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Hansen

MO 5/21

Prime Minister

Content, subject to
colleagues, with the change
summarised in para 8?

PRIME MINISTER

Agreed m.

DWB
28/12RULES OF ENGAGEMENT IN THE SOUTH ATLANTIC

The framework of our Rules of Engagement (ROE) in the South Atlantic is based on the existence of the 150 nautical mile (nm) radius Falkland Island Protection Zone (FIPZ) which was notified to Argentina on 21st July 1982. Outside the FIPZ, the ROE for British Forces permit engagement of Argentine units only in self defence. Within the FIPZ, the rules relating to Argentine combat units, which have remained largely unchanged since July 1982, permit British Forces to attack all such units if they enter the FIPZ: the act of crossing the boundary line is deemed to be an act of hostile intent against British Forces or territory.

2. Following an intelligence report earlier in the month predicting the deployment of an Argentine submarine much further south than usual, I authorised a temporary change in the ROE to minimise the risk of the submarine being sunk should it have strayed into the FIPZ accidentally (in the event the deployment passed off without incident). A "warning zone" 30nm in from the edge of the FIPZ was established in which unidentified submarines could be harassed but not attacked unless they unmistakably demonstrated hostile intent. Once a submarine penetrated further than 30nm inside the FIPZ it could then be attacked, since such a significant incursion was unlikely to be accidental and could, in itself, reasonably be deemed to indicate hostile intent. This change in the ROE remains in force but applies only to submarines. Stemming from this, I asked the Chiefs of Staff to re-examine the current ROE to ensure that they meet the current threat from Argentina in a way which minimises the risk of an "accidental" engagement which could be internationally damaging with democratic Argentina appealing for support over the Falklands issue.



3. The Chiefs of Staff have now recommended, and I agree, that the warning zone concept provisionally introduced for Argentine submarines should be extended to include Argentine surface combatants and combat aircraft, both of which can be unmistakably warned-off by visual means. As is the case for submarines, once they had penetrated beyond the warning zone into what we have termed the Central Zone surface and air combat units would be deemed to be demonstrating hostile intent and could therefore be attacked. I propose that this warning zone should be 30nm deep. This would still leave Commander British Forces with adequate room and time to engage Argentine combat units which had aggressive intent and keep the risks of a successful attack on British forces at a low level.

4. The use of a warning zone of this kind provides a solution which addresses both military and political concerns. It:

a. would provide a realistic de-escalation from the present somewhat inflexible ROE. While still meeting the need to react to the perceived threat, it would avoid precipitate action against Argentine combat units without putting British forces at undue risk.

b. provides an opportunity for harassment of Argentine forces and establishment of their intent, which in turn should minimize the chances of our over-reacting to a genuine mistake on their part.

c. provides a zone of uniform depth for ships, submarines and aircraft, thereby making our Commander's task of applying the ROE more straightforward and leaving no risk of confusion in the minds of our combat forces.

5. The warning zone approach does not, of course, entirely eliminate the risk of an accidental engagement. To do so we should need to consider approaches which delayed an engagement either until hostile intent was clearly demonstrated by Argentine units or until Argentina had been given time to respond to a warning message. But these approaches must be ruled out from a defence point of view since they could put



British forces in a vulnerable position: it could, for example, be very difficult to determine hostile intent in the case of submarine intruders. These options, which in essence amount to the lifting of the FIPZ, would in any case need to be addressed also in terms of the Argentine position on declaring that hostilities were at an end.

6. As part of the revised approach, I propose to give the Commander British Forces Falkland Islands (CBFFI) additional discretion to identify potential targets close to, but outside, the FIPZ boundary. This has the added advantage of further extending the range of response to a potential FIPZ incursion, as we can first identify potential intruders outside the FIPZ, then harass within the warning zone, and finally attack in the central zone.

7. As ROE are classified there is no reason to suppose that the Argentines will detect any change. Publicly our position would remain unchanged and the 1982 warnings to Argentina giving notification of the FIPZ would remain in force. The proposals which I have outlined above are consistent with them.

8. I should therefore be grateful for your agreement and that of colleagues to amend our ROE by establishing a warning zone of 30nm depth within the FIPZ boundary, to apply to all Argentine combat units. ROE within this zone would allow the harassment of Argentine units, but would not allow their engagement until either they had demonstrated hostile intent or subsequently penetrated the 120nm central zone which would be deemed to be an act of hostile intent (as previously for the 150nm zone). I propose as part of this more flexible approach to give CBFFI additional discretion to identify targets close to, but outside the FIPZ boundary.



9. I am copying this minute to our OD(EM) colleagues, the Attorney General, and to Sir Robert Armstrong.

WJH

Ministry of Defence
27th December 1984

