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PREM 19/1391

Part 3

TOP SECRET

Confidential Filing

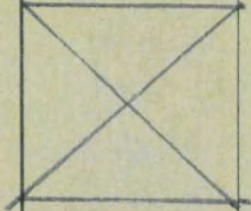
Relations with South Africa.  
Policy on Arms sales to South Africa.  
Internal Situation.  
ECGD Credits.  
PM's Emissary / J. Hunt.

SOUTH AFRICA

Part 1: June 1979

Part 3: December 198

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<del>3-12-82</del>		<del>27-1-84</del>		<del>13-9-80</del>			
<del>27-1-83</del>		<del>24-2-84</del>		<del>16-9-84</del>			
<del>1-2-83</del>		<del>9-3-84</del>		<del>18-9-84</del>			
<del>10-3-83</del>		<del>19-3-84</del>		<del>20-9-84</del>			
<del>28-3-83</del>		<del>27-3-84</del>		<del>21-9-84</del>			
<del>18-4-83</del>		<del>5-4-84</del>		<del>24-9-84</del>			
<del>19-4-83</del>		<del>9-4-84</del>		<del>28-9-84</del>			
<del>23-5-83</del>		<del>11-5-84</del>		<del>30-9-84</del>			
<del>27-5-83</del>		<del>17-5-84</del>					
<del>1-8-83</del>		<del>1-6-84</del>					
<del>8-9-83</del>		<del>5-6-84</del>					
<del>13-2-83</del>		<del>8-6-84</del>					
<del>30-9-83</del>		<del>18-6-84</del>					
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<del>10-11-83</del>		<del>4-7-84</del>					
<del>27-11-83</del>		<del>5-7-84</del>					
<del>14-12-83</del>		<del>10-7-84</del>					
<del>3-1-84</del>		<del>11-7-84</del>					
<del>9-1-84</del>		<del>31-7-84</del>					
		<del>6-8-84</del>					
		<del>4-9-84</del>					
		<del>11-9-84</del>					



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● PART 3 ends:-

CDP to FCO 30.9.84

PART 4 begins:-

PRETORIA TEL 444 1.10.84

TO BE RETAINED AS TOP ENCLOSURE

## Cabinet / Cabinet Committee Documents

Reference	Date
CC(84) 31 <sup>st</sup> Meeting, item 1	20/09/1984
CC(84) 14 <sup>th</sup> Meeting, item 2	05/04/1984
JIC(84) 1	12/01/1984
CC(83) 33 <sup>rd</sup> Meeting	10/11/1983
CC(82) 53 <sup>rd</sup> Meeting, item 2	16/12/1982
CC(82) 52 <sup>nd</sup> Meeting, item 3	09/12/1982

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed *J. Gray* Date *12/9/2013*

PREM Records Team



Prime Minister

FCO are working on a reply. But there is no hurry. The

10 DOWNING STREET

court judgement on the 30 September 1984

From the Private Secretary

ms

Durban Six is due on Wednesday. The view of FCO lawyers & Customs & Excise is that the

Dear Len,

DETAINEES IN DURBAN CONSULATE

I enclose a copy of Mr. Botha's reply to the Prime Minister's message, delivered by the South African Charge d'Affaires to 10 Downing Street tonight.

South African suggestion will not run. C.D.P. 1/2

(C.D. POWELL)

Len Appleyard, Esq.,  
Foreign and Commonwealth Office.



PRIME MINISTER'S  
PERSONAL MESSAGE  
SERIAL No: 166A/84

a MASTER  
ops.

The Rt Honourable Margaret Thatcher, MP  
Prime Minister  
10 Downing Street  
LONDON

30 September 1984

Dear Prime Minister

I have been requested by the State President of South Africa to present his compliments to you and to convey the enclosed Personal and Confidential letter to you.

Might I take this opportunity of assuring you of my highest consideration and personal good wishes.

Yours sincerely

AMBASSADOR

S. A. Relating,  
Pt. 3.

Pa.  
CDP  
3/x.



Union Buildings  
Pretoria

30 September 1984

Dear Prime Minister,

Thank you for your message of 30 September 1984 in reply to my suggestion yesterday through Minister R F Botha and Lady Young for you to receive my Foreign Minister in London. My suggestion for you to meet Mr Botha was prompted by a desire to minimise the harmful effects to our relations inherent in the situation which has developed and to find a way out of the growing dilemma in which we find ourselves.

I share your sentiment that we will have to show great delicacy in the manner in which we handle this matter. I also appreciate the frankness of your message and feel sure that you would want me to be equally candid in my reply.

I have taken note of the fact that you reiterate your Government's point of view that it is for the six South African nationals presently in your Consulate in Durban, to negotiate with my Government and for us to create conditions under which they will feel able to leave the Consulate voluntarily.

In this regard I am constrained to point out that the South African Minister of Law and Order issued detention orders in respect of the six men more than three weeks ago but that the South African Police have been unable to serve these orders because of the fact that the men have found sanctuary in the Consulate.

For this reason the Foreign and Commonwealth Office was informed that your Government's failure to either surrender the men or to allow the appropriate authorities to enter the consular premises and take them into custody amounts to an obstruction of the South African process of law enforcement.

