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Confidential Filing

Commander Anthony Courtney writes re: the abuse of privileges and immunities by Soviet diplomats in the United Kingdom

SOVIET UNION

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JANUARY 1980

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
5-2-80							
20-2-80							
3-3-81							
15-4-81							
27-4-81							
10-12-81							
14-12-82							

PREM 19/1140

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10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

You have seen earlier correspondence between the Prime Minister and Commander Anthony Courtney about security matters. I enclose for your information the latest instalment in that correspondence. The Prime Minister decided to send a general acknowledgement and not to deal with the specific points mentioned in Commander Courtney's letter.

F. E. R. BUTLER

14 December 1982



cc10 SW

10 DOWNING STREET

THE PRIME MINISTER

14 December 1982

Dear Anthony

Thank you for your letter of 4 December about current security issues. You will not expect me to comment in detail on the points in your letter, but I greatly appreciate your expression of loyalty and your offer of help, which I will keep in mind.

Yours
Margaret

Commander Anthony Courtney, O.B.E.

PRIME MINISTER

Mr. Howe has passed to me the attached letter from Commander Courtney, which is the successor to previous letters from Commander Courtney about security, as you will recall.

I suggest that, rather than commenting on the Monday Club Press Release attached to Commander Courtney's letter, you send him a general acknowledgment in the attached terms, and that if there are any points in Commander Courtney's letter on which you would like more detailed comments, I will get them for you from Sir Robert Armstrong.

F.R.B.

13 December, 1982

MR. HOWE

You showed me the attached letter from Commander Courtney. This is one of a series of letters from Commander Courtney, and I suggest that we advise the Prime Minister to adopt a similar technique to that used previously, i.e. that she sends only the briefest reply to Commander Courtney and that if there are any points in his letter which she thinks worth following up or getting comments on, she then asks me to do so.

The sort of reply I have in mind is:

"Thank you for your letter of 4 December. I greatly appreciate your expression of loyalty and your offer of help, which I will keep in mind."

If you would like me to submit this from our office, let me know. We did, in fact, deal with the earlier correspondence. If you decide to submit it, please could you let me have a copy to keep our file of correspondence with Commander Courtney up to date.

F.R.B.

Robin:
I think it would
be better if you
do deal with it, if
you don't mind
David

10 December, 1982

fg
pps?
From Commander Anthony Courtney

Personal

Mulberry House,
Urchfont,
Near Devizes,
Wiltshire.

Hon. Margaret Thatcher P.C.M.P.,
10 Downing Street,
London,
S.W.1.

4th December 1982

Dear Margaret,

From the recent flood of Security scandal in the Press, it would seem that the warnings which I have given to successive Governments over the last 20 years have been fully justified. My various proposals for reducing Soviet espionage activity have not, however, yet been accepted, and I enclose a copy of a Monday Club Press Release dated November, 1981, regarding a possible Amnesty for Soviet agents, which I hope you will look at in the light of the latest circumstances.

You must surely by now have lost some of your confidence in your advisers on Security, more particularly those within the Foreign Office organization, and I repeat that I should like to help, if you thought I could be of use. After all, my efforts of so many years ago were considered by the KGB to be so dangerous to the Soviet networks in this country that it was decided to mount an unprecedented operation with the object of removing me from active politics. The successful outcome of the operation was largely due to an influential Conservative, Theo Constantine, whose disloyalty effectively lost Harrow East to the Socialists in 1966, and whose machinations prevented my subsequent re-adoption as Prospective Conservative Candidate. Two years later, when I sued him, this man was adjudged in the High Court to be a liar and a slanderer. Since then you have seen fit to grant him a Life Peerage. The whole affair is an example of the brilliance of Soviet defamation techniques ably assisted, in this instance, by the Conservative party organization.

Having fought five elections in the Conservative interest, and won three of them, I hardly expected such treatment by my Party, believing, as I still did then, that loyalty counts for something in politics. You personally have retained mine, in spite of all that has occurred, and if in the new situation you could make any use of my specialized knowledge and experience I remain at your service.

With all good wishes.

Yours sincerely,

Anthony

Enc.

PRESS RELEASE

AMNESTY FOR SPIES

RELEASE TIME: 12.00 NOON, THURSDAY, 12th NOVEMBER, 1981.

AMNESTY FOR SPIES

For more than ten years the Monday Club has advocated the public declaration of an Amnesty, under conditions of the greatest secrecy, for British Agents of the Russian Intelligence Service.

