted before the frigates were delivered (OD(82)15th meeting on 21 July 1982). These assurances were, however, not forthcoming but Ministers agreed in August to release the equipment without them. At that time the German embargo on the supply of arms to Argentina was still in force but it was subsequently lifted.

3. The first frigate is due for handing over on 2 February and to sail from Germany for Argentina about 3 weeks later. Steps are being taken to ensure that no British contracts personnel are on board. The remaining ships sail at approximately 6 monthly intervals.

4. British firms are also involved to a much lesser extent in the supply of equipment to Blohm and Voss for fitting in 6 Corvettes being built for the Argentinian Navy (two in Germany, the remaining four in Argentina). Supply of this equipment was agreed as for the frigates with the proviso that it should be to Blohm and Voss and not direct to Argentina. Details of this equipment worth approximately £2M is at Annex B.

5. Thyssen have a programme to build six submarines for Argentina, two in Germany and four under license in Argentina. The only

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known British involvement is the provision of high pressure air equipment by Hale Hamilton Valves Ltd which is not subject to export licensing controls.

BACKGROUND NOTE

German Frigates

Approval for supply of equipment first given Jan 1979. Most equipment delivered before April 1982 including all for first 2 ships. First ship due to be delivered 2 Feb. Deliveries of UK equipment suspended April-August 1982. Ministerial agreement in August to delivery of remaining items, in order to honour contracts, and maintain good relations with Germany. German embargo was then in force (lifted Sept 1982). German action in permitting supply regretted. Paper [illegible] could not prevent supply.

Exocet

RN contracted to buy Exocet missiles in 1971 and deal included participation by UK manufacturers to supply components as offset for RN for RN purchase. Over 40 UK firms involved. Exocet missiles supplied to over 30 countries. Difficult and impracticable to limit supply of UK components to missiles destined for friendly countries. Total embargo on supply of any UK components would risk supply of Exocet to RN, and cast doubts on our reliability to honour contract.

Italian Aeromacchi MB326 and MB339K Jet Trainers/Light Ground Attack Aircraft

Aircraft has Rolls Royce Viper engine. Argentina had some 18 of these aircraft from Italy before April 1982. Export Licenses for 14 engines have been approved since April 1982, stated users have been Italy and Malaysia.

To the best of our knowledge no more of these aircraft have reached Argentina since April 1982.

Argentina known to be trying to buy about 12 more. Most likely source of supply would be Brazil where aircraft also made.

Annex A
to D/ DS13/215
dated FEB 83

OUTSTANDING CONTRACTS FOR ARGENTINA

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Annex B

MEKO 360 FRIGATES-UK COMPANIES SUPPLYING EQUIPMENT

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Mactaggert Scott Ltd	Helicopter Handling Equipment	£618K	All equipment deliver with the exception of trolleys for the 4th ship.
Premaberg	Combustion Air Filters	£270K	All equipment deliver
Rolls-Royce	Olympus/Tyne Engine Modules	£23M	All equipment deliver with the exception of some stores and tools
Wynstruments	Window Wipers	£37K	All equipment deliver
AGI	Naval Logs	£120K	All delivered.
. & J Tool Ltd	Sonar Domes	£100K	All equipment deliver

Annex C

MEKO 470 CORVETTES - UK COMPANIES SUPPLYING EQUIPMENT

COMPANY	EQUIPMENT	VALUE	REMARKS
Vosper Thornycroft	Stabilising Equipment	£1.1M	3 sets delivered. 1 set due Feb 83. 2 set due Mar 83. 1 set July 83, 1 set Oct/Nov 83.
Vosper Thornycroft	MPD diesel remote control gear	£200K	All sets delivered
Racal-Decca Marine Radar	Navigation Radar	£146K	All sets delivered.
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Hale Hamilton Valves Ltd	HP Air Equipment	£288K	2 sets delivered. 2 sets due March 83. 2 sets Dec 83.
AGI	Naval logs	£180K	3 sets delivered. Remaining sets due Dec 83 June 84, Dec 84.

Relations

ALE SW

ARGENTINA

10 DOWNING STREET

From the Private Secretary

18 March, 1983

Argentina

The Prime Minister has read your letter of 16 March and the enclosed summary of the current Argentine political scene and future prospects.

A. J. COLES

John Holmes, Esq.,
Foreign and Commonwealth Office

GR 320

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CONFIDENTIAL

FROM TEL AVIV 171315Z MAR 83

TO PRIORITY FCO

TELNO 93 OF 17 MARCH 1983

INFO WASHINGTON AND MODUK.

ISRAELI ARMS FOR ARGENTINA

1. SEVERAL MPS WHO HAVE BEEN HERE FOR THE CONFERENCE ON SOVIET JEWRY THIS WEEK HAVE TAKEN THE OPPORTUNITY TO SPEAK TO ISRAELI MINISTERS ABOUT CONTINUING CONCERN IN BRITAIN OVER REPORTS OF ISRAEL SUPPLYING ARMS TO ARGENTINA. THEY INCLUDE GREVILLE JANNER, MICHAEL LATHAM AND IVAN LAWRENCE. DETAILS BY BAG TO THE DEPARTMENT.

2. WHEN ISRAELI PRIME MINISTER RECEIVED THE PARLIAMENTARY UNDER-SECRETARY FOR EDUCATION THIS MORNING, DR RHODES BOYSON RAISED THIS SUBJECT WITH HIM TOO. DR BOYSON SAID THAT AFTER OUR EXPERIENCE OF THE FALKLANDS CONFLICT WE WERE BOUND TO BE CONCERNED AT REPORTS THAT ARGENTINA WAS GETTING ARMS FROM ISRAEL. THE BRITISH GOVERNMENT WANTED GOOD RELATIONS WITH ISRAEL BUT THERE WERE SOME PEOPLE IN BRITAIN WHO DID NOT WISH ISRAEL SO WELL AND IT WOULD ONLY HELP THEM IF IT TURNED OUT THAT ISRAEL WAS SELLING ARGENTINA WEAPONS LIKE GABRIEL MISSILES. THIS WAS A VERY REAL PROBLEM IN BRITAIN. HE HOPED THE ISRAELIS WOULD BE IN NO DOUBT AS TO FEELINGS THERE.

3. MR BEGIN THANKED DR BOYSON FOR SPEAKING SO FRANKLY. HE TOOK UP THE REFERENCE TO GABRIEL MISSILES AND SAID HE WOULD HAVE TO CHECK THE STORY. AT THIS POINT I EXPLAINED THAT AFTER RAISING THE MATTER WITH THE ISRAELI DEFENCE MINISTER MR GREVILLE JANNER HAD BEEN ASSURED THAT THERE HAD BEEN NO GABRIEL SALE NOR ANY CONTACTS AIMED AT AGREEING SUCH A SALE BETWEEN ISRAEL AND ARGENTINA. THIS WAS NOT QUITE THE END OF THE DISCUSSION, HOWEVER, FOR AS WE LEFT HIM THE PRIME MINISTER REVERTED TO WHAT I HAD SAID. I WAS ABLE TO ADD THE POINT THAT ALTHOUGH THE RUMOUR ABOUT GABRIEL SEEMED TO BE DEALT WITH BY THE DEFENCE MINISTER'S ASSURANCE, OTHER REPORTS OF SIGNIFICANT WEAPONRY REACHING ARGENTINA FROM ISRAEL REMAINED A WORRY FOR US.

4. MR BEGIN WAS IN MELLOW AND RELAXED MOOD WITH DR BOYSON. I THOUGHT HE WAS LOOKING FITTER THAN FOR SOME TIME.

THIS TELEGRAM WAS NOT ADVANCED

MOBERLY

[COPIES SENT TO NO 10 DOWNING STREET]

FALKLAND ISLANDS GENERAL

FCO

FID

NENAD

CABINET OFFICE

ADDITIONAL DISTRIBUTION

FALKLAND ISLANDS

CONFIDENTIAL

Foreign and Commonwealth Office

London SW1A 2AH

16 March, 1983

Prime Minister

To note.

A J.C. 16/3

Dear John,

Argentina

Mr Pym thought the Prime Minister might wish to glance at the enclosed summary of the current Argentine political scene and future prospects.

The contests within and between the Argentine political parties are more about personalities than policies. There is little or no hope of Argentina, under any foreseeable regime, dropping its claim to sovereignty over the Falklands. An elected government, however unstable, may consider itself better placed to gain international support for calls on us to negotiate. There are few grounds for optimism that they will be easier to deal with than the present Argentine government, especially if they are dominated by extreme nationalists from the Peronist party. The best hope is that, once the rhetoric of the electoral campaign is spent, the new Government will concentrate on the country's desperate economic problems and allow the Falklands to recede from the front of the public mind.

I am copying this to Richard Mottram (MOD) and Michael Hatfield (Cabinet Office).

Yours ever

(J E Holmes)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street

ARGENTINA: ELECTIONS AND BEYOND

Background

1. Already unpopular for its disastrous handling of the economy and for the repressive character of its rule, the military government's standing plummeted following the Falklands defeat, and they gave in to demands for a return to civilian government.