Furthermore, the Foreign and Commonwealth Office was also informed that customary international law prohibits governments from providing sanctuary or asylum in consulates to persons fleeing from the judicial or law enforcement agencies of the receiving state.

Consequently, it is my Government's viewpoint that the refusal of the British Government to accede to the request put forward in the South African Government's Aide Memoire of 20 September 1984 and its failure to either expel or surrender the six South Africans in the British Consulate in Durban of its own accord were unlawful in terms of customary public international law. In this respect it should be noted that you indicated to Mr Neil Kinnock on 19 September 1984 that: "It would not be right for us to intervene in the legal processes of another country, whether or not we agree with them." Yet the British action has had the effect of making the execution of such legal processes impossible.

My Government's subsequent decision not to allow the four South Africans to return to the United Kingdom to stand trial was an act of reprisal. The doctrine of reprisal is well established in customary public international law and it is common cause and trite law that it entails that an act which would normally be unlawful is rendered lawful by a prior unlawful act of the other Government. An act of reprisal need not take the same form as the original unlawful act but must be proportionate to it. The South African Government's act of reprisal meets these requirements.

It follows that the South African Government's decision not to allow the four South Africans to return to the United Kingdom was clearly lawful and I am sure that reputable British authorities on international law share this view.

The case of the four South Africans has been the subject of a number of discussions between your Foreign and Commonwealth Office officers and officers of the South African Department of Foreign Affairs.

During these discussions it was intimated to the Foreign and Commonwealth Office that the South African Government would prevail upon the four men to accept offers to compound proceedings against them and that such offers presented a mutually acceptable legal solution to what my Government perceived as a dilemma involving both Governments.

Although Foreign and Commonwealth Office spokesmen have repeatedly indicated that it is not the kind of case which would lend itself to compounding procedures, I am nevertheless taking the liberty of attaching a memorandum setting out what I believe to be cogent arguments supportive of a compounded settlement.

It may be, Prime Minister, that such a compounded settlement still represents, albeit only in part, a solution to the dilemma in which we find ourselves.

I therefore propose that a legal team representing the four South African nationals and my Government should meet as a matter of urgency with representatives of the Foreign and Commonwealth Office, the Prosecuting Authority as well as



the Director of Public Prosecutions in order to explore this avenue. I believe that such a course of action would not constitute any interference in the due process of law and may provide the key to the resolution of the current impasse.

I wish also to refer to your letter delivered to me on 28 September 1984. The position regarding the Kwa Ngema community remains as set out in the memorandum attached to the South African Chargé d'Affaires in London's letter to you dated 20 June 1984 to which Mr Charles Powell replied on 4 July 1984. I can however, assure you that the South African Government is at all times handling this matter with concern and respect for the feelings and interests of the Kwa Ngema community.

Your remarks on the Nkomati Accord and the British Government's intended significant increase in its level of economic assistance to Mozambique are most encouraging and welcome. It is pleasing to note that Mozambique has now obtained IMF/IBRD membership. The security situation within Mozambique continues to give rise for concern. I can inform you in confidence that Foreign Minister Botha and Defence Minister Malan spent two days and nights at the end of last week in parallel talks with delegations of the Mozambique Government and the Mozambique resistance movement, RENAMO. I am pleased to say that some progress has been made and we are hopeful that an agreement on a cessation of the armed activity and conflict in Mozambique is not excluded.

I thank you for your sentiments regarding the constitutional changes which have taken place in South Africa and the new responsibilities which will rest with me and the Cabinet which I appointed on 15 September 1984.

Yours sincerely,



P W BOTHA  
STATE PRESIDENT OF THE  
REPUBLIC OF SOUTH AFRICA

The Right Honourable Margaret Thatcher, MP  
Prime Minister,  
10 Downing Street,  
LONDON

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TOP COPY

See 245

CONFIDENTIAL

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RECEIVED IN MESSAGE NO. 30		
- 2 OCT 1984		
DESK OFFICER		RECEIVED
INDEX	PA	DATE

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 GRS 462  
 CONFIDENTIAL  
 DESKBY 301330Z  
 FM FCO 301230Z SEP 84  
 TO IMMEDIATE PRETORIA

241

TELEGRAM NUMBER 237 OF 30 SEPTEMBER.

MY TELEGRAM NO. 236: SITUATION AT DURBAN CONSULATE

1. PLEASE NOW DELIVER TO PRESIDENT BOTHA'S OFFICE THE FOLLOWING MESSAGE FROM THE PRIME MINISTER TO PRESIDENT BOTHA.

BEGINS JANET YOUNG HAS TOLD ME OF YOUR PROPOSAL TO SEND YOUR FOREIGN MINISTER TO LONDON FOR A TALK WITH ME.

