

Lawsuit against Britain over Belgrano sinking thrown

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The action filed against the British government in the European Court of Human Rights in Strasbourg by relatives of the 323 Argentineans killed on board the *Belgrano* cruiser in 1982 has been dismissed on a technicality.

The three-judge committee at the Strasbourg court rejected the case for Britain to be tried for war crimes on the grounds that it had been submitted too late. The human rights convention stipulates that applications must be made within six months after all other available remedies have been pursued in the domestic courts. Strasbourg ruled that in this case the domestic courts were those in Britain, disallowing all the legal proceedings in the Argentine courts.

As there were no cases before the British courts, the judges ruled that the six months should run from the date of the sinking of the *Belgrano* on May 2, 1982. In other words, the relatives were expected to file a complaint in the British courts while their country was still at war with Britain.

The Strasbourg judges dismissed arguments by the families' lawyers that the six months should run from March 2000, when proceedings in the Argentine courts to have the then British Prime Minister Margaret Thatcher extradited for war crimes ended unsuccessfully.

Ever since the sinking of the *Belgrano*, every effort has been made at the highest levels to obscure the facts because they confirm that Thatcher's Conservative government deliberately provoked a war against Argentina.

The *Belgrano* incident triggered what became known as the Falklands War and remained the conflict's single largest loss of life. Britain had reasserted its claim to the Malvinas/Falkland islands after the Argentine military junta invaded them in 1982. The *Belgrano* was

torpedoed and sunk by a Royal Navy submarine outside of a 200-mile “exclusion zone” unilaterally declared around the islands by the British government. The ship was sailing away from the islands when it was shot. Subsequently leaked documents from the Ministry of Defence in London suggest that the *Belgrano* sinking was aimed at stopping the peace negotiations taking place between Britain and Argentina.

Thatcher—aided by the tabloid media and with the full complicity of the Labour Party—used the war to create a jingoistic platform of support amongst significant sections of the population, and thus secured herself a second term in office at the 1983 general election.

The families' lawyers have acknowledged that their case was designed to put pressure on the Argentine government to take its own case against Britain to the International Court of Justice in The Hague. This seems unlikely, however, as in 1994 Buenos Aires concurred with the Thatcher administration that the *Belgrano* sinking was a “legal act of war”. The present Argentine government of President Fernando De la Rúa has indicated no change of heart on this matter.



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