2. The path towards democracy is not smooth. In early February, the Junta were on the brink of prosecuting certain politicians for their pungent criticism of the Government. There were suggestions that both the President and his Economic Minister, Sr Wehbe, might be forced to resign. Rumours of a coup - never to be discounted - were particularly strong. The economy is in chaos and repayment of some debts has already been suspended. This, and the question of the 'disappeared', continue to generate unrest.

Electoral timetable

3. Relative calm returned at the end of February. The threatened prosecutions are not being pursued. On 28 February, Bignone announced that national, provincial and municipal elections would be held on 30 October and that the military would hand over power to an elected government on 30 January 1984. The announcement was welcomed, although the three-month hand-over period was criticised as too long.

Political parties

4. The political parties have still to select candidates for President and Vice-President. The two main parties, the Peronists and the Radicals, are riven with internal disagreements.

/5.

5. The Peronists are the largest party and have generally received 40-45% of the popular vote. If they retain the support of the main trade unions, they should do well. But they still have five contenders for the Presidential nomination. The former Argentine President, Maria Estela Peron (known as Isabelita), who is in exile in Spain could play an important role as 'king maker'. The front runners are Angel Robledo, Antonio Cafiero and Italo Luder.

6. Again, there are rival factions vying for control of the Radical party, who have usually received 25-30% of the vote. The leading candidate is Raul Alfonsin. Fernando de la Rua could also win the nomination. Essentially a party of the middle class, the Radicals will have to attract trade union support if they are to have a chance of defeating the Peronists or to have a strong hand in negotiations for a coalition.

The Military

7. Most officers now seem ready to withdraw from the front of the political stage. But many are concerned that a civilian government might initiate an investigation into their activities during the 'dirty war'. This problem may be left for discussion during the hand-over period after the elections. The most likely outcome is only a limited number of prosecutions.

Policies of an incoming government

8. The political parties have concentrated on criticising the present Government, and the battle for Presidential nominations is based on personalities; there is little indication of a future government's policies. The first task of a civilian government should be to restore order to the economy, especially inflation, which is out of control. Unemployment is increasing. There have been indications that a civilian government might repudiate the foreign debt and withdraw from the IMF rescue programme.

/Falklands

Falklands

9. The compelling domestic problems may restrain a civilian President. But a democratically-elected Argentine government will believe that it can more easily win international support for calls upon us to negotiate. (Constraints could however build up at home on Argentina's choice of friends: the most recent public criticism of Bignone has been for showing excessive warmth towards Castro and Arafat at the Non-Aligned Summit.) No prospective Argentine government can afford to appear 'soft' on the Falklands. An early renunciation of force would risk accusations of capitulation and could provoke the military to re-emerge from their barracks. The populist elements in the Peronist party are fiercely nationalist and, as we continue to remind our friends and Allies, we have few grounds for believing that a democratic Argentine government will, from our point of view, be a more peaceful one.

for VK

4

10 DOWNING STREET

3

From the Private Secretary

16 March 1984

Visit of Next of Kin to the Falkland Islands

The Prime Minister has seen your Secretary of State's minute of 11 March and John Holmes' letter of the same date setting out the views of the Foreign and Commonwealth Secretary on this matter.

She takes the view that, on balance, it would be better if the Duke of Kent did not visit the Falkland Islands on this occasion. Mrs Thatcher shares the concern of the Foreign and Commonwealth Secretary that, if the event is given too high a profile the Uruguayans will be less inclined to cooperate with us over the Falkland Islands in the future. For the same reason, the Prime Minister would not want a Minister to accompany the next of kin. She notes that the Chief of the Defence Staff will be in the Islands anyway and will represent the services.

Mrs Thatcher has further said that she is sure it would be greatly appreciated by the next of kin if the Duke of Kent, in his capacity as President of the War Graves Commission, could receive them on their return, either on their arrival back in the UK or at some other suitable occasion.

I am copying this letter to John Holmes (Foreign and Commonwealth Office).

A. J. COLES

Richard Mottram, Esq.,
Ministry of Defence.

The National Archives

LETTERCODE/SERIES PREM 19 PIECE/ITEM 951 (one piece/item number)	Date and sign
Extract/Item details: Manuscript note from Coles to Robin Butler dated 15 March 1983	
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Ford

10 DOWNING STREET

From the Private Secretary

15 March 1983

POSSIBLE VISIT BY ARGENTINE NEXT-OF-KIN

Thank you for your letter of 14 March.

The Prime Minister agrees with the Foreign and Commonwealth Secretary that we should ask the Red Cross to clarify the details of the request which Destefanis has made to them. Mrs. Thatcher has observed that Destefanis' letter, a translation of which you enclosed, is contradictory in several respects. In particular, he states that the proposed visit has no political content. But he also states that the purpose of the visit is to do homage to those who have given their lives fighting "in defence of Argentina's territorial sovereignty". Mrs. Thatcher believes that, in addition to the points you have mentioned, we need more information about the "Centre of Volunteers for the Fatherland", the body which is said to be organising the journey.

The Prime Minister has further commented that the Islanders should of course be consulted before a final decision is taken. She would like to be kept fully informed about any further developments and would be grateful if the problem could be brought to her attention again when we have all the information necessary for a final decision to be taken.

I am copying this letter to Richard Mottram (Ministry of Defence) and Richard Hatfield (Cabinet Office).

A. J. COLES

J.E. Holmes, Esq.,
Foreign and Commonwealth Office.

PRIME MINISTER

Visit of Next of Kin to the Falkland Islands

You have stated your views on this but I think you will wish to read the attached letter setting out Mr. Pym's views.

If the Duke of Kent and an MOD Minister go, we risk not being able to secure Uruguay's co-operation over the Falkland Islands in the future. They are co-operating with us this time because they have been told that it is a purely humanitarian occasion.

The best way of avoiding difficulties with the Uruguayans would be for the War Graves Commission to be represented by someone other than the Duke of Kent and for there to be no Minister present.

Do you wish me to confirm to those concerned that you want the Duke of Kent and an MOD Minister to go?

If that is the line
judgment (and not just
a fear) then I have to
agree. But I find
it astonishing that
the President of the War Graves
Commission can be excluded
surely there is no constitutional
for the Minister.
If not HRH who goes for
the WGC?

A.J.C.

14 March 1983

FALKLAND ISLANDS GENERAL (ADVANCES) 39

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

HD/PUSD (2)
HD/SAMD
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HD/NEWS DEPT
HD/ERD
HD/ECD(E)
HD/UND
HD/PLANNING STAFF

PS/NO 10 DOWNING ST (3)

PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
MR C U ROBERTS, IAT) DOT

RESIDENT CLERK

ADVANCE COPY

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(F BERNE 151110Z)

FM BIS BUENOS AIRES
TO IMMEDIATE FCO
TELNO 124 OF 14 MARCH
AND TO IMMEDIATE MOD
INFO PRIORITY MONTEVIDEO SANTIAGO BRASILIA CARACAS WASHINGTON
UKMIS NEW YORK CIVIL COMMISSIONER PORT STANLEY

PRESS SUMMARY

1. CRITICAL COMMENT ON BIGNONE'S PERFORMANCE AT THE NAM SUMMIT CONTINUED OVER THE WEEK-END INCLUDING AN UNUSUALLY OUTSPOKEN LEADING EDITORIAL IN THE SOMEWHAT SYCHOPHANTIC LA NACION EXPRESSING SERIOUS CONCERN AT THE APPARENT ABOUT -TURN IN ARGENTINA'S FOREIGN POLICY. BIGNONE DEFENDED HIMSELF IN STATEMENTS MADE DURING STOPOVERS IN NAIROBI AND KINSHASA DURING HIS RETURN JOURNEY AND IN A PRESS CONFERENCE ON ARRIVAL AT EZEIZA LAST NIGHT, INSISTING THERE WAS NO CHANGE IN FOREIGN POLICY AND THE JUNTA KNEW IN ADVANCE THE CONTENTS OF HIS SPEECH. NONETHELESS MEDIA DOUBTS PERSIST. BIGNONE ALSO REFERRED IN HIS PRESS CONFERENCE TO THE STATE OF HOSTILITIES WITH BRITAIN QUOTE HOSTILITIES WITH GREAT BRITAIN HAVE ENDED DE FACTO, AS THEY BEGAN. NO FORMAL DECLARATION BY THE ARGENTINE GOVERNMENT IS NECESSARY. UNQUOTE.

2. THE GOVERNMENT CONFISCATED THE LATEST ISSUE OF THE MAGAZINE QUORUM ON FRIDAY, WHICH WAS DEVOTED TO A HIGHLYCRITICAL ARTICLE ON QUOTE THE NAVY MECHANICAL SCHOOL 75 TO 78: THE HOT YEARS UNQUOTE. EDITOR JOSE PALOZZI TOOK REFUGE IN THE ITALIAN EMBASSY WHENCE HE WAS ASSISTED BY THE AUTHORITIES TO LEAVE FOR ROME.