LET ME FIRST ASSURE YOU THAT I AM FOLLOWING EVENTS IN DURBAN VERY CLOSELY AND HAVE BEEN PERSONALLY INVOLVED FROM THE OUTSET. I KNOW YOU WERE DISAPPOINTED THAT I WAS UNABLE TO SEE YOUR AMBASSADOR WHEN HE REQUESTED AN APPOINTMENT. MY PROGRAMME THAT WEEK WAS EXTREMELY TIGHT. AMBASSADOR WORRALL WILL, I HOPE, HAVE EXPLAINED THAT A PERSONAL MESSAGE FROM YOU, HAD IT BEEN DELIVERED TO A FOREIGN OFFICE MINISTER OR TO MY PRIVATE SECRETARY, WOULD HAVE RECEIVED MY IMMEDIATE ATTENTION.

I HAVE GIVEN SOME THOUGHT TO YOUR SUGGESTION. LET ME BE ENTIRELY FRANK ABOUT THIS, AS I AM SURE YOU WOULD EXPECT ME TO BE. THE SITUATION AT THE DURBAN CONSULATE POSES PROBLEMS FOR EACH OF US AND THE PUBLIC DIMENSION IS A PARTICULARLY DIFFICULT ONE. ADDED TO THAT, THE DECISION YOU HAVE TAKEN OVER THE ARMSCOR CASE MAKES THE POSITION MORE DIFFICULT. YOU WILL KNOW THAT WE HAVE PUBLICLY STATED THAT WE CANNOT BECOME INVOLVED AS INTERMEDIARIES BETWEEN THE SIX IN THE CONSULATE AND THE SOUTH AFRICAN GOVERNMENT. WE TAKE THE VIEW THAT IT IS FOR THE SIX TO NEGOTIATE WITH THE SOUTH AFRICAN GOVERNMENT AND FOR THE LATTER TO CREATE CONDITIONS UNDER WHICH THE SIX WILL FEEL ABLE TO LEAVE THE CONSULATE VOLUNTARILY, AND I HOPE THAT WILL BE SOON. I AM RATHER CONCERNED THAT A SUDDEN VISIT BY MR. BOTHA TO SEE ME WOULD HEIGHTEN PUBLIC SPECULATION THAT SOME SORT OF DEAL WAS ABOUT TO BE NEGOTIATED. IT WOULD I THINK BE DIFFICULT FOR BOTH GOVERNMENTS TO COMMUNICATE EFFECTIVELY IN THE FULL GLARE OF THE

CONFIDENTIAL

6622 - 2

PUBLICITY WHICH WOULD INEVITABLY FLOW FROM SUCH A VISIT. I BELIEVE THERE WOULD BE A RISK THAT NOTHING POSITIVE WOULD EMERGE, WHICH MIGHT LEAVE US BOTH WORSE OFF THAN BEFORE.

I WONDER THEREFORE WHETHER IT MIGHT NOT BE WISER IF WE WERE TO PROCEED THROUGH THE EXCHANGE OF CONFIDENTIAL MESSAGES. I WOULD NOT WANT TO RAISE FALSE EXPECTATIONS BUT I WOULD FIND IT VERY HELPFUL IF, AS A FIRST STEP, YOU COULD GIVE ME A CLEARER INDICATION OF YOUR THINKING.

BECAUSE OF THE INTENSE MEDIA INTEREST HERE, I THINK IT WOULD BE BEST IF YOU COULD ASK YOUR AMBASSADOR TO DELIVER YOUR REPLY TO MY PRIVATE SECRETARY. A PERSONAL MEETING BETWEEN ME AND DR. WORRALL AT THIS STAGE MIGHT GIVE RISE TO THE SAME DIFFICULTIES AS A MEETING BETWEEN ME AND MR. R.F. BOTHA. THIS DOES NOT, OF COURSE, INDICATE ANY LESSENING OF MY CONCERN. IT IS SIMPLY THAT WE BOTH HAVE TO SHOW GREAT DELICACY IN THE WAY WE HANDLE THIS ISSUE. ENDS.

