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OD(SA)(82) 34th Meeting

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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 14 MAY 1982 at 10.00 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

Sir Robert Armstrong
Mr R L Wade-Gery
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) 50) covering a note by Ministry of Defence officials on broadcasting in Spanish to the Argentine garrison in the Falklands.

THE PRIME MINISTER, summing up the discussion, said that the Ministry of Defence's broadcasting proposal would need further consideration. It was agreed that a Declaration of Active Service should now be made; this would mean that civilians accompanying the British Task Force would become subject to Service discipline. The Force Commander should continue to have authority to use Vulcan aircraft against Port Stanley airfield; use of this authority did not need to be restricted on diplomatic grounds.

The Sub-Committee -

1. Invited the Defence Secretary to arrange for a Declaration of Active Service to be made as indicated by the Prime Minister in her summing up.
2. Agreed to consider OD(SA)(82) 50 at a later meeting.

2. DIPLOMATIC ISSUES

The Sub-Committee had before them a memorandum by the Foreign and Commonwealth Secretary (OD(SA)(82) 49) on the New York negotiations with the Secretary General of the United Nations, Senor Perez de Cuellar; telegrams nos. 739, 741 and 748-9 from the United Kingdom Mission in New York reporting the current state of those negotiations; and other telegrams reporting on the attitude of the United States Government and certain European Governments.

THE FOREIGN AND COMMONWEALTH SECRETARY said that the British Representative at the United Nations, Sir Antony Parsons, had skilfully played for time on 13 May, on the basis of instructions sent to him following the Sub-Committee's previous meeting; but he did not consider that anything would be gained by putting forward the suggestions he had been authorised to make on the key issues of South Georgia and the interim administration of the Falklands. British options in the negotiations were now narrowing and only three possibilities remained:

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- i. No further instructions could be sent to Sir Antony Parsons. This would mean an early breakdown in the negotiations, for which Britain was likely to receive most of the blame; and an early meeting of the Security Council.
- ii. Sir Antony Parsons could be authorised to make what he regarded as the minimum concessions in order to keep the negotiations going. This would involve concessions by Britain on South Georgia and possibly also on the interim administration.
- iii. Sir Antony Parsons could be recalled to London for early consultations. This might hold the position in New York until his early return there. At that stage it might be appropriate for him to table a document indicating how far Britain was prepared to go. This might best prepare the ground for a subsequent breakdown.

THE PRIME MINISTER, summing up the discussion, said that the previous day's debate in Parliament had made clear that concessions on South Georgia or the interim administration would not be acceptable to the Government's supporters. The end of the road therefore seemed to have been reached in the New York negotiations. There remained the important aim of ensuring that when they broke down Argentina should be seen to be to blame. To this end Sir Antony Parsons should be urgently recalled for consultations. Consideration should also be given to the possibility of tabling a document setting out the kind of agreement Britain was willing to accept. This might help the international presentation of the British position when the breakdown occurred; but it might also prove undesirably divisive in terms of domestic opinion. A possible draft should therefore be prepared for the Sub-Committee's meeting on 16 May, which both Sir Antony Parsons and Her Majesty's Ambassador in Washington, Sir Nicholas Henderson, should be invited to attend. If a British document were decided on it would probably need to be submitted to the Cabinet for approval, perhaps on 18 May. Meanwhile every effort should be made to dissuade Sir Perez de Cuellar from formally putting forward proposals of his own, which would certainly prove unacceptable. When the breakdown came it would be important for

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Britain to be able to demonstrate that it was due to Argentina's disregard for democracy and for law. The issue over the interim administration was essentially one of democracy; the issue over South Georgia was one of law. The latter point could be made even clearer if Britain offered to submit the case to the International Court of Justice. More generally Argentina had flouted international law both by her original invasion and by her refusal to comply with Security Council Resolution no. 502.

The Sub-Committee -

1. Agreed to resume their discussion at 10.00 am on 16 May, at Chequers.
2. Invited the Foreign and Commonwealth Secretary to arrange for Sir Antony Parsons and Sir Nicholas Henderson to attend that meeting.
3. Invited the Foreign and Commonwealth Secretary to prepare for that meeting a draft document setting out Britain's final negotiating position, for possible tabling in New York and subsequent publication.

Cabinet Office

14 May 1982

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