This would counter the danger of Soviet reprisals against individuals and enable them to come forward and confess. Such a move would destroy overnight the confidence placed by the K.G.B. in agents now operating in this country and would constitute the best means immediately available of countering a continuing menace to our security.

The proposal has been steadily opposed by the Foreign Office, resulting in a growth of public doubt about the loyalty and efficiency of our Secret Services, coupled with an increasing embarrassment to the Government. Had our suggestion been implemented at the right time much of our current trouble could have been avoided.

A General Amnesty of this description should be declared without further delay, and proper political control re-established over the Foreign Office, whose irresponsibility and untrustworthiness in this field cannot, in our view, be any longer tolerated.

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For more than a year the Monday Club has advocated the public
abolition of an industry under conditions of the present economy.
The British Agents of the Soviet Intelligence Service
This would reduce the danger of Soviet agents and industrial
and create a new industry and economy. When a new industry
overnight the conditions of the U.S.A. industry now operating in
this country and would constitute the first step towards available
of course with a continuing revenue to our society.
The request has been made to the Soviet Office, resulting
in a number of visits to the Soviet Office and efforts of our
Soviet Division, resulting in the submission of a report to the
Government. But our suggestion has been implemented at the right time
much of our current work is to have been avoided.
General Amesty of this description would be desired without further
delay, and proper political control established over the foreign
Office, these responsibilities and responsibilities in this field
cannot, in my view, be any longer delayed.



Soviet Union ^{S. Vainon} VLB

cc CO

10 DOWNING STREET

THE PRIME MINISTER

27 April 1981

Dear Anthony,

Thank you for your letter of 25 March.

The day after you wrote, I made a statement in the House: in case you have not seen the full text, I enclose a copy herewith. You will see that I have asked the Security Commission to review the security procedures and practices currently followed in the public service; and you will see from what I said the ground which I expect the Commission to cover in their review.

I am afraid that I cannot comment in detail upon the points you made in your letter of 8 January 1980. But I can assure you, as I did when I replied to that letter, that the threat is kept under constant review. Since the expulsion of 105 Soviet intelligence officers in 1971 we have maintained strict ceilings on the size of the official Soviet community in this country; and we exercise continuing vigilance about new arrivals: by no means all those who are proposed are accepted.

Yours ever

Raymond

Commander Anthony Courtney, O.B.E.

VLB



10 DOWNING STREET

Prime Minister,

The letter below for your signature has been drafted by Sir Robert Armstrong and agreed with all the departments concerned.

There is advice contained in it that you should avoid getting into any detail in replying to Commander Courtney.

PHW

15/11



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Ref. A04731

MR. WHITMORE ✓ *W
18/4*

Commander Anthony Courtney

With your minute of 31st March you sent me a copy of Commander Courtney's letter of 25th March 1981 and related papers.

2. I have consulted the Foreign and Commonwealth Office and the other Departments concerned, and as a consequence I recommend that the Prime Minister should reply to Commander Courtney on the lines of the draft attached.

RA

ROBERT ARMSTRONG

15th April 1981

DRAFT LETTER FROM THE PRIME MINISTER TO
COMMANDER ANTHONY COURTNEY

Thank you for your letter of 25th March.

The day after you wrote, I made a statement in the House; in case you have not seen the full text, I enclose a copy herewith. You will see that I have asked the Security Commission to review the security procedures and practices currently followed in the public service; and you will see from what I said the ground which I expect the Commission to cover in their review.

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10 DOWNING STREET

From the Principal Private Secretary

SIR ROBERT ARMSTRONG

COMMANDER ANTHONY COURTNEY

Earlier this year Commander Anthony Courtney wrote to the Prime Minister to tell her what he thought should be done to reduce the KGB threat in this country, and the Prime Minister replied, thanking him for letting her know his views but declining to respond to them in detail. I attach copies of that exchange of correspondence. I should add that we sent copies of these letters to the Foreign and Commonwealth Office after the Prime Minister had replied to Commander Courtney, and they let us have a commentary on his proposals.

Commander Courtney has now returned to the charge in the wake of the publication of Mr. Pincher's book and is pressing the Prime Minister for a detailed answer to his earlier letter. I attach a copy of his latest letter. I should be grateful for your advice on what the Prime Minister should say in reply to him.

In case you think that she might give Commander Courtney a substantive answer, and you therefore need to consult the other Departments concerned, I am sending copies of this minute and of the attachments to Mr. Halliday (Home Office), Mr. Walden (Foreign and Commonwealth Office), and Mr. Buckley (Civil Service Department).