~~WHENCE HE WAS ASSISTED BY THE AUTHORITIES TO LEAVE FOR ROME.~~

3. ECONOMY MINISTER WEHBE DISCUSSED THE ECONOMY WITH ARMY COMMANDER NICOLAIDES ON FRIDAY AND THE SATURDAY PAPERS REPORTED THE JUNTA WAS DEMANDING A CHANGE IN ECONOMIC POLICY, PARTICULARY A REDUCTION IN INTEREST RATES. SIMULTANEOUSLY, LA PRENSA PUBLISHED THE FULL TEXT OF THE ARGENTINE GOVERNMENT'S MEMORANDUM TO THE IMF, OBTAINED, ACCORDING TO IGLESIAS ROUCO, FROM SOURCES ABROAD SINCE THE ECONOMY MINISTRY HAS REFUSED TO SUPPLY IT. AMBITO FINANCIERO TODAY SUGGESTS THE NEW ECONOMIC MEASURES WILL INCLUDE : PRICE LIMITS, A PRICES AND INCOMES AGREEMENT, SUBSIDIZED INTEREST RATES, PAY INCREASE, GREATER CONTROL OVER MARKETING OF FOOD PRODUCTS AND A NEW LAW PROMOTING EXPORTS : ALL AIMED TO SNATCH THE INITIATIVE IN ECONOMIC POLICY-MAKING FROM THE MULTIPARTIDARIA (FIVE - PARTY GROUPING).

4. LA PRENSA TODAY PUBLISHES A PRESS CONFERENCE GIVEN BY THE CHAIRMAN OF THE ASSOCIATION OF FATHERS AND RELATIVES OF SERVICEMEN MISSING IN THE FALKLANDS, ISAIAS GIMENEA (TRANSLATION BY BAG TO FCO). GIMENEZ LEAVES THIS WEEK FOR A TOUR OF EUROPEAN CAPITALS WITH FOUR OTHER REPRESENTATIVES: GONZALES, LEGAL ADVISOR, DR. JUAN CARLOS LEGASCUE, DR. JULIO MIGUEL MUNICOY, MEDICAL DOCTOR, AND JOSE MARIA DEL HIERRO, TO BRING PRESSURE UPON BRITAIN TO RELEASE MORE FACTS ABOUT MISSING ARGENTINE SERVICEMEN.. GIMENEZ SAID THE EUROPEAN TRIP IS FINANCED BY FUNDS COLLECTED FROM SERVICEMEN'S FAMILIES AND A CONTRIBUTION FROM THE ARGENTINE ARMY, BUT NOT THE AIRFORCE OR NAVY.

5. WITH BIGNONE'S RETURN AND A DEEPENING ECONOMIC CRISIS, WE ARE STARTING ON YET ANOTHER POSSIBLY CRUCIAL WEEK IN ARGENTINA'S CURRENT HISTORY. AS THE PARANA FLOOD WATERS APPROACH THE RIVER PLATE SO THE POLITICAL AND ECONOMIC PICTURE DARKENS ALSO.

JOY

POWELL-JONES

(1).

Prime Minister

Agree that :-

(a) we should ask the Red Cross to clarify the details of this proposal? Yes - the letter is contradictory

(b) the Islanders should be consulted before a final decision? Yes

(c) the matter should be put to you for final decision? Yes

A. J. C. 14/3.

Foreign and Commonwealth Office

London SW1A 2AH

14 March 1983

Dear John,

We also need more detail on the organisation itself, not

Possible Visit by Argentine Next-of-Kin

Since I wrote to you on 7 March, we have received the request which Destefanis has put in to the ICRC. I enclose an unofficial translation. Some of it is in offensively nationalistic terms; the definition of the composition of the proposed group is not entirely clear; and it is not specific about the nationality of the ship in which the group would travel, although there is a reference to vessels flying the Argentine flag. We remain uncertain of the involvement of the Argentine Government, though still generally suspicious that they may use Destefanis to embarrass us, both in the arrangements for our own next-of-kin visit and more generally.

However, the organisers claim that their project is purely humanitarian, and they declare themselves 'ready to offer every reasonable safeguard' that the ICRC might ask of them 'to maintain the peaceful and apolitical character' of the proposed visit. The next step could be to take up this and other points with the ICRC, with whom Mr Hurd had a helpful exploratory conversation in Geneva on 10 March (in the course of which they made clear that they were not at this stage making any request of us, although they had passed on Destefanis's letter).

First, though, we must be clear whether we would not prefer to turn the request down outright, or say, for example, that though we would not be prepared to accept any Argentine group between now and 15 May - the date they propose - we hope relations between our countries might put us in a position to take a more favourable view later in the year. A formal Argentine declaration that hostilities were at an end would produce a climate more conducive to a visit. But this looks unlikely. In any case the Foreign and Commonwealth

/Secretary

Secretary thinks it would be wrong to reject out of hand an approach for a suitably-prepared visit of a bona fide group of relatives. But Destefanis has some way to go if he is to persuade us that this is what he is planning. Some opinion in Britain and, to judge by the Civil Commissioner's personal assessment, unanimous opinion in the Islands, will be critical of us when we allow any Argentine to set foot on the Islands, for any purpose. But we could also, through refusal, expose ourselves to charges of inflexibility; and it would be consistent with our conduct so far over the Argentine dead at least to give a fair hearing to the present application. Moreoever, as I explained in my earlier letter, the threat the Argentine operation poses to our own next-of-kin visit is serious, and the minor adjustment in the timing proposed by the group has done nothing to remove it (although it could be of use to us tactically).

The latter point is of particular concern to the MInistry of Defence, but we must take account of the risks of embarrassing incidents, or worse, if we reject the request. For example, if a group were to set out in a vessel of a third country - and there have been suggestions that Destefanis might hire a Uruguayan boat - the rules of engagement for our ships would be extremely difficult to draw up.

Mr Pym therefore believes that we should now seek to find out more about the Destefanis operation. He proposes to engage the active assistance of the ICRC and to ask them to clarify the intentions of the Argentine Government regarding this visit, as well as asking for details and taking up Destefanis's offer to provide safeguards. These, which we would work out with the ICRC, would have to include measures to ensure the careful control of the group on the Islands, and the timing and duration of the visit as well as checking the credentials of each member of the Argentine group. In the light of Destefanis's response to these conditions we will be in a better position to take a final decision on how we should respond.

I am copying this to Richard Mottram (MOD) and Richard Hatfield (Cabinet Office).

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

UNOFFICIAL TRANSLATION

Buenos Aires, 24 February 1983

Mr Alexander Hay
President of the ICRC
Geneva
Switzerland

Dear Sir

We have the pleasure of writing to you to request, through you, the support and protection of the International Red Cross to enable us thereby to fulfil a mission of a completely humanitarian nature to which we are currently pledged.

The Centre of Volunteers for the Fatherland, a civilian organisation completely independent of the Argentine Government, has decided to organise a journey to the Malvinas Islands with the purpose of rendering posthumous homage to those who have given their lives fighting in defence of Argentina's territorial sovereignty and who lie buried in Malvinas cemeteries.

Only civilian citizens and relatives of our dead will take part in this journey; as you will understand, this is a question of an absolutely humanitarian mission, with no political content. !

We consider that no civilised nation can deny the right of a father, a mother or a wife to render a last Christian homage to their son or husband at his place of burial.

Aware as we are of the state of belligerency which exists between our country and England and of the constant attacks to which non-military vessels flying the Argentine flag are subjected by the English fleet, even in international waters, we are requesting the intervention of your Organisation so that the Argentine relatives may be guaranteed one of the most fundamental human rights recognised by the international community.

/We

We declare that we are ready to offer every reasonable safeguard that your Organisation might ask of us to maintain the peaceful and apolitical character of this journey.

We equally wish to inform you that to the same end we have written to the Secretary General of the United Nations, Javier Perez de Cuellar, requesting the protection of the highest world organisation for this expedition.

Therefore, and assuming the support of both organisations for a cause which, beyond its material aspects, will serve to give spiritual comfort to those who have suffered the irreparable loss of their dear ones, we would be grateful for your personal intervention and that of the International Red Cross.

Finally, we would like it to be noted, without wishing it to seem an imposition, that the journey will have to take place in the first fortnight in May at the latest, since once autumn has set in the climatic conditions which prevail in the South Atlantic would make it extremely dangerous. We therefore ask for your immediate attention to this request so that the journey can take place without hindrance before that date.

With respectful wishes, and awaiting your response.

Osvaldo B L Destefanis
President

Argentina
Relations, P733

cc FCO CT 17/10

2

Foreign and Commonwealth Office

London SW1A 2AH

11 March, 1983

Dear John,

Visit of Next Kin to the Falkland Islands

Mr Heseltine's minute to the Prime Minister of 11 March says that the Foreign and Commonwealth Secretary has been concerned that this visit should not have too high an international profile but that he is content with the arrangements as proposed. While it is true that Mr Pym would not wish in the last resort to stand in the way if the Duke of Kent is particularly anxious to go, he is increasingly concerned by recent evidence of the effect that Argentine pressure is having on the Uruguayans. The proposed Argentine next of kin visit on which I shall be writing separately is of course relevant. The presence of the Duke of Kent, particularly if he is accompanied by a junior Defence Minister, will give the next of kin visit a higher political profile. This will not help in international terms but more particularly is likely to have a damaging effect on general Uruguayan willingness to cooperate with us over the Falklands in the future.

