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CD(SA)(82) 8th Meeting

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CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND
THE FALKLAND ISLANDS

MINUTES of a Meeting held at
10 Downing Street on
FRIDAY 16 APRIL 1982 at 12 noon

PRESENT

The Rt Hon Margaret Thatcher MP
Prime Minister

The Rt Hon William Whitelaw MP
Secretary of State for the
Home Department

The Rt Hon Francis Pym MP
Secretary of State for
Foreign and Commonwealth Affairs

The Rt Hon John Nott MP
Secretary of State for Defence

The Rt Hon Cecil Parkinson MP
Chancellor of the Duchy of Lancaster
and Paymaster General

THE FOLLOWING WERE ALSO PRESENT

Admiral of the Fleet
Sir Terence Lewin
Chief of the Defence Staff

Sir Antony Acland
Foreign and Commonwealth Office

Sir Michael Palliser
Cabinet Office

SECRETARIAT

Sir Robert Armstrong
Mr R L Wade-Gery
Mr D H Colvin
Brigadier J A C G Eyre

SUBJECT

SITUATION IN THE SOUTH ATLANTIC

SITUATION IN THE SOUTH ATLANTIC

Previous Reference: OD(SA)(82) 8th Meeting

The Sub-Committee had before them a note by the Secretaries (OD(SA)(82) 13) outlining and attaching draft Rules of Engagement for the British detachment heading towards South Georgia.

THE CHIEF OF THE DEFENCE STAFF said that, if OD(SA)(82) 13 was approved, the actual Rules of Engagement which would be issued would be those at Annexes A-C; not the summary in the Secretaries' covering note, which had been prepared solely for the convenience and information of the Sub-Committee. In the summary, it would perhaps be clearer if paragraph 2(b)(i) read as follows:

To achieve transit, take any necessary action against positively identified Argentinian ships, whether naval or merchant, and Argentinian combat aircraft. Non-Argentinian merchant ships should be warned off. You may attack any submarines which demonstrate hostile intent. Instructions on mutual defence and Maritime International Law as at 2(a)(i) above.

In this passage the phrase "to achieve transit" should be understood to mean (in the words of serial 102 at Annex B) "to achieve [the] military task". In the case of an Argentinian merchant ship, "any necessary action" might include the use of force in certain circumstances (eg if it were carrying military reinforcements to South Georgia); but unless such a ship demonstrated hostile intent, it would in no circumstances be attacked without firstly being ordered to turn back, secondly being "headed off", and thereafter (if that failed) being warned by a shot across its bows. In serial 202 of Annex B, "to warn off" was a misprint for "to attempt to warn off"; and the effect of the words in brackets was to substitute "merchant ships" for the words "enemy units" (in this context - as in the equivalent context in Annex C - "merchant ships" meant non-Argentinian merchant ships, since Argentinian merchant ships were covered by the combination of serial 104 and suffix MIKE). As regards serial 205 of Annexes B and C, it should be noted that "hostile intent" could be clearly demonstrated eg by adopting a firing position and it would not therefore be obligatory for British ships to allow a potential enemy to fire first. As regards suffix JULIETT in Annexes B and C, it should be

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noted that a surface ship (unlike a submarine) would not be likely to be able to assess that a submarine which it encountered was in fact conventional; if this could not be assessed, the submarine could not be assumed to be Argentinian, and this would inevitably involve some degree of risk to the British ship; that risk could be accepted in present circumstances, but if the diplomatic situation became less delicate he might wish to seek Ministerial authority for less restrictive Rules of Engagement in such cases. As regards Annex A, little risk was involved in the requirement to SSNs not to attack except in response to a prior attack, since on the high seas an encounter with the enemy was inherently much less likely than eg in the Maritime Exclusion Zone (MEZ) round the Falkland Islands.

THE PRIME MINISTER, summing up the discussion, said that on the basis of the clarifications which the Chief of the Defence Staff had provided the proposed Rules of Engagement could be approved and issued. Those at Annex A to OD(SA)(82) 13 would take effect as soon as issued. Those at Annex B would take effect when British forces entered the declared Argentine "Defence Zone" of 200 nautical miles round South Georgia, which they would do at the earliest possible moment (currently expected to be some time on 20 April) unless Ministers before then gave instructions to the contrary. Those at Annex C would take effect only if and when British forces began the operation to repossess South Georgia, which was currently expected to be possible at first light on 21 April but would not occur until Ministers had given specific authorisation. Meanwhile she was replying to a recent message from President Reagan in which he had reported President Galtieri's wish to avoid conflict, making clear that the Argentine Government had started the conflict and that if they now desired to avoid it they should withdraw their forces in accordance with the Mandatory Resolution of the United Nations Security Council. After consultation between the Foreign and Commonwealth Secretary, Defence Secretary and herself, instructions had been despatched to HM Charge d'Affaires in Moscow, under which the Soviet Government would be reminded of the implications of the MEZ. In order to avoid embarrassment with the Americans, every effort was being made to minimise publicity for military activity involving Ascension Island.

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Representatives of the media accompanying the British Task Group would not be allowed to land there, and the two correspondents already there were being encouraged to exercise due restraint. It was regrettable that the Sunday Express was likely on 18 April to headline a report that British Vulcan bombers had been reconverted for in-flight refuelling and would have the capability of reaching the Argentine mainland; but no useful attempt could be made to prevent this, beyond the pressure which the Defence Secretary had already exerted to ensure that it was not explicitly stated that they could be based on Ascension. Although there was in reality no intention of attacking the Argentine mainland, there might be some military advantage in the Argentines being afraid of that; the fact that the Vulcans were being given conventional bombing practice in Scotland was in any case likely to become known on 19 April; and, though the Vulcans were associated in the public mind with their long-standing nuclear role, there was of course no question of their carrying nuclear weapons in the present context.

The Sub-Committee -

Approved the Rules of Engagement proposed in Annexes A-C of OD(SA)(82) 13, on the basis indicated by the Prime Minister in her summing up.

Cabinet Office

16 April 1982

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