G. A. WHITMORE

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31 March 1981



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10 DOWNING STREET

Prime Minister.

Answer letter from Commander
Conroy.

I have asked for advice
on a reply.

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and

R 27/3
Rt. Hon Mrs D. Thatcher P.C.M.P., MULBERRY HOUSE
House of Commons, URCHFONT
London, DEVIZES

WILTSHIRE

Chirton 357

25th March 1981

Dear Margaret,

May I refer to your kind letter of the 4th February 1980 and to our previous correspondence on security.

As you know, I have been working on these matters now for twenty years and I have given a lot of assistance to Chapman Pincher in the production of his new book which makes damaging allegations against both the Security Service and the Secret Intelligence Service. Referring to the last paragraph of your letter of the 4th February, may I ask you now, please, to respond in detail to the points I made in my letter of the 8th January. Only by action such as I propose can we make any immediate counter to the Soviet espionage threat. It will involve action within the Foreign Office and the Services referred to which will be highly unpopular and I shall be glad to be associated with any body you may appoint to carry out a thorough investigation. May I add two personal points which would come much better from anyone but myself. The first is that the Soviet officials in Moscow gave me their full confidence when I was working with them there in 1941/42 to the extent of using me as the only interpreter in our rather highly technical staff meetings. Secondly, my activities in the House of Commons in 1959-1965 must have frightened the Russians significantly to have achieved the dangerous reaction of attacking a Conservative Member of Parliament in the way they did. I still consider that the Party let me down badly in those days, not to

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speak of Harold Wilson who naturally wanted the Harrow East seat for Labour in the 1966 election and, of course, got it with the help of Ted Heath and Theo Constantine.

You have my full personal loyalty and I will do all I can to help you in your present predicament over Security. Surely you must now be aware that your Foreign Office advisers are absolutely unreliable on matters of security.

Yours sincerely,

Anthony

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20 February 1980

Commander Anthony Courtney

The Prime Minister has seen your letter to me of 18 February commenting on the points made by Commander Courtney about Soviet representation in this country. She has taken note of the analysis in your letter. She has not asked that any further action should be taken ~~etc~~ about Commander Courtney's proposal for a general amnesty for Communist agents.

M. O'D. B. ALEXANDER

G G H Walden Esq
Foreign & Commonwealth Office

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Gr



Prime Minister:

Foreign and Commonwealth Office

London SW1A 2AH

18 February 1980

You have already replied to
(attached)
Mr Courtney's letter but you may
like to this commentary on the
points he makes.

ms. ms.

Dear Michael,

Ans, 18/2

You sent me on 5 February a copy of a letter to the Prime Minister from Commander Anthony Courtney and requested a commentary on the points Commander Courtney makes and an account of our present policy on the level of Soviet representation in this country.

We have the following comments on Commander Courtney's proposals (following his numbering):

1) Following the expulsion of 105 Soviet intelligence officers when Lord Home was Foreign Secretary in 1971, we have maintained strict ceilings on the size of the official Soviet community in the UK. The ceilings are:

Soviet Embassy (Diplomatic Staff)	47
Soviet Embassy (Non-Diplomatic Staff)	46
Soviet Trade Delegation	47
Ancillary Organisations (eg journalists, Aeroflot, etc)	106
	<hr/> 246

The ceilings were not set arbitrarily: they represent the number of officials left in each category after the 1971 expulsion of all identified intelligence officers. We do not think there is a case for further reductions at present. Although the Security Service consider that about 20% of the Soviet official community in the UK are now either identified or suspected intelligence officers, the present numbers are modest compared to the size of the official Soviet communities in other comparable Western countries. The Soviet Embassy in Paris, for example, has 82 diplomatic staff and 86 non-diplomatic staff. There are also 60 Soviet trade representatives and a further 25 consular staff in Marseilles, whereas we have never agreed to Soviet proposals that a Soviet consulate be established outside London. Further expulsions would bring Soviet retaliation

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against our Embassy in Moscow, which would undermine the UK's ability to do the important tasks of reporting on and analysing developments in the Soviet Union. This is not to say that further reductions in the size of the official Soviet community could not be imposed in the future if there was a strong security case for doing so. We also of course have the option of expelling individual intelligence officers if they represent a particular threat. Moreover, we have a general policy of withholding visas to would-be members of the Soviet community who are known intelligence officers, and have turned down a number of such people since 1971, most recently in 1979.