Mr Pym's clear preference would be for the next of kin to be unaccompanied by high level Royal or political figures whose presence could be presented as adding a political element to what the Uruguayans have been told is a purely humanitarian occasion.

I am copying this to Richard Mottram (MOD).

Yours ever

(J E Holmes)
Private Secretary

J E Holmes

A J Coles Esq
Private Secretary
10 Downing Street

PERSONAL

MO 5/21

PRIME MINISTER

VISIT OF NEXT OF KIN TO FALKLAND ISLANDS

You may wish to know that arrangements for the visit by next of kin to the Falklands in April are going well. Air transport to Montevideo and sea travel from there to the Falklands has all been laid on and we are now working on the details of the three day stay in the Islands and of the service of dedication.

2. The question now arises as to whether a member of the Royal Family should be present while the next of kin are on the Islands. The Duke of Kent * would be particularly appropriate as he is the President of the Commonwealth War Graves Commission and has close military associations. During his recent visit to the Falklands Mr Wiggin was given the clear impression by the Civil Commissioner and by the Commander, British Forces that the Duke's visit would be most welcome.

3. The Duke of Kent's presence will of course be subject to review nearer the time in the light of intelligence reports. We would propose to organize the visit on the same basis as your own visit, with awareness of it kept on a strict need-to-know basis, and with no formal announcement being made until the Duke had actually arrived in the Islands. It will be important to inform the Uruguayan authorities of the Duke's participation before it becomes public but not before the transfer of the next of kin from air to sea transport has taken place in Montevideo. The Uruguayan Foreign Minister's agreement to the transfer is an oral

* Passage deleted and closed, 40 years, under FOI Exemption. Wayland 5 March 2013

SECRET

one and depends on the visit being kept as low key as possible. This consideration would be met if the Ambassador were instructed to inform the Uruguayans of the Duke's involvement after the sailing of the Cunard Countess and before the Duke's arrival in the Islands.

4. I have also been considering whether a Minister should also be present and I believe it would be appropriate for a Junior Minister from here to go. The Chief of the Defence Staff will also be in the Islands on a long-planned visit and will be able to represent the Services.

5. I know that the Foreign and Commonwealth Secretary has been concerned that this visit should not have too high an international profile but I understand that he is content with these arrangements.

I am not sure he is. MT 11/3.

6. I should be grateful to have your agreement.

7. I am copying this to the Foreign and Commonwealth Secretary.

MT

Ministry of Defence
11th March 1983

GRS 324
CONFIDENTIAL
FM FCO 111030Z MARCH 83
TO IMMEDIATE WASHINGTON
TELEGRAM NUMBER 407 OF 11 MARCH
INFO PRIORITY UKMIS NEW YORK
INFO ROUTINE SANTIAGO
YOUR TELNO 564 AND UKMIS TELNO 127: ARMS SUPPLIES TO ARGENTINA AND CHILE

1. I AGREE THAT WE SHOULD RESERVE ANY HIGH-LEVEL MESSAGE FOR WHEN THE AMERICANS COME TO US FOR THE PROMISED CONSULTATIONS. BUT THERE MUST BE NO LOSS OF MOMENTUM IN OUR WORK TO KEEP THE AMERICANS AWARE OF THE STRENGTH OF OUR FEELINGS.

2. AT THIS END, MR ONSLOW SAW STREATOR ON 8 MARCH AND LEFT HIM IN NO DOUBT OF OUR CONCERN. STREATOR SUGGESTED THAT A FORMAL ARGENTINE DECLARATION THAT HOSTILITIES WERE AT AN END MIGHT BE ACCEPTABLE TO US AS A QUID PRO QUO FOR THE RESUMPTION OF AMERICAN ARMS SALES. MR ONSLOW EXPRESSED SCEPTICISM OF THE VALUE OF ANY SUCH AGREEMENT EXTRACTED UNDER DURESS. WHEN MIDDENDORF CALLS ON 11 MARCH HE WILL BE TOLD THAT, WHILE WE WOULD OBVIOUSLY WELCOME AN ARGENTINE DECLARATION THAT HOSTILITIES WERE AT AN END, WE HAVE GRAVE DOUBTS ABOUT REGARDING ANY SUCH DECLARATION BY THE PRESENT ARGENTINE REGIME AS A JUSTIFICATION FOR THE RESUMPTION OF ARMS SUPPLIES.

3. I SHOULD BE GRATEFUL IF YOU AND YOUR STAFF WOULD CONTINUE TO MAKE IT VERY PLAIN AT ALL LEVELS OF THE ADMINISTRATION, INVOKING MY PERSONAL CONCERN AS APPROPRIATE, THAT THE AMERICAN DECISION, IF IT TAKES THE SHAPE NOW INDICATED, WILL BE VERY BADLY RECEIVED HERE BOTH PRIVATELY AND PUBLICLY. THE EXTENT OF PRESS COVERAGE AND POLITICAL INTEREST HERE EVEN AT THIS PRELIMINARY SPECULATIVE STAGE IS AN INDICATION OF THE SENSITIVITY OF THE SUBJECT AND THE ROW THAT IS LIKELY . PLEASE ALSO CONTINUE TO DEPLOY THE OTHER STANDARD ARGUMENTS AT ALL SUITABLE OPPORTUNITIES.

4. YOUR PARA 2. YOU MAY ALSO WISH TO INTIMATE TO THE AMERICANS

/THAT

THAT IF THE DECISION IS TO BE TAKEN WITHIN THE NEXT TWO WEEKS, TIME FOR THE PROMISED PRIOR CONSULTATION IS RUNNING VERY SHORT. WE SHOULD TAKE A DIM VIEW OF CONSULTATION WHICH WAS CLEARLY ONLY FOR FORMS SAKE.

PYM

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ASSESSMENT STAFF, CABINET OFFICE.

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GRS 380
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FM WASHINGTON 092324Z MAR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 564 OF 9 MARCH
INFO UKMIS NEW YORK SANTIAGO

UKMIS NEW YORK TELNO 127: ARMS SUPPLIES TO ARGENTINA AND CHILE

1. RUMOURS HAVE CIRCULATED IN THE AMERICAN MEDIA RECENTLY THAT A DECISION TO CERTIFY ARGENTINA (BUT NOT CHILE) WAS IMMINENT. WE HAVE BRIEFED JOURNALISTS FULLY ABOUT OUR OBJECTIONS TO CERTIFICATION AND US ARMS SALES TO ARGENTINA.

2. STATE DEPARTMENT HAVE INSISTED BOTH PUBLICLY AND PRIVATELY THAT NO (NO) DECISIONS HAVE YET BEEN TAKEN. EAGLEBURGER TOLD ME TODAY THAT THE ADMINISTRATION'S PREOCCUPATION WITH EL SALVADOR MEANT THAT A DECISION REMAINED SOME WAY OFF, AND THE STATE DEPARTMENT DIRECTOR FOR THE SOUTHERN CONE (SHAW SMITH) HAS TOLD US THAT IN HIS VIEW A DECISION WILL NOT (NOT) BE TAKEN FOR AT LEAST TWO WEEKS. HE SAID THAT A NUMBER OF DIFFERENCES STILL NEEDED TO BE RESOLVED WITHIN THE STATE DEPARTMENT ABOUT:
A) THE ADVERSE EFFECT SUCH A DECISION WOULD HAVE ON UK/US RELATIONS:
B) WHETHER OR NOT AN ATTEMPT SHOULD BE MADE TO CERTIFY CHILE AND ARGENTINA SIMULTANEOUSLY (IT IS LIKELY THAT THE TWO WILL BE TREATED SEPARATELY):
C) WHETHER IT WOULD BE BETTER TO DELAY CERTIFICATION UNTIL AFTER A CIVILIAN GOVERNMENT HAD BEEN ELECTED IN ARGENTINA. (A SOURCE IN THE NSC HAS SUGGESTED THAT THIS IS A DISTINCT POSSIBILITY.)

3. INSOFAR AS MRS KIRKPATRICK'S ADVICE IS SOUND, WE ARE ALREADY WEIGHING IN. WE HAVE CONTINUED TO MAKE CLEAR TO THE AMERICANS AT ALL LEVELS OUR STRONG OBJECTIONS TO THE POSSIBLE CERTIFICATION OF ARGENTINA AND HAVE FULLY BRIEFED THE MEDIA, EMPHASISING IN PARTICULAR OUR HOSTILITY TO THE SUPPLY OF US WEAPONS TO A MILITARY REGIME WHICH IS STILL FORMALLY IN A STATE OF HOSTILITIES WITH US. OUR COMPLAINTS, WHICH HAVE RECEIVED WIDE PUBLICITY, HAVE STIMULATED THE CHAIRMAN OF THE HOUSE SUB-COMMITTEE OF INTER-AMERICAN AFFAIRS TO SUMMON US OFFICIALS BEFORE HIS COMMITTEE NEXT WEEK TO TESTIFY ON CURRENT ADMINISTRATION POLICY. WE HAVE BEEN ASSURED THAT STATE DEPARTMENT TESTIMONY WILL EMPHASISE THAT NO (NO) DECISONS HAVE BEEN TAKEN: WE HAVE ALSO HEARD THAT SEVERAL WITNESSES ARE LIKELY TO OPPOSE US CERTIFICATION BEFORE ARGENTINA DEMOCRACY IS RESTORED.