HOWE

COPIES SENT TO  
No. 10 DOWNING STREET

NNNN  
DISTRIBUTION:  
LIMITED  
HD/SAFD  
PS  
PS/LADY YOUNG  
PS/MR RIFKIND  
PS/PUS  
MR FERGUSSON  
MR JOHNSON

COPIES SENT TO  
NO. 10 DOWNING STREET

2

CONFIDENTIAL



Foreign and Commonwealth Office

London SW1A 2AH

29 September 1984

Charles Powell Esq  
 Number 10 Downing Street

Dear Powell,

*Amended version agreed  
 with the Prime Minister  
 & despatched.*

*CDP 30/9.*

## SITUATION AT THE DURBAN CONSULATE

1. As Tony Reeve mentioned to you on the telephone, the South African Foreign Minister, Mr R F Botha, telephoned Lady Young today. He said that he had been asked by President Botha to seek a meeting with the Prime Minister at which he would deliver a personal message from the President and discuss "methods and ideas to get out of the impasse". Mr Botha said that, if the Prime Minister agreed, he could travel to London on 1 October for a meeting on 2 October.
2. Lady Young has consulted the Foreign Secretary who thinks that such a meeting would create difficulties for us, even though it will be awkward to refuse. It seems probable that Mr Botha will wish to propose a deal whereby the Customs and Excise would drop the court proceedings against the four South African defendants in the Armscor case in return for which the South African Government would lift the detention orders which they wish to serve on the six. Even if the proposal does not take this form, it is likely to involve concessions on our part which we would find unacceptable.
3. Moreover, we have publicly stated that we will not act as intermediaries between the six and the South African Government. A meeting between the Prime Minister and Mr Botha would be bound to fuel speculation that we were negotiating some sort of deal with the South Africans. Mr Botha's visit would also attract fierce criticism from the Anti-Apartheid Movement and its supporters.
4. The Foreign Secretary therefore considers that it might be best for the Prime Minister to send a personal message to President Botha which would set out frankly her reservations about a meeting and seek to explore his thinking. This approach might serve to head off a visit by Mr Botha. It would also go some way to meet the South African complaint that President Botha has been refused direct access to her.

/I attach



CONFIDENTIAL

2

..... 5. I attach the draft of a letter which the Prime Minister might send to President Botha. I suggest that, if the Prime Minister is content, the message might be sent by telegram to the Chargé d'Affaires at Pretoria for delivery to President Botha's office, if possible on 30 September.

*Yours ever,*

*Robert Barnett*

---

R W BARNETT  
APS/Lady Young

CONFIDENTIAL

CONFIDENTIAL

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM  
PRIME MINISTER

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

HE PRESIDENT P W BOTHA

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Janet Young has told me of your proposal to send your Foreign Minister to London for a talk with me.

CAVEAT.....

Let me first assure you that I am following events in Durban very closely and have been personally involved from the outset. I know you were disappointed that I was unable to see your Ambassador when he requested an appointment. My programme that week was extremely tight. Ambassador Worrall will, I hope, have explained that a personal message from you, had it been delivered to a Foreign Office Minister or to my Private Secretary, would have received my immediate attention.

I have given some thought to your suggestion. Let me be entirely frank about this, as I am sure you would expect me to be. The situation at the Durban Consulate poses problems for each of us and the public dimension is a particularly difficult one. I feel bound to add that the action you have taken over the Armscor case makes the position more difficult. You will know that we have publicly stated that we cannot

Enclosures-flag(s).....

CONFIDENTIAL

/become

become involved as intermediaries between the six in the Consulate and the South African Government. We take the view that it is for the six to negotiate with the South African Government and for the latter to create conditions under which the six will feel able to leave the Consulate voluntarily. I am rather concerned that a sudden visit by Mr Botha to see me would heighten public speculation that some sort of deal was about to be negotiated. It would I think be difficult for both Governments to communicate effectively in the full glare of the publicity which would inevitably flow from such a visit.

I wonder therefore whether it might not be better if we were to proceed through the exchange of confidential messages. I would not want to raise false expectations but I would find it very helpful if, as a first step, you could give me a clearer indication of your thinking.

Because of the intense media interest here, I think it would be best if you could ask your Ambassador to deliver your reply to my Private Secretary. A personal meeting between me and Dr Worrall at this stage might give rise to the same difficulties as a meeting between me and Mr R F Botha. This does not, of course, indicate any lessening of my concern. It is simply that we both have to show great delicacy in the way we handle this issue.

CONFIDENTIAL

Message to Botha.

Foreign and Commonwealth Office

London SW1A 2AH

29 September 1984

Charles Powell Esq  
Number 10 Downing Street

Prime Minister

Dear Powell,

There is another thought: a visit by  
Pik Botha next week risks distracting  
public attention from the Labour  
Party impaling itself on the issue  
of picket line violence

## SITUATION AT THE DURBAN CONSULATE

1. As Tony Reeve mentioned to you on the telephone, the South African Foreign Minister, Mr R F Botha, telephoned Lady Young today. He said that he had been asked by President Botha to seek a meeting with the Prime Minister at which he would deliver a personal message from the President and discuss "methods and ideas to get out of the impasse". Mr Botha said that, if the Prime Minister agreed, he could travel to London on 1 October for a meeting on 2 October.
2. Lady Young has consulted the Foreign Secretary who thinks that such a meeting would create difficulties for us, even though it will be awkward to refuse. It seems probable that Mr Botha will wish to propose a deal whereby the Customs and Excise would drop the court proceedings against the four South African defendants in the Armscor case in return for which the South African Government would lift the detention orders which they wish to serve on the six. Even if the proposal does not take this form, it is likely to involve concessions on our part which we would find unacceptable.
3. Moreover, we have publicly stated that we will not act as intermediaries between the six and the South African Government. A meeting between the Prime Minister and Mr Botha would be bound to fuel speculation that we were negotiating some sort of deal with the South Africans. Mr Botha's visit would also attract fierce criticism from the Anti-Apartheid Movement and its supporters.
4. The Foreign Secretary therefore considers that it might be best for the Prime Minister to send a personal message to President Botha which would set out frankly her reservations about a meeting and seek to explore his thinking. This approach might serve to head off a visit by Mr Botha. It would also go some way to meet the South African complaint that President Botha has been refused direct access to her.