2) HMG and the Governments of the Soviet Union, Czechoslovakia, Bulgaria and Hungary concluded agreements in 1956 under which comprehensive personal immunity was extended to the non-diplomatic staff of the Embassies of these countries in London, and to their personal servants. The same immunity was extended on a reciprocal basis to the non-diplomatic staff of our own Embassies in Moscow and the Eastern European capitals concerned. These special arrangements were confirmed in Section 7 of the Diplomatic Privileges Act of 1964. We believe that we gain at least as much as we give by these arrangements: a greatly increased security risk would arise if our non-diplomatic staff in the countries in question were no longer protected by the personal immunity they presently enjoy, and the prospect of the junior members of our Embassy staff in Moscow being vulnerable to legal action by the Soviet authorities would be a very worrying one.

3) Commander Courtney's proposal for a general amnesty for communist agents is not primarily a matter for the FCO and those more directly concerned would want to take the lead in commenting if you wished to explore the idea further.

4) The status of the Soviet Trade Delegation in London is defined in the British/Soviet Temporary Commercial Agreement of 16 February 1934, which is still in force. Article 5 says that the Trade Delegation shall consist of 'the Trade Representative of the Union of Soviet Socialist Republics and his two deputies, to form part of the Embassy of the Union of Soviet Socialist Republics'. These three persons are therefore granted diplomatic privileges and immunities. The Agreement also says that 'no member of the staff of the Trade Delegation, other than the Trade Representative and his two deputies, shall enjoy any privileges or immunities other than those which are, or may be, enjoyed in the United Kingdom by officials of the state-controlled trading organisation of other countries'. We are therefore of the opinion that the Soviet Trade Delegation does not enjoy 'corporate diplomatic immunity'. However, the Russians maintain that Article 5 of the Temporary Commercial Agreement describes the whole of the Soviet Trade Delegation as forming part of the Soviet Embassy and that all its staff are therefore entitled to diplomatic privileges and immunities.

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On this basis, they have refused, for example, to pay rates on the Trade Delegation's main office building in Highgate. As a result, Camden Borough Council may soon decide to pursue their claim in a court of law. If so, the court will no doubt be required to make a ruling on the disputed question of the Trade Delegation's status.

5) 'Their Trade is Treachery' was a booklet compiled and edited by the Security Service, published by the Civil Service Department, and printed by the Central Office of Information in 1964. It contained case histories of individuals who have spied for the Russians. A revised version entitled 'Treachery is Still Their Trade' was produced in 1974. I enclose a copy. The booklets are not classified but are marked 'for official use only'. They are used by a number of Government departments in security education programmes. Subject to the views of the Civil Service Department and to further consideration of the legal implications there would not appear to be any reason in principle why the booklets should not receive a wider distribution inside and outside Government, since all the individuals named in them have been successfully prosecuted. However, such an operation would be expensive and might not be cost-effective since most of the case histories in the booklet are now widely known and the booklet's appearance might not have much of an impact.

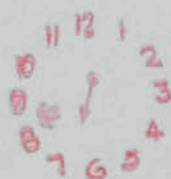
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(G G H Walden)
Private Secretary

M O'D B Alexander Esq
10 Downing Street
London

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Soviet Union

B/K 12-2-80

5 February, 1980.

I enclose a copy of a letter to the Prime Minister from Commander Anthony Courtney. The Prime Minister has sent Commander Courtney a brief acknowledgement, and does not intend to carry the correspondence any further. However, she would be grateful to have a commentary on the points Commander Courtney makes, and an account of our present policy on the level of Soviet representation in this country.

I am sending a copy of this letter and enclosure to John Chilcot (Home Office).

M. O'D. B. ALEXANDER

G.G.H. Walden, Esq.,
Foreign and Commonwealth Office.

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MR. ALEXANDER
after despatch

JFH



10 DOWNING STREET

THE PRIME MINISTER

4 February 1980

Dear Anthony,

Thank you very much for your further letter of 8 January which I have read with great interest. I am grateful to you for setting out your views so clearly.

You will, I know, not expect me to respond in detail to the points you make. But you can be confident that they are much in mind. The threat you describe is under constant review.

Yours sincerely
Raymond Storer

Commander Anthony Courtney, OBE,

JS



(3)

10 DOWNING STREET

PRIME MINISTER

You asked me to look at an earlier draft from you to Commander Courtney and suggested that Commander Courtney's letter might need a more detailed reply.