4. I DO NOT (NOT) THINK THAT AT THE MOMENT WE NEED DO MORE IN MAKING OUR FEELINGS KNOWN: THE AMERICANS HAVE REPEATEDLY INSISTED THAT THEY WILL CONSULT US (AND NOT MERELY GIVE US PRIOR NOTIFICATION) BEFORE ANY FINAL DECISONS ARE TAKEN: IT IS AT THAT TIME THAT I MAY WISH TO RECOMMEND A HIGH LEVEL MESSAGE.
WRIGHT

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LIMITED	PUSD	PS/PUS
UND	NAD	MR ADAMS
FID	PS	MR GIFFARD
SAMD	PS/MR RIFKIND	MR URE
DEF.D	PS/MR ONSLOW	

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ASSESSMENTS STAFF
CABINET OFFICE

CONFIDENTIAL

010

(2)

CONFIDENTIAL

Foreign and Commonwealth Office

London SW1A 2AH

9 March 1983

1) W. Mr.

2) Prime Minister

MT

A.J.C. 9/3

Dear John,

Argentine Attitudes: Official Comment

Argentine policy remains uncompromising, not only on issues directly connected to the Falklands but also in areas where we are trying to work for the normalisation of relations. The Foreign and Commonwealth Secretary believes that there would be value in doing more to show that the impasse is not of our making, by giving wider publicity to the unhelpful words and deeds of Argentine leaders.

We have therefore prepared a list of bellicose statements by Argentine leaders and examples of Argentine intransigence in the last few months. I attach a copy of these lists: Mr Pym hopes that they will be of use to Ministers who have opportunities to remind domestic or foreign audiences of continuing Argentine obduracy.

I am copying this letter with enclosures to the Private Secretaries of other members of the Cabinet and to the Chief Whip.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

CONFIDENTIAL

ARGENTINA/FALKLANDS: BELLICOSE STATEMENTS AND FRUSTRATION OF ATTEMPTS TO NORMALISE RELATIONS

A. Bellicose statements

1. On 24 January, the Argentine Acting Permanent Representative to the UN sent the Secretary-General a letter which stated that Argentina was 'continuing strictly to observe the de facto cessation of hostilities'. But the letter gave no assurance about the future. Argentina has consistently refused to declare a definitive cessation of hostilities or to renounce the use of force; and members of the Junta, other military figures and politicians have repeatedly uttered statements of hostile intent. The following are but a selection:

(a) On 15 December 1982, Admiral Franco, the Commander-in-Chief of the Navy, said:

'Everyone can rest assured that, no matter how much time elapses, we will not give up the idea of raising our flag on the Malvinas, South Georgia and the South Sandwich Islands archipelago. We have this duty to the nation and to the Argentine heroes who died during the war. Justice demands it.'

(b) On 30 December 1982, General Hughes, Commander of the Air Force and a member of the Junta, said:

'The Argentine Air Force reiterates its solemn promise to recover our southern archipelagoes.'

(c) Also in December 1982, Major Doughlin of the V Army Corps said:

'The V Corps is getting ready for another war profiting by the situations already experienced.'

(d) On 4 January 1983, Dr Aguirre Lanari, the Argentine Foreign Minister, said:

'We offer the assurance of Argentina's unyielding will to continue to fight for the recovery of the Malvinas.'

(e) A number of politicians from different parties signed in January a document which stated:

'The 14 of June was only a de facto ceasefire. The war remains unfinished. We Argentines reserve the imperative right definitively and totally to recover our Islands by the means and ways which most suit us.'

(f) On 4 January, Sr Francisco Manrique, Leader of the Federal Party, said:

'One must not discount a second armed conflict over the Islands.'

/(g)

(g) Also on 4 January, Sr Blas Alberti, Leader of the Popular Leftist Front, said:

'We agree with an armed conflict which would definitively recover the Islands.'

(h) On 13 February, Rear Admiral Benito Moya, Commander of the Naval Air Force, said:

'We are ready to fight again in any territory which the country may assign us' and 'the Naval airmen are proud of what they did and would not hesitate to do so again'.

(i) On 23 February, General Nicolaides said, during a visit to the Infantry School:

'The Argentine Army has fought and lost in a battle. It has not lowered its head. To the degree that its people can understand and comfort it, it will be able to increase its spiritual and material strength to absorb errors and experiences, to strengthen too the virtues it has demonstrated and prepare to return another day.'

(j) On 25 February, Sr Jorge Abelardo Ramos, Popular Leftist Front, said:

'It is necessary to suspend the payment of the foreign debt to British banks until the imperialist invaders abandon the Malvinas Islands ... the conflict with Great Britain [should] continue in defence of our territory ... we are in favour of expropriating British property and building nuclear submarines.'

(k) On 28 February, Sr Julio Martinez Vivot, Minister of Defence, said:

'Diplomacy is not the only option Argentina has for recovering the Malvinas Islands ... There has been only a de facto cessation of hostilities and this is just a circumstance that, we hope, will lead to the recovery of the Malvinas Islands.'

ARGENTINA/FALKLANDS: BELLICOSE STATEMENTS AND FRUSTRATION OF ATTEMPTS TO NORMALISE RELATIONS

B. Normalisation of relations: Argentine intransigence

1. Britain has made several moves to improve relations in the economic, commercial and financial spheres, in the hope that some normalisation of relations could be achieved. In September 1982, there was agreement on the reciprocal lifting of financial restrictions. However, the Argentine law 22591 of May 1982, which established that Argentine overseers would supervise the activities of British companies, remains in place. Moves which would have led to some relaxation of implementation of the law were rejected by the Junta.

2. During the indirect contacts in September 1982 which led to the agreement on the lifting of financial restrictions, we pressed for discussion about the restoration of air services. But the Argentines consistently refused to discuss the matter.

3. In October 1982, the Presidency of the European Community made a demarche to the Argentines to seek the restoration of normal commercial and economic relations between members of the Community and Argentina and the removal of discriminatory measures. Argentina's reply suggested that there was no discrimination. In December, the Community made a further demarche, making it clear that it had in mind restrictions against one member of the Community, Britain. The Argentines' reply of 1 March was unhelpful and evasive. We are continuing to press for removal of the restrictions.

4. The Foreign Minister stated on 16 February that he did not reject the possibility of the Argentine Government expropriating land owned by British interests in Argentina.

5. Payments to Argentine Railway pensioners in the UK have since October/November 1982 been received with apparently arbitrary deductions of tax. This is a new and unwelcome development.

6. Since July, we have made clear to the Argentines on a number of occasions through the Swiss and Brazilian Governments and the International Committee of the Red Cross that we would be prepared to facilitate repatriation of their dead. Argentina has not so far accepted our offer, but it is still open, even after the reburials in February. Their treatment of their war dead on the Islands was abhorrent.

7. There are now press reports that a group of Argentine veterans of the campaign are trying to visit their graves on the Islands. Notwithstanding simultaneous press reports that Britain has 'refused' permission for this, the Argentines have not put in a request of any sort. Consideration of any such approach would be helped if the Argentines had declared a cessation of hostilities and if relations between the two countries were more normal - though this should not be taken as a commitment to agreeing to a visit in any circumstances.

HL

9 March 1983

Possible visit by Argentine next-of-kin

The Prime Minister has noted the contents of your letter of 7 March.

JOHN COLES

John Holmes, Esq.,
Foreign and Commonwealth Office.

Argentina Relations

FALKLAND ISLANDS GENERAL (ADVANCES) 37

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
~~MR WRIGHT~~
MR ADAMS
LORD N G LENNOX
MR EVANS
MR URE
MR GILLMORE

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HD/SAMD
HD/FID
HD/DEFENCE DEPT
HD/NEWS DEPT
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HD/PLANNING STAFF

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PS/S OF S FOR DEFENCE
MR J STEWART AUSD STAFF MOD

PS/CHANCELLOR)
MR ILETT) TREASURY
MR LITTLER)

SIR R ARMSTRONG)
MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
MR C U ROBERTS, IAT) DOT

~~RESIDENT CLERK~~

IMMEDIATE

ADVANCE COPY

[FCO]

GRS 300

UNCLASSIFIED

(FM BERNE 091050Z)

FM BIS BUENOS AIRES
TO IMMEDIATE FCO
TELNO 105 OF 08 MARCH
AND TO IMMEDIATE MOD
INFO PRIORITY MONTEVIDEO SANTIAGO BRASILIA CARACAS
WASHINGTON UKMIS NEW YORK CIVIL COMMISSION ER PORT STANLEY

PRESS SUMMARY

1. TOP COVERAGE TODAY IS GIVEN TO THE INAUGURAL SESSION OF THE NAM SUMMIT. ALL PAPERS CARRY FULL PRESS AGENCY REPORTS. HIGHLIGHTED ARE PRESIDENT BIGNONE'S ADDRESS AND CUBAN PREMIER FIDEL CASTRO'S VALEDICTROY SPEECH AS CHAIRMAN OF THE MOVEMENT WHERE HE EXPRESSED SUPPORT FOR ARGENTINA'S POSITION ON THE FALKLANDS DISPUTE. THERE ARE REPORTS THAT ARGENTINA WILL NOT BE SATISFIED MERELY WITH RECOGNITION OF HER SOVEREIGNTY RIGHTS BUT WILL SEEK A CLEAR CONDEMNATION OF THE UK'S QUOTE COLONIALIST UNQUOTE STANCE IN THE FINAL CONFERENCE DOCUMENT.