CDD

/I attach

CONFIDENTIAL





CONFIDENTIAL

2

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5. I attach the draft of a letter which the Prime Minister might send to President Botha. I suggest that, if the Prime Minister is content, the message might be sent by telegram to the Chargé d'Affaires at Pretoria for delivery to President Botha's office, if possible on 30 September.

*Yours ever,*

*Robert Barnett*

---

R W BARNETT  
APS/Lady Young

CONFIDENTIAL

CONFIDENTIAL

DSR 11 (Revised)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM  
PRIME MINISTER

Reference

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

HE PRESIDENT P W BOTHA

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Janet Young has told me of your proposal to send your Foreign Minister to London for a talk with me.

CAVEAT.....

Let me first assure you that I am following events in Durban very closely and have been personally involved from the outset. I know you were disappointed that I was unable to see your Ambassador when he requested an appointment. My programme that week was extremely tight. Ambassador Worrall will, I hope, have explained that a personal message from you, had it been delivered to a Foreign Office Minister or to my Private Secretary, would have received my immediate attention.

I have given some thought to your suggestion. Let me be entirely frank about this, as I am sure you would expect me to be. The situation at the Durban Consulate poses problems for each of us and the public dimension is a particularly difficult one. <sup>Added</sup> ~~I feel bound~~ <sup>to that</sup> ~~to add that the~~ <sup>decision</sup> ~~action~~ you have taken over the Armscor case makes the position more difficult. You will know that we have publicly stated that we cannot

Enclosures-flag(s).....

CONFIDENTIAL

/become

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 Consulate and the South African Government. We take  
 the view that it is for the six to negotiate with the  
 South African Government and for the latter to create  
 conditions under which the six will feel able to  
~~and I hope that they will not~~  
 leave the Consulate voluntarily. I am rather concerned  
 that a sudden visit by Mr Botha to see me would  
 heighten public speculation that some sort of deal  
 was about to be negotiated. It would I think be  
 difficult for both Governments to communicate  
 effectively in the full glare of the publicity which  
 would inevitably flow from such a visit.

and I hope that  
 that will be soon

I wonder therefore whether it might not be ~~better~~  
~~with~~  
 if we were to proceed through the exchange of  
 confidential messages. I would not want to raise false  
 expectations but I would find it very helpful if, as a  
 first step, you could give me a clearer indication of  
 your thinking.

It seems that nothing positive  
 could result and it would be  
 better therefore  
 not to embark  
 on such a visit

Because of the intense media interest here,  
 I think it would be best if you could ask your  
 Ambassador to deliver your reply to my Private  
 Secretary. A personal meeting between me and Dr  
 Worrall at this stage might give rise to the same  
 difficulties as a meeting between me and Mr R F Botha.  
 This does not, of course, indicate any lessening of my  
 concern. It is simply that we both have to show great  
 delicacy in the way we handle this issue.

I believe there would  
 be a risk that nothing  
 positive could emerge  
 which might leave us

both  
 worse off than  
 before

**IMMEDIATE**

PS (2)

CARTLEDGE  
MR A J S GOODALL  
CABINET OFFICE

PS/MT RIFKIND  
PS/LADY Young  
PS/PUS

PS/NO: 10 DOWNING STREET

~~SIR J LEAHY~~

MR. JOHNSON

MR ~~ADAMS~~ O'NEILL

ED/SAPD

ED/CAFD

ED/UND

ED/NEWS D  
HD/CONSULAR  $\Delta$

MR. FREELAND LEGAL ADV. Rm. WH216

CONFIDENTIAL

FM PRETORIA 280936Z SEP 84

TO IMMEDIATE FOO

TELEGRAM NUMBER 436 OF 28 SEPTEMBER

INFO IMMEDIATE UKMIS NEW YORK, WASHINGTON

MY TELNO 432 : SITUATION IN THE DURBAN CONSULATE

SUMMARY

1. OUR EFFORTS TO GET THE SIX TO LEAVE VOLUNTARILY MAY BE HELPED BY THE REQUIREMENT FOR TWO OF THEM TO APPEAR IN COURT NEXT TUESDAY IN PROCEEDINGS NOT RELATED TO THE DETENTION ORDERS. THEY MAY AGREE TO LEAVE ON MONDAY.

DETAIL

2. NAUDE VISITED THE SIX FOR 30 MINUTES LAST NIGHT AND SPOKE TO THEM AGAIN THIS MORNING. HE HAS TOLD THE PRESS THAT HIS VISIT WAS TO SHOW SOLIDARITY WITH THE SIX AND TO EXPRESS HIS OPPOSITION TO DETENTION WITHOUT TRIAL. IT SEEMS POSSIBLE, HOWEVER, THAT IN PRIVATE DISCUSSION HE MAY HAVE SOUGHT TO BE HELPFUL IN RESOLVING THE PROBLEM. WE EXPECT THAT HE WILL BE MAKING CONTACT WITH US LATER TODAY.

3. A MEMBER OF THE NIC, DR MEER, WHO ACCOMPANIED NAUDE ON HIS VISIT THIS MORNING TOLD OUR CONSUL THAT THE NIC WERE WELL AWARE



*me*

VISIT THIS MORNING TOLD OUR CONSUL THAT THE NIC WERE WELL AWARE OF OUR DIFFICULTIES AND THAT THEY WOULD BE CONSIDERING THEIR POSITION DURING THE WEEKEND.