Neither Clive nor I think it would be right to send a detailed letter to Commander Courtney.

However I will, if you agree, get a background brief on the points he makes after you have despatched the attached acknowledgement.

Back to me

after despatch.

Phms

1 February 1980

Phms 4/2



10 DOWNING STREET

22nd January 1980

Dear Anthony,

Thank you very much indeed for your further letter of 8th January which I have read with great interest.

I am grateful to you for expressing your views as clearly and as forcibly as ever.

I know, but expect me to respond in detail
You will ~~understand~~ why I cannot say anything definite in my reply to you but I hope that the policies of the Government will take account of some of the things which you set out in your correspondence.

to the points you make. But you ^{may} be confident that they are much in ^{my} mind.

Commander Anthony Courtney OBE

~~I think Michael A. should see this. It may require a more detailed reply~~
out

P.C. ANTHONY COURTNEY James Con MP

RR.

Rt. Hon. Mrs. D. Thatcher
P.C. M.P.,
10 Downing Street,
London,
S.W.1.

MULBERRY HOUSE
URCHFONT
DEVIZES
WILTSHIRE

Chirton 357

8th January 1980

Handwritten initials and a large flourish.

Dear Margaret,

Thank you for your letter of 21st December replying to mine of 11th December on behalf of the Wiltshire Monday Club. We fully support the sentiments expressed in your speech of 21st November, and are glad to know that you share our feelings concerning the involvement of the Queen in matters of this kind.

Since I wrote, two things have happened. Another influential traitor, Mr Cairncross, is now known to have been given amnesty from prosecution in return for information, and the Soviet Army has invaded Afghanistan. It seems to me a suitable moment, therefore, to raise again the necessity, as I see it, of correcting the situation which has been allowed to develop over the years, by which the Soviet Union enjoys special diplomatic privileges and immunities which it abuses flagrantly to our great national disadvantage.

It is surely now generally accepted that the Soviet Embassy in London is the principal channel of communication between the K.G.B.'s

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British agents and Moscow. I have made a close study of this problem, and I believe that it was because of my activities in this field that the Russians took the unprecedented step of publishing the scurrilous broadsheet which led to the loss of my seat in the Commons and subsequent removal from the political scene in 1965/66. May I set out briefly the measures which I have advocated for many years past, dating from early in 1959 when I went to see Mr Harold MacMillan on the whole subject in company with two Conservative parliamentary colleagues, Monty Woodhouse and Lynch Maydon.

1. A drastic reduction in numbers of Communist diplomats, trade representatives and other officials stationed in London. Not only do their official activities not match up to the actual requirements of trade and diplomacy, but it is known that a high proportion of these individuals are engaged in intelligence work. My own "Diplomatic Privileges Bill", introduced under the 10-minute rule and given a First Reading in early 1966, is still applicable to this situation.
2. Cancellation of the "special arrangements" made with the Soviet and other Communist Governments in the 1950's by which their nationals enjoy an extra-ordinary degree of diplomatic immunity in this country.
3. A general Amnesty, for which there are now precedents, for all Communist agents who are prepared to come forward under conditions of

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absolute secrecy. The Declaration of such an Amnesty would, at least, produce a complete distrust of all existing agents in the eyes of the K.G.B. "Resident" and must disrupt their existing networks to a considerable extent.

4. Cancellation of the "corporate diplomatic immunity" enjoyed by the Soviet Trade Delegation and dating from the "Temporary" Trade Agreement of 1934.

5. The re-publication and circulation on a wide scale of an up-dated version of the official publication "Their Trade is Treachery". This has been done once already, in 1974, but to a restricted circle of readers on account of "legal difficulties".

All the foregoing measures are likely to be opposed strenuously by the Foreign Office for various reasons, including the fear of "reactions" by the Soviet Government. There was no significant reaction to the expulsion of 105 "diplomats" by the Conservative Government in 1971, and I believe that it was the danger of the introduction of some such measures that impelled the K.G.B. to take their unprecedented course of action against me personally in 1965.

May I ask, therefore, that these suggestions be given urgent consideration. I am convinced that they are necessary for reasons

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of national security, they would have great popular appeal in present circumstances and, more important, they would really hurt the K.G.B.

Needless to say, I am available to give any assistance that may be required in working out an appropriate course of action. In any event, I can assure you of the continuing support of the Wiltshire Monday Club.

With all good wishes.

Yours sincerely,

Anthony