2. ACCORDING TO REPORTS IN THE BUENOS AIRES HERALD AND CONVICCION THE CENTRE FOR VOLUNTEERS FOR THE FATHERLAND INTENDS TO SAIL A GROUP OF RELATIVES OF ARGENTINE DEAD TO THE ISLANDS AS SOON AS THEY OBTAIN INTERNATIONAL RED CROSS PROTECTION. OSVALDO DESTEFANIS, THE CENTRE'S PRESIDENT, HAS SAID THAT BRITISH REFUSAL TO ALLOW THE GROUP TO LAND ON THE ISLANDS MAY RESULT IN REPRISALS AGAINST BRITISH CITIZENS IN ARGENTINA.

3. THE GOVERNMENT YESTERDAY FROYE THE REPAYMENT OF PRINCIPAL ON PRIVATE DEBTS WITH FOREIGN BANKS WHICH FALLS DUE IN MARCH

3. THE GOVERNMENT YESTERDAY FROYE THE REPAYMENT OF PRINCIPAL ON PRIVATE DEBTS WITH FOREIGN BANKS WHICH FALLS DUE IN MARCH AND APRIL, UNTIL NEW MEASURES TO DEAL WITH THESE DEBTS EXPECTED SOON, ARE ANNOUNCED. PAPERS DIFFER ON THE AMOUNT IN QUESTION RANGING FROM 300 MILLION US DOLLARS IN THE NORMALLY RELIABLE AMBITIO FINANCIERO TO 1.4 BILLION IN THE OTHER DAILIES. THE FREEZE HOWEVER SHOULD NOT AFFECT THE PAYMENT OF INTERESTS ON THESE LOANS.

4. THE MULTIPARTIDARIA (FIVE-PARTY GROUPING) MEETS TODAY TO DISCUSS PRODUCTION OF A SOCIO-ECONOMIC EMERGENCY PLAN. THERE IS ALREADY DISAGREEMENT AMONGST THEM WHETHER SUCH A DOCUMENT SHOULD BE PRODUCED AT ALL AND, IF SO, WHTHER IT SHOULD BE PASSED ON TO THE GOVERNMENT.

5. ALL PAPERS NOTE THAT ARGENTINA WILL NOT PARTICIPATE IN THE ANNUAL US-SPONSORED UNITAS NAVAL EXERCISES THIS YEAR.

6. ACCORDING TO OFFICIAL FIGURES PUBLISHED TODAY THE RETAIL COST OF LIVING IN FEBRUARY ROSE 13 PER CENT.

JOY

POWELL-JONES

NNNN

SENT AT RED AT 091113 ZTWPM/ RR

Prime Minister

This could become a very awkward issue – and could come up in the House at any time.

MT

A. & C. 7/3

cc. Sir A. Parsons.

MT

Foreign and Commonwealth Office

London SW1A 2AH

7 March, 1983

Dear John,

Possible Visit by Argentine Next-of-Kin

You asked for an account of the current position following recent telegrams and press reports, and advice on the line the Prime Minister might take in Parliament. The situation is not yet sufficiently clear for firm policy recommendations. Argentine intentions are obscure and careful thought is needed to ensure that our response to whatever is eventually proposed meets our interests.

The Argentine group now trying to set up a visit to the Falklands call themselves the 'Centre for Volunteers for the Fatherland'; they are described in the Argentine press as 'a group of ex-combatants of the Falklands War', though they also invite parents, wives and other relatives of Argentine servicemen buried in the Falklands to make contact with their head office. Again according to the press, they are 'requesting permission to return to the Islands' with the 'cooperation of the ICRC and the protection of the United Nations'. Their represenative, Destefanis, has been in contact with the Argentine office of the ICRC, and has asked them to convey to us information about his proposed expedition. He said that it was humanitarian and non-political and that he intended to hire a boat and set sail from Montevideo (earlier reports said the ship would have a capacity of 60 at most and that the group intended the visit to take place in about 45 days' time ie at exactly the same time as our own next of kin visit). He denied any official links and told the ICRC that he had not informed the Argentine authorities of his plans. However we know that the Argentine Ministry of Foreign Affairs have been enquiring about Destefanis' plans and that the Argentine Joint Chiefs of Staff are setting up a commission to deal with all those who wish to visit war graves in the Falklands. Destefanis has also been in direct contact with BISBA, two weeks ago, although he did not mention his intention to visit the islands. We know little of Destefanis,

220.
106.

Passage deleted and closed, 40 years, under FOI Exemption.
C Wayland. 12 February 2013

It is difficult to be sure from this what we are faced with. We certainly cannot exclude the participation of retired or serving military personnel, whose motives may be far from humanitarian. The 'Centre for Volunteers for the Fatherland' hardly inspire confidence as organisers. But it is not inconceivable that in the end the Argentines will propose a carefully-prepared group consisting of bona fide next-of-kin(though it would not be easy

/to

to check). We might face an attempt to travel from Argentina to the Falklands in an Argentine vessel without requesting permission (they would automatically be turned back at the edge of the 150-mile FIPZ) or an independent group in an Argentine vessel might apply for permission. Equally, we might have to respond to a request for a visit by a group officially sponsored by the ICRC or conceivably by the Uruguayan Government.

In all this, we must take careful account of Islander opinion. Sir R Hunt's initial assessment is, not surprisingly, that the Islanders would be totally and unanimously opposed to an Argenentine visit to Darwin in any circumstances. There would be strong public feelings here also, depending on what exactly is proposed. It is difficult to imagine circumstances in which an Argentine visit would seem appropriate for the foreseeable future, given the present Argentine attitude and bellicose statements.

On the other side, we must bear in mind the potential dangers to our own next-of-kin visit. The hyper-sensitive attitude of the Uruguayans has for some time been causing us concern, and the proposal's 45-day timing suggests that it could be a carefully-contrived ploy by Buenos Aires to embarrass the Uruguayans by putting them under pressure to be as helpful to Argentine next-of-kin as they are to British. The Ambassador in Montevideo advises that, unless we make an offer to accept a properly-organised Argentine next-of-kin visit, the Argentines are likely to use our attitude as a weapon to persuade the Uruguayans to withdraw their agreement to our visit. We must obviously guard against this.

As far as international opinion more generally is concerned, our treatment of the Argentine dead on the Falklands has shown up the Argentine Government's callous disregard for the norms of civilised behaviour. And we should be able to use this to good effect if we turn down an Argentine request. However, although the Geneva Conventions do not oblige us to permit a visit, we could forfeit some of our earlier credit if we seemed to be responding inflexibly to a genuine humanitarian proposal.

If Mrs Thatcher is asked about this while the position remains unclear, she could draw on the following:

(a) The Argentines have from the first treated their war dead with callous disregard. Before arranging for the reburial of the Argentine dead in the Islands in February, we repeatedly offered to return the bodies to Argentina if the Argentine Government so wished. This offer is still open.

(b) Any group of Argentines now wishing to visit the Falklands would have to have our permission. No request for permission has been received. If they try to enter the Protection Zone without, they will be dealt with appropriately.

(c) We are not impressed by what we read in press reports of the proposed composition of the Argentine group. A visit at the initiative of 'ex-combatants' is in no way comparable with our own next-of-kin visit.

(d) A request for a visit from a group with genuine humanitarian motives would be given careful consideration, but the Geneva Conventions do not oblige us to grant any Argentines permission to visit the cemetery at Darwin. We would obviously have to take into account also the Argentine refusal to declare a cessation of hostilities or begin to normalise relations.

Mr Pym has not seen this letter before its despatch, but I am submitting to him in parallel tonight. I am sending copies to Richard Mottram (MOD) and Richard Hatfield (Cabinet Office)

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
Private Secretary
No 10

FALKLAND ISLANDS GENERAL (ADVANCES) 38.

PS
PS/MR HURD
PS/MR ONSLOW
PS/MR RIFKIND
PS/PUS
SIR J BULLARD
SIR I SINCLAIR
MR GIFFARD
MR WRIGHT
MR ADAMS
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HD/PUSD (2)
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MR A D S GOODALL) CABINET OFFICE
DIO)

MR M A PATTISON, FID, ODA

MR A TITCHENER)
MR C U ROBERTS, IAT) DOT

ADVANCE COPY

~~PRESS SECT CLERK~~

IMMEDIATE

CONFIDENTIAL
FM DELHI 070805Z MAR 83
TO IMMEDIATE FCO
TELEGRAM NUMBER 164 OF 7 MARCH.
INFO IMMEDIATE UKMIS NEW YORK.