4. ARCHER HAS SINCE THEN SPOKEN AGAIN TO COOVADIA. COOVADIA SAID THAT IT HAD PROVED IMPOSSIBLE TO GET THE NIC EXECUTIVE TOGETHER YESTERDAY EVENING BECAUSE THEY WERE DISPERSED THROUGHOUT DURBAN ATTENDING PRAYER MEETINGS, TWO OF WHICH HAD BE VISITED BY DR LAUDE. HE RECOGNISED THAT WE WANTED THE SIX TO MAKE AN IMMEDIATE DECISION. HE HOPED THAT THE NIC EXECUTIVE WOULD BE TOGETHER TODAY AND WOULD BE CONTACTING US LATER THIS AFTERNOON. THE REPRESENTATIONS BEING MADE IN NEW YORK WERE NOT A MAJOR FACTOR IN WHETHER THE SIX WOULD LEAVE OR NOT. THEIR SOLE PROBLEM WAS WHETHER THEY SHOULD LEAVE THE CONSULATE WHEN THEY COULD NOT BE CERTAIN WHAT WOULD HAPPEN TO THEM AS SOON AS THEY STEPPED OUT OF THE BUILDING. AN ADDITIONAL CONSIDERATION WAS THAT TWO OF THE SIX, SENPERSADH AND NAIDOO, WERE DUE TO APPEAR IN THE DURBAN COURT ON TUESDAY IN A RESUMED HEARING ON CHARGES RELATED TO THEIR ACTIVITIES LAST NOVEMBER IN DEMONSTRATIONS DURING A POLITICAL RALLY. THEY WERE AWARE THAT IF THEY FAILED TO APPEAR THEY MIGHT BE SUBJECT TO ARREST. ARCHER COMMENTED THAT WE WOULD NOT WANT TO BE PUT INTO A POSITION WHERE WE MIGHT BE OBSTRUCTING COURT PROCEEDINGS. COOVADIA TOOK NOTE OF THIS AND SAID THAT THE EXECUTIVE WOULD CONSIDER THIS TOGETHER WITH OUR OTHER REPRESENTATIONS ABOUT OUR POSITION.

5. WE INFER FROM THE NIC REACTION AND EARLIER CONTACTS WITH THEIR LEGAL REPRESENTATIVES THAT THE SIX MAY BE HOPING THAT A COURT JUDGEMENT ON THEIR APPLICATION AGAINST THE DETENTION ORDERS WILL BE DELIVERED NEXT MONDAY AND THAT THEY WISH TO DEFER ANY MOVE IN CASE THIS IS FAVOURABLE. (WE HAVE HOWEVER HAD UNSUBSTANTIATED RUMOURS THAT THE DECISION WILL BE DELAYED UNTIL MID-OCTOBER). A DECISION, IF FAVOURABLE, WOULD MAKE IT LESS LIKELY THAT THEY WOULD BE ARRESTED IMMEDIATELY ON LEAVING THE CONSULATE. ANY AGREEMENT THAT THEY WILL LEAVE VOLUNTARILY MAY THEREFORE BE DELAYED UNTIL THE BEGINNING OF NEXT WEEK BUT THERE ARE SIGNS THAT THE SIX THEMSELVES RECOGNISE THAT IT WILL NOT BE PRACTICABLE TO STAY MUCH LONGER.

6. WE ARE TRYING TO CONTACT THE SIX'S LEGAL ADVISERS AGAIN TO TALK ABOUT THE RELEVANCE OF THE TUESDAY COURT HEARING.

TOLKIN



FILE  
cc: PC  
(6)

10 DOWNING STREET

*From the Private Secretary*

28 September, 1984

BRITISH CONSUL IN DURBAN

Thank you for your letter of 27 September about conditions for the British Consul in Durban.

The Prime Minister was grateful for this report.

(C.D. Powell)

C. Budd, Esq.,  
Foreign and Commonwealth Office.

de



PRIME MINISTER  
INDIA

PRIME MINISTER'S  
PERSONAL MESSAGE  
SERIAL No. T.165 A/84.

New Delhi,  
September 27, 1984.

*Dear Prime Minister*

The "elections" in South Africa are over. The very basis on which they were held was rejected by the overwhelming majority of the non-White electorate. The so-called constitutional reforms of the South African Government did not indicate any change in its policy of apartheid. The Non-aligned Movement has always been exercised about South Africa's apartheid. It is good that the recent ministerial meeting of the EEC spoke out against such discriminatory racial policies and expressed concern over the detention of those who opposed the South African regime.

I am writing now in regard to the aftermath of the elections. I am anxious about a matter of some immediacy, which is worrying others also.

... 2

Six activists of the Natal Indian Congress and the United Democratic Front sought and were kindly given refuge by the British Consulate in Durban. I was glad to note your Government's statement that these activists would not be turned over to the South African Government against their wishes. I hope that no pressure from the South African regime to change this decision will be tolerated. In view of your Government's and your personal commitment, perhaps you could impress upon the South African Government that they should show some consideration, and if possible, clemency, to these persons.

