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OD(SA)(82)51st 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 4 JUNE 1982 at 9.15 am

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

The Rt Hon Sir Michael Havers QC MP
Attorney General

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

Mr R L Wade-Gery
Mr A D S Goodall
Mr R L L Facer
Brigadier J A C G Eyre

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1. MILITARY ISSUES

The Sub-Committee had before them a note by the Secretaries (OD(SA)(82) 60) covering a note by Ministry of Defence officials on the handling of Argentine prisoners of war.

THE CHIEF OF THE DEFENCE STAFF briefed the Sub-Committee on the latest military situation.

In discussion, it was noted that all but a small group of Argentine prisoners of war were now on board MV Norland, and that from a military point of view it was desirable to repatriate them without delay. Repatriation via Montevideo or Cape Town were possibilities: Montevideo would be more convenient, provided the Uruguayan Government could be brought to agree and arrangements made to ensure the safety of Norland on the return journey. The French had supplied ten questions for the British authorities to put to Lt. Cdr. Astiz on their behalf: provided these were put in accordance with rules and procedures laid down by the Attorney General there could be no objection in law, although Argentina would probably complain. But no coercion would be involved. If the International Commission of the Red Cross (ICRC) were invited to attend and refused, it would be difficult to proceed with putting the questions. Account should also be taken of the Swedish interest in Astiz. The question was raised whether Westlands should be authorised to continue supplying spare parts under contract for the 8 Lynx helicopters owned by Brazil; and whether a Minister should write to the Venezuelan government to confirm the British interest in honouring the British Aerospace contract for the supply of Hawk aircraft to Venezuela which had been put in suspense by the Venezuelan Government at the start of the Falklands crisis.

THE PRIME MINISTER, summing up the discussion, said that no decision should be taken yet about the Argentine prisoners of war likely to be captured in the taking of Port Stanley: this was a matter she would wish to discuss with President Reagan and Mr Haig. Those already captured could, with certain exceptions, be repatriated at once by whatever route was militarily most convenient. In the light of the

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legal advice, there would be advantage in the French questions being put to Lt. Cdr. Astiz: the Swedish Government should also be offered in confidence the opportunity of having their questions put at the same time, provided that these were short and non-coercive: there should be no lengthy interrogation. The ICRC should not be invited to attend but could be sent a transcript of the proceedings. Once the questions had been put to him, Lt. Cdr. Astiz should be repatriated without delay. In the light of military advice that the supply of spare parts for Lynx helicopters to Brazil would pose no serious military risk to British forces; of the reasonably helpful attitude which Brazil had so far shown during the Falklands operations; and of the potential importance of the Brazilian market for British defence sales, Westlands should be allowed to continue supplying Lynx spares to Brazil in accordance with the current contract. At the present time, however, it would not be appropriate for a British Minister to write as suggested to the Venezuelan Government.

The Sub-Committee

1. Invited the Defence Secretary, in consultation with the Foreign and Commonwealth Secretary, to arrange for the early repatriation of the prisoners of war now on board MV Norland.
2. Invited the Foreign and Commonwealth Secretary to arrange for the Swedish Government to be offered the opportunity of having a limited number of questions put to Lt. Cdr. Astiz on their behalf, at the same time as questions were put on behalf of the French.
3. Invited the Defence Secretary, in consultation with the Foreign and Commonwealth Secretary and the Attorney General, to arrange for the French and, if appropriate, the Swedish questions to be put to Lt. Cdr. Astiz, and thereafter to arrange for Astiz's repatriation to Argentina.
4. Invited the Defence Secretary to authorise the continued supply of Lynx helicopter spares to Brazil by Westlands in accordance with the current contract.

2. POLITICAL ISSUES

The Sub-Committee had before them telegrams nos. 924-8 from the United Kingdom Representative at the United Nations, Sir Anthony Parsons, reporting the latest developments at the United Nations and suggesting certain United Kingdom amendments to the draft resolution at present before the Security Council.

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In discussion, it was pointed out that the Panamanian and Spanish draft resolution in its revised form, while still being unacceptable to the United Kingdom, had become less objectionable for example to the Americans and the French and more difficult for the United Kingdom to veto. A United Kingdom veto would appear more defensible if preceded by unsuccessful British efforts to amend the draft resolution in a sense acceptable to the United Kingdom. Such efforts would also defer the moment at which a United Kingdom veto might have to be used, and help to maintain the support of the United States and French Presidents in the talks the Prime Minister would be having with them at Versailles.

As against this, it was thought that it would be difficult to frame amendments so as to produce a resolution which - in the unlikely event of Argentine acceptance - could be implemented on the ground; and that it might expose the United Kingdom to accusations of bad faith if British forces on the Falklands continued their military operations while British amendments to the present draft resolution were under discussion at the United Nations.

THE PRIME MINISTER, summing up the discussion, said that a veto might be the more straightforward, and in the long run less damaging, way of proceeding, especially if the United States and French Presidents could be persuaded to support the United Kingdom. She would be talking to them about this in Paris. She would wish to consider the matter further in the light of those talks. If it were decided to seek further amendments to the draft resolution, these would need to be in a form which limited it to a short and unambiguous statement of the fundamental British requirements. It would be helpful if a revised draft on these lines could be prepared urgently.

The Sub-Committee -

1. Took note that the Prime Minister would discuss the handling of the draft United Nations Resolution with President Reagan and President Mitterrand in Paris.
2. Invited the Foreign and Commonwealth Secretary to prepare draft instructions to Sir Anthony Parsons embodying amendments to the draft resolution on the lines indicated in the Prime Minister's summing up.

Cabinet Office

4 June 1982

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