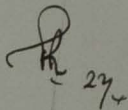
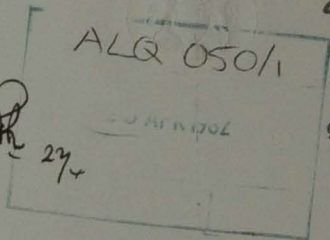


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Mr Wright

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CQ 6 DS/PUS
Mr Darwin
Mr Weston

CHIEFS OF STAFF MEETING: 22 APRIL

1. I attended today's Chiefs of Staff meeting. CDS was in the Chair. Mr Nott was not present.
2. The following are the main points:
 - a. Following a report by DCDSI on the two Argentine Boeing 707 flights over the Task Force (covering HMS Hermes at noon yesterday and HMS Invincible at 04.30 this morning) there was a discussion of the applicability of the existing Rules of Engagement. DCDSI confirmed that the aircraft, although normally civilian, carried a marking (TC191) which was military. Under the high seas Rules of Engagement for Operation Corporate south of 35°S, the Task Force Commander has authority to attack only aircraft positively identified as being Argentine combat aircraft. These are further defined to include only fighter, bomber, ground attack and long-range maritime patrol aircraft, as well as armed and ASW helicopters. I questioned the CNS about the military value of intelligence gained by the Argentines from these reconnaissance flights. He said that if the aircraft were merely reporting back to base, he was not particularly concerned. There was, however, a possibility that the 707s were being used to communicate with Argentine submarines. This was on the face of it unlikely but if it was the case could be serious. I expressed some doubt about the possibility of pleading the right of self-defence and Article 51 if one of these 707s was shot down. The CDS asked for an urgent paper to be put to Mr Nott. The MOD will be in touch with us about this immediately. I should be grateful for an early view from the Legal Advisers.
 - b. Deployment of Vulcans. Today's Flow Chart shows a decision point today on approval for a deployment of Vulcans to Ascension. As you know, Ministers have decided to postpone a decision on this. Meanwhile we are examining urgently the legal position over Wideawake following the US Base Commander's reference back to Washington over a Vulcan deployment. Sir F Cooper has I understand been in touch with us and has asked if our Legal Advisers could also look at the possibility of expropriation by HMG of the US base if the Americans dug their toes in over the Vulcan deployment issue. I told Sir F Cooper that my reading of the US/UK Agreement gave us carte blanche and that I hoped it would not come to a question of expropriation. Meanwhile,

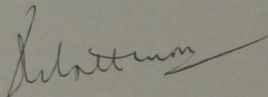
Mr Weston has been in contact with Mr Darwin this morning following my conversation with the latter earlier in order to ensure that a telegram on this issue reaches Washington by the time the Secretary of State arrives.

c. ROEs for enforcement of Maritime and Air Exclusion Zone.

- (i) I expressed doubts about Suffix Oscar for surface ships and aircraft. This allows the sinking, without warning, of all merchant vessels, regardless of nationality, identified as carrying military supplies or personnel. After discussion, it was agreed to delete Suffix Oscar from the ROEs for surface ships and aircraft and Rule 8 from the ROEs for SSNs. The position now is that as regards merchant ships and civil aircraft, authority is delegated to the Force Commanders to attempt to warn off such Argentine units and not to attack without such prior warning.
- (ii) The CNS suggested an amendment to paragraph 7 of the draft covering submission making it clear that, while the ROEs apply only to units engaged in enforcing the exclusion zone and to targets inside the exclusion zone, operations will not necessarily be mounted against such targets from platforms inside the zone. I see no need to question this.
- (iii) The CAS asked for the paper to be re-titled in order to cover an Air Exclusion Zone. His proposal was that this should be announced with 24 hours warning and that we should also announce a closure of Stanley airport. In discussion, it was thought that it would be useful to add two additional suffixes to the ROEs:
- Tango - runways and associated airport installations on the Falkland Islands
 - Uniform - other military targets on the Falkland Islands
- (iv) In the light of these fairly substantial amendments to the ROEs, a revised version will be circulated early this afternoon for clearance out of Committee by close of paly. Thereafter it will be submitted to the PUS's Group tomorrow and to OD(SA) on 26 April.

/(v)

- (v) As regards the announcement of the Air Zone, the announcement of the closure of Stanley airport, the notams and instruction to our Representative to ICAO, the Foreign Office would be closely involved in the drafting.



D H Gillmore

22 April 1982