*With regards*

*Indira Gandhi*

The Rt. Hon. Margaret Thatcher,  
Prime Minister of the United Kingdom,  
10, Downing Street,  
London.



*Subject*

**PRIME MINISTER'S**

**PERSONAL MESSAGE**

SECRET

*cc Maslov  
OPS*

**SERIAL No. T165 A184**

Text of letter dated September 27, 1984  
from the Prime Minister of India,  
Shrimati Indira Gandhi to the Prime Minister  
of the United Kingdom, The Rt. Hon. Margaret  
Thatcher.

-----

New Delhi  
September 27, 1984

Dear Prime Minister,

The "Elections" in South Africa are over. The very basis on which they were held was rejected by the overwhelming majority of the non-white electorate. The so-called constitutional reforms of the South African Government did not indicate any change in its policy of apartheid. The Non-Aligned movement has always been exercised about South Africa's apartheid. It is good that the recent ministerial meeting of the EEC spoke out against such discriminatory racial policies and expressed concern over the detention of those who opposed the South African regime.

I am writing now in regard to the aftermath of the elections. I am anxious about a matter of some immediacy, which is worrying others also.

Six activists of the Natal Indian Congress and the United Democratic Front sought and were kindly given refuge by the British Consulate in Durban. I was glad to note your Government's statement that these activists would not be turned over to the South African Government against their wishes. I hope that no pressure from the South African regime to change this decision will be tolerated. In view of your Government's and your personal commitment, perhaps you could impress upon the South African Government that they should show some consideration, and if possible, clemency, to these persons.

With regards,

INDIRA GANDHI

SOUTH AFRICA

subject

PRIME MINISTER

PERSONAL MESSAGE

SERIAL NO. 1152/15

RECEIVED  
3 OCT 1984

Text of letter dated 27 October 1984 from the Prime Minister of the United Kingdom, Mr. Margaret Thatcher.

27 October 1984

Dear Prime Minister,

The "elections" in South Africa, the very basis on which they were held was rejected by the the overbearing majority of the non-white of the South African Government and its not in line with any concept of the policy of apartheid. The non-aligned movement has always been explicit about South Africa's apartheid. It is not that the present Ministerial meeting of the IEC spoke out against such discriminatory racial policies and expressed concern over the decision of those who opposed the South African regime.

I am writing you in regard to the effectiveness of the elections. I am anxious about a number of some irregularity, which is contrary to the spirit of the

Six activists of the Natal Indian Congress and the United Democratic Front sought and were granted given refuge by the British Consulate in Durban. I was glad to note your Government's statement that these activists would not be turned over to the South African Government against their wishes. I hope that no pressure from the South African regime to end this decision will be tolerated. In view of your Government's and your personal commitment, perhaps your own forces upon the South African Government that they should show some restraint, and if possible, cooperate in the separation.

Yours faithfully,  
John Gubbins

CONFIDENTIAL

Prime Minister (2)



Foreign and Commonwealth Office 27/9.

London SW1A 2AH

27 September 1984

Shawley on  
mt

Dear Charles,

The British Consul in Durban

In your letter of 25 September you reported that the Prime Minister was concerned about HM Consul in Durban. The Embassy have since told us that he is in good physical shape; they have warned him that he must pace himself very carefully. He has with him someone from the Embassy (Mr Gooch) and they take it in turns to sleep at the Consulate. They also have a room in a nearby hotel where they can go for a bath and a rest.

Davey and Gooch have cushions and blankets to make up a bed on the floor at night. It has been decided not to take in a folding bed since this might make it harder to resist similar demands by the six.

The Embassy are conscious that they must do whatever they can to alleviate the discomfort created for Davey and his staff. The priority is to give them as many opportunities as possible to get out of the building and to relax. In present circumstances however there are clear limits to what can be done without risking reaction from the six and their supporters.

Yours ever,

Colin Budd

(C R Budd)  
Private Secretary

C D Powell Esq  
10 Downing Street

CONFIDENTIAL

South Africa: Relations. P. 3.

London and Cambridge, U.K.

1957



PS (2)

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MR ~~ADAMS O'NEILL~~

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MR FREELAND LEGAL ADV. Rm. WE216

RESIDENT CLERK

IMMEDIATE

CONFIDENTIAL

DESKBY 271900Z

FM PRETORIA 271700Z SEPT 1984

TO IMMEDIATE FCO

TELNO. 432 OF 27TH SEPTEMBER 1984

AND TO IMMEDIATE UKMIS NEW YORK

INFO SAVING JOHANNESBURG, DURBAN

UKMIS NEW YORK TELNO 944 AND CONVERSTATION ARCHER/THORPE:

THE SITUATION IN DURBAN

1. SUMMARY

1. WE ARE INCREASING EFFORTS TO PERSUADE THE SIX TO LEAVE VOLUNTARILY.

DETAIL

2. WE HAVE BEEN TRYING THROUGH VARIOUS CONTACTS DURING THE DAY TO INCREASE PRESSURE ON THE SIX TO MAKE A DECISION TO LEAVE THE CONSULATE VOLUNTARILY.