YOUR TELNO 110: NAM SUMMIT: FALKLANDS

1. WE SPOKE TO CARR (JAMICA) AND LESLIE (BELIZE) OVER THE WEEKEND. BOTH WERE GRATEFUL TO HAVE THE POINT ABOUT SOVEREIGNTY CLAIMS TO THE DEPENDENCIES DRAWN TO THEIR ATTENTION.

2. LESLIE GOT IN TOUCH YESTERDAY EVENING TO GIVE US THE TEXT OF THE DRAFT AMENDMENTS ON THE FALKLANDS AS NOW FORMALLY SUBMITTED BY THE ARGENTINES. THIS INCLUDES REFERENCES TO NAM DECISIONS AND ADDITIONAL UNGA RESOLUTIONS AT THE THE BOTTOM OF EXISTING PARAGRAPH 94 IN THE INDIAN DRAFT DECLARATION AND PROPOSES A NEW PARAGRAPH WHICH IS AN AMALGAM OF THE TWO IN OUR TELNO 150. TEXT IS AS FOLLOWS:

1. REPLACE PARAGRAPH 94 BY THE FOLLOWING:

''THE CONFERENCE REITERATED ITS FIRM SUPPORT FOR THE RIGHTS OF THE REPUBLIC OF ARGENTINA TO THE RESTITUTION OF THE MALVINAS ISLANDS TO ITS SOVEREIGNTY AND URGED THAT NEGOTIATIONS BETWEEN THE GOVERNMENTS OF ARGENTINA AND THE UNITED KINGDOM IN THIS REGARD SHOULD BE REOPENED WITH THE PARTICIPATION AND GOOD OFFICES OF THE SECRETARY-GENERAL OF THE UNITED NATIONS. THIS WOULD ENSURE A SPEEDY, PEACEFUL AND JUST SOLUTION TO THE QUESTION, IN CONFORMITY WITH THE PRINCIPLES AND DECISIONS OF THE MOVEMENT OF NON-ALIGNED COUNTRIES ON THE SUBJECT AND WITH RESOLUTIONS 1514 (XV), 2065 (XX), 3160 (XXVIII), 31/49 AND 37/9 OF THE UNITED GENERAL ASSEMBLY.''

GENERAL ASSEMBLY.''

2. ADD THE FOLLOWING NEW PARAGRAPH AT THE END OF PARAGRAPH 94:

''THE CONFERENCE RECOGNISED THAT THE MALVINAS, SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS ARE AN INTEGRAL PART OF THE LATIN AMERICAN REGION AND ACCORDINGLY EXPRESSED ITS SATISFACTION WITH THE SOLIDARITY AND FIRM SUPPORT OF THE LATIN AMERICAN AND OTHER NON-ALIGNED COUNTRIES TO THE REPUBLIC OF ARGENTINA IN ITS EFFORTS TO SETTLE THIS SOVEREIGNTY DISPUTE AND PREVENT THE CONSOLIDATION OF THE COLONIAL SITUATION EXISTING IN THESE ISLANDS. AT THE SAME TIME THE CONFERENCE CONSIDERED THAT THE MASSIVE MILITARY AND NAVAL PRESENCE AND THE ACTIVITIES OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND IN THE MALVINAS ISLANDS REGION ARE A CAUSE FOR GRAVE CONCERN TO THE COUNTRIES OF THE REGION AND ADVWERSELY AFFECT STABILITY IN THE AREA.''

3. LESLIE ALSO SAID THAT THE ARGENTINES WANTED TO INSERT A MENTION OF THE INTRODUCTION OF NUCLEAR WEAPONS BY THE UK IN THE REGION OF THE FALKLANDS AND ITS DEPENDENCIES. HE DID NOT HAVE A TEXT AVAILABLE BUT INDICATED THAT IT WAS ON THE LINES OF PARAGRAPH 62 OF THE MANAGUA FINAL COMMUNIQUE, WITH THE ADDED GLOSS THAT THE ALLEGATION HAD NOT BEEN REFUTED BY THE UK. WE DREW ON GUIDANCE TELNO 206 OF 3 NOVEMBER IN TALKING TO LESLIE, DRAWING PARTICULAR ATTENTION TO MR BLAKER'S ANSWER TO A PQ ON 23 JULY. WE ALSO SAID THAT THE UK HAD ALWAYS ABIDED BY ITS OBLIGATIONS UNDER THE TLATELOECO TREATY.

4. LESLIE SAID THAT, THOUGH IT MIGHT BE POSSIBLE TO MODIFY THE WORDING OF THE ARGENTINE AMENDMENTS IN THE LATIN AMERICAN CAUCUS, IT WOULD NOT BE POSSIBLE TO REJECT THEM, IN VIEW OF THE UNDERSTANDING WITHIN THE CAUCUS TO STAND BY THE MANAGUA DECLARATION. IT WAS HOWEVER LIKELY (CERTAIN IN THE CASE OF BELIZE) THAT MODERATES WOULD INDICATE THEIR RESERVATIONS ABOUT PARTS OF THE TEXT ADOPTED IN THE LATIN AMERICAN CAUCUS WHEN PRESENTING IT TO THE DRAFTING GROUP OF THE POLITICAL COMMITTEE, DESPITE PRESSURE FROM THE RADICALS THAT NO RESERVATIONS SHOULD BE EXPRESSED UNTIL THE VERY END OF THE SUMMIT.

5. IT THUS LOOKS AS IF WE SHALL HAVE TO RELY MAINLY ON FRIENDS OUTSIDE THE LATIN AMERICAN REGION, ENCOURAGED BY THE KNOWLEDGE THAT SOME WITHIN THE LATIN AMERICAN CAUCUS THEMSELVES HAVE RESERVATIONS TO A MANAGUA TYPE TEXT, TO OPPOSE ANY SIGNIFICANT WORSENING OF THE FALKLANDS PARAGRAPH. LESLIE ANTICIPATES THAT THE LATIN AMERICAN CAUCUS WILL REPORT TO THE DRAFTING GROUP TOMORROW AND THAT THE LATTER WILL APPOINT A WORKING GROUP (IN WHICH LATIN AMERICAN COUNTRIES WOULD BE IN THE MAJORITY, BUT COUNTRIES FROM OTHER REGIONS WOULD BE INCLUDED) TO CONSIDER THE RIVAL INDIAN AND LATIN AMERICAN DRAFTS ON WEDNESDAY. LESLIE CONSIDERED THAT THE KEY COUNTRIES FOR US WOULD BE EGYPT, OMAN, BANGLADESH, AND INDIA, WHICH WOULD WISH TO PRESERVE ITS ORIGINAL TEXT. LESLIE ALSO AGREED THAT KOH (SINGAPORE) COULD HAVE AN IMPORTANT ROLE TO PLAY IF IT IS DECIDED TO GO FOR UNLOSC LANGUAGE ON THE INTERESTS OF THE ISLANDERS - GOULDING'S TELELETTER OF 23 FEBRUARY TO PALMER, FID. CAIRO, MUSCAT, DHAKA AND SINGAPORE WERE RECIPIENTS OF YOUR TELNO 41 URGING PARTICIPATION IN ANY

ITS ORIGINAL TEXT. LESLIE ALSO AGREED THAT KOH (SINGAPORE) COULD HAVE AN IMPORTANT ROLE TO PLAY IF IT IS DECIDED TO GO FOR UNLOSC LANGUAGE ON THE INTERESTS OF THE ISLANDERS - GOULDING'S TELELETTER OF 23 FEBRUARY TO PALMER, FID. CAIRO, MUSCAT, DHAKA AND SINGAPORE WERE RECIPIENTS OF YOUR TELNO 41 URGING PARTICIPATION IN ANY WORKING GROUP DEALING WITH THE FALKLANDS. WE NOW PROPOSE TO REINFORCE WITH THE OMANI, BANGLADESHI, EGYPTIAN AND SINGAPOREAN DELEGATIONS THE REQUEST THAT THEY SHOULD PARTICIPATE IN ANY WORKING GROUP.

WADE-GERY

NNNN

Argentina

Argentina
Alto

CONFIDENTIAL

Bre

file
cc Roger Jackling

10 DOWNING STREET

From the Private Secretary

7 March 1983

Food Provision for the
Falkland Islands Garrison

The Prime Minister has seen your Secretary of State's minute dated 3 March describing the sources of supply for the food for the Falkland Islands Garrison.

Mrs. Thatcher was grateful for this information but has commented that she fears that the fact that 70% of the meat provided for the Garrison appears to come from foreign sources will give rise to comment.

A. J. COLES

Richard Mottram, Esq.,
Ministry of Defence

CONFIDENTIAL

HL

IC MOD
FCO

10 DOWNING STREET

From the Private Secretary

7 March 1983

Thank you for your letter of 25 February enclosing a cheque for £257.75 for the South Atlantic Fund. I have conveyed it to the Trustees of the Fund.

The Prime Minister has asked me to pass her grateful thanks to the Premier and people of Bermuda for this further evidence of their generosity.

A. J. COLES

W.J. Williams, Esq.

MINISTRY OF DEFENCE
MAIN BUILDING WHITEHALL LONDON SW1A 2HB
Telephone 01-218 2111/3 (Direct Dialling)
01-218 9000 (Switchboard)

MO 5/21/3

4th March 1983

Type letter pl.

A.S.C. 7/3.

Dear John,

Thank you for your letter of 3rd March enclosing a contribution from Bermuda of £257.75 for the South Atlantic Fund. I can confirm that the cheque has been passed to the Trustees.

You might care to make use of the attached draft reply to Mr Williams.

Yours ever

Jane Ridley

(J E RIDLEY) (MISS)

A J Coles Esq

DRAFT

Thank you for your letter of 25th February enclosing a cheque for £257.75 for the South Atlantic Fund. I ~~am pleased to~~ have ~~been~~ ~~able to pass~~ conveyed it ~~on~~ to the Trustees of the Fund.

The Prime Minister has asked me to pass ~~on~~ her grateful thanks to ~~your~~ the Premier and ~~to the~~ people of Bermuda for this further evidence of their generosity.

A.J.C. 7/3

W J Williams Esq
The Cabinet Office
Hamilton 5-24,
Bermuda.

010

Thankyou

cc RT. ②
B1

Prime Minister

To note.

A.J.C. 3/3

MO 5/21

1 fortnight 70%

important meat will just mix to convert not.

Copy: Mr. Mitchell.

PRIME MINISTER

FOOD PROVISION FOR THE FALKLAND ISLANDS GARRISON

I gather that, after OD on 24th February you spoke to CDS about the provision of food for the Falkland Islands Garrison. CDS has now made a full report to me and I believe that you will wish to be aware of his conclusions, which I endorse.

2. So far as supplies from Argentina are concerned no purchases of food have been made since the embargo was imposed during the Falklands campaign. However there are stocks of Argentine beef in the Armed Forces food supply system which were obtained before the start of the Falklands campaign. The beef is of three types as follows:

a. Chilled Beef: stocks in the UK of chilled beef amount to approximately 24,000 lbs (value approximately £24,000); further stocks in ships and en route to the Falkland Islands amount to approximately 12,000 lbs (£12,000);

b. Tinned Corned Beef: approximately 21 tons of tinned corned beef is in food depots and in the supply system, primarily for use on HM Ships; the replacement value is approximately £35,000;

c. Operational Ration Packs: tinned Argentine corned beef in 12 oz tins is contained in one of the varieties of the 10 man and 4 man operational ration packs ("compo rations") - which are held in reserves in UK and worldwide, including the Falkland Islands.

There are approximately 120 tons in 4 million packs. This represents upwards of 5 years usage, the rations having a life of 3 to 5 years.

I have considered whether these stocks should be withdrawn and replaced. However the costs would be considerable. There would also be a substantial lead time before replacement stocks were actually in use, particularly in the case of the Falkland Islands because of the sailing time involved. The substitution of all the 12 oz tins of Argentine corned beef among some 4 million ration packs distributed worldwide would be an even larger problem, involving the costly and manpower intensive task of breaking down each pack that needed to be changed. For these reasons I believe that a ban on consumption of stocks of Argentine beef procured before the conflict began would not be desirable.

3. You were also concerned with the question of the supply of other foreign food to the British Forces,particularly Danish bacon. Our general policy is that MOD food procurement is the subject of competition from UK firms and is of British origin whenever possible, subject to availability, value for money and certain international treaty obligations. So far as Danish bacon is concerned the specification for Service bacon is for "Wiltshire cured", not British bacon. However the Danish Bacon Company, a British Limited Company, satisfies this requirement using only British pigs. Service stocks of "Danish bacon" are therefore of British origin.

4. In order to ascertain the extent of foreign supply we have examined the origin of two cargoes of food currently on route to the Falkland Islands and sufficient to last the Garrison and HM Ships approximately 3 months. The proportions of UK and imported food are approximately as follows:

		UK	Imported
a.	Meat	30%	70%
b.	Tinned Meat	100% (except corned beef)	
c.	Vegetables	100%	
d.	Fresh Vegetables in Season	90%	10%
e.	Fruit		
	(1) Home Grown	100%	
	(2) Pineapples, Peaches, Tomatoes		100%
f.	Milk	100%	

These figures would seem to me to reveal a balance between UK and imported food which is not out of line with the economy as a whole.

Ministry of Defence
3rd March 1983

CF

JP

10 DOWNING STREET

From the Private Secretary

3 March 1983

SOUTH ATLANTIC FUND

On 12 August, 1982, Tim Flesher sent you a cheque for £122,608.76 representing the contribution of Bermuda to the South Atlantic Fund.

I now enclose a further cheque for £257.75 representing further donations received by banks in Bermuda.

I also enclose a copy of a letter from the Secretary to the Bermudan Cabinet in which he conveys the hope of the Premier of Bermuda that this sum can be added to the South Atlantic Fund. Could you please confirm that I may reply in the sense that this has been done?

B/F

JC

Miss Jane Ridley,
Ministry of Defence.

The Bank of N.T. Butterfield & Son Ltd.
Bermuda

60-00-04

PAY 257 75 FEB 23, 1983

PAY TO THE ORDER OF SOUTH ATLANTIC FUND

£ *****257.75*

NATIONAL WESTMINSTER BANK LIMITED
OVERSEAS BRANCH
53 THREADNEEDLE STREET
LONDON EC2P 2JN
ENGLAND

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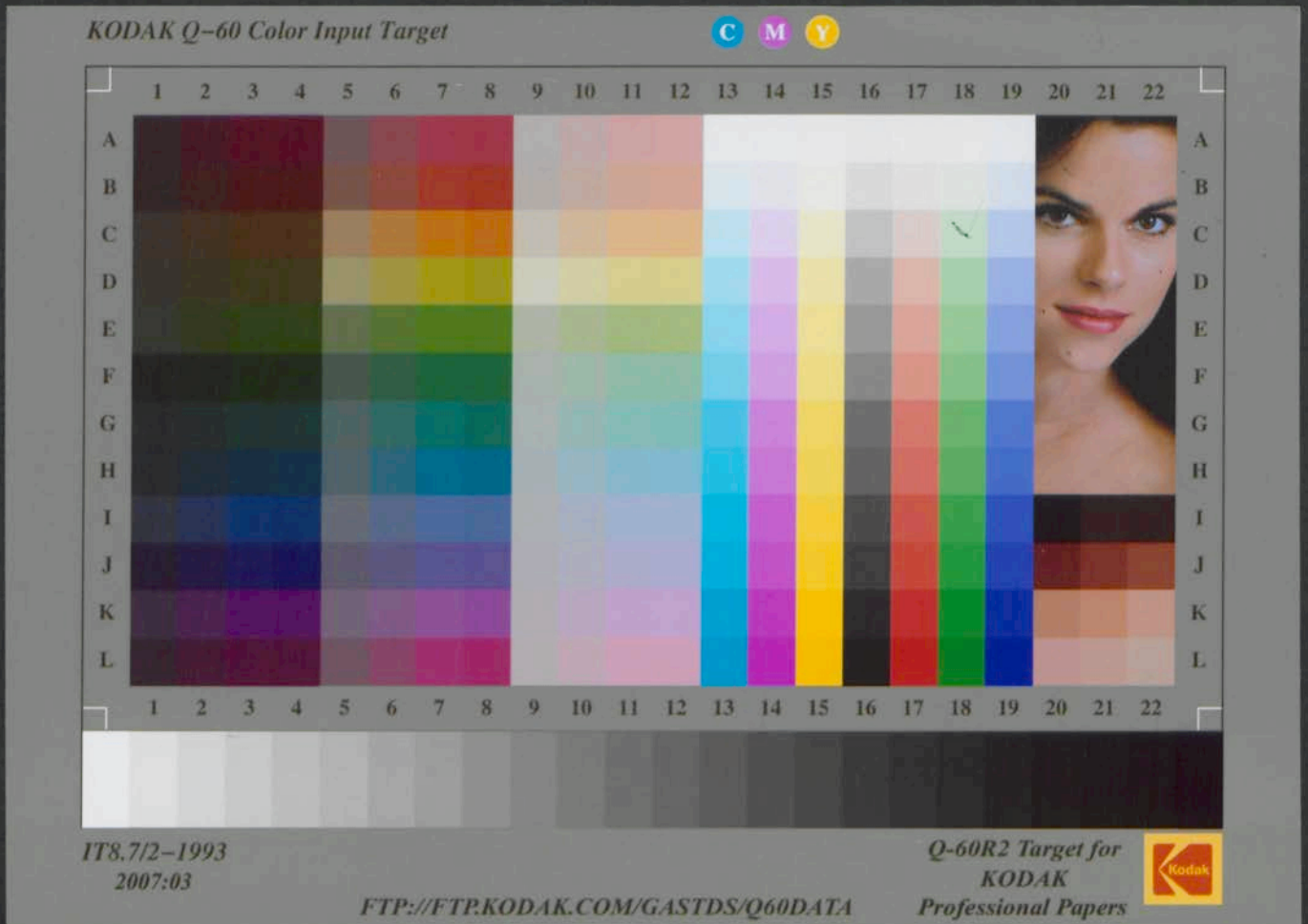
PART 32 ends:-

Ajr to FCO 2.3.83

PART 33 begins:-

Ajr to MOD 3.3.83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