3. MRS JANA, THE INSTRUCTING SOLICITOR FOR THE SIX HAS TOLD ARCHER IN STRICT CONFIDENCE THAT BOTH SHE AND THEIR SENIOR ADVOCATE RECOMMENDED TO THE SIX YESTERDAY THAT THEY SHOULD LEAVE THE CONSULATE WITHOUT WAITING FOR A COURT DECISION. THE LEGAL TEAM APPEAR TO HAVE BEEN INFLUENCED BY OUR REPRESENTATIONS TO THEM ABOUT OUR INCREASING DIFFICULTIES AND THE NEED FOR CAREFUL CONSIDERATION OF WHAT WOULD BE CORRECT ACTION NOW THAT THE NATAL COURT HAD HEARD THE APPLICATION BY THE SIX. MRS JANA IS VERY ANXIOUS THAT HER CONFIDENCE SHOULD BE RESPECTED AS THE QUESTION OF CONFIDENCE BETWEEN CLIENTS AND LEGAL REPRESENTATIVES IS INVOLVED. SHE SAID THAT THE DISCUSSIONS YESTERDAY HAD BEEN VERY DIFFICULT. IT HAS SEEMED

THE DISCUSSIONS YESTERDAY HAD BEEN VERY DIFFICULT. IT HAS SEEMED INITIALLY THAT THE SIX MIGHT ACCEPT THE ADVICE BUT THEY ASKED FOR TIME TO THINK THEIR POSITION OVER AND SUBSEQUENTLY IT BECAME CLEAR THAT THEY WERE NOT PREPARED TO ACCEPT THE ADVICE OF THE LEGAL TEAM. MRS JANA SAID THAT SHE STRONGLY SUSPECTED THAT THEY HAD RECEIVED CONTRARY ADVICE FROM ELSEWHERE IN DURBAN BUT SHE WAS NOT PREPARED TO SUGGEST WHERE THIS WOULD HAVE COME FROM. THIS IS POSSIBLE. A MEMBER OF THE DURBAN NIC WAS WITH THE LEGAL TEAM. SHE THOUGHT HOWEVER THAT THE SIX WERE NOW THINKING VERY SERIOUSLY ABOUT THEIR POSITION AND THAT THE TIME MIGHT HAVE COME FOR US TO TRY TO MAKE OUR OWN EFFORTS TO GET THEM TO DECIDE TO LEAVE. SHE THOUGHT THAT THEY MIGHT VERY WELL LEAVE ONCE THE COURT'S DECISION WAS ANNOUNCED, IRRESPECTIVE OF WHAT THE FINDING WAS. IT WAS MUCH LESS LIKELY THAT THEY WOULD AGREE TO GO EARLIER. THE INCREASED PUBLICITY SURROUNDING PIK BOTHA'S INTERVENTION MIGHT HAVE PERSUADED THEM OR THOSE ADVISING THEM IN DURBAN THAT THERE WAS BENEFIT IN REMAINING.

4. DURING THE COURSE OF THIS AFTERNOON I WAS INFORMED THAT BEYERS NAUDE WOULD BE TRAVELLING TO DURBAN THIS EVENING AND THAT HE INTENDED TO CALL AT THE CONSULATE. I THEREFORE SPOKE TO HIM IMMEDIATELY TO OBTAIN CONFIRMATION OF HIS PLANS. WE TOOK THE OPPORTUNITY TO TELL HIM THAT WE HAD BEEN TRYING TO MAKE THE SIX UNDERSTAND THE INCREASING DIFFICULTIES IN OUR SITUATION. HE SAID THAT HE WAS GRATEFUL FOR OUR BRIEFING AND UNDERSTOOD OUR POSITION. DAVEY WILL MAKE ARRANGEMENTS TO ADMIT HIM TO THE CONSULATE WHEN HE ARRIVES THERE LATER THIS EVENING.

5. THE HEAD OF CHANCERY HAS SUBSEQUENTLY SPOKEN TO COOVADIA OF THE NIC IN DURBAN TO SAY THAT WE ARE ANXIOUS THAT THE SIX SHOULD UNDERSTAND OUR POSITION AND OUR DIFFICULTIES, THAT OUR STAFF IN THE CONSULATE HAVE FORMED THE IMPRESSION THAT THE SIX ARE PERHAPS IN THE PROCESS OF MAKING A DECISION AND THAT WE WONDER WHETHER THEY WILL NOT CONCLUDE THAT THEY SHOULD LEAVE VOLUNTARILY WITHOUT FURTHER DELAY. COOVADIA CONFIRMED THAT HE UNDERSTOOD OUR PROBLEMS. ARCHER ASKED WHO WAS GUIDING THE SIX. COOVADIA SAID THAT IN THE END THEY MADE THEIR OWN DECISION BUT THE EXECUTIVE COMMITTEE OF THE NIC IN DURBAN HAD BEEN MEETING REGULARLY AND OFFERING ADVICE.

6. WE HAVE POINTED OUT TO COOVADIA THAT BEYERS NAUDE'S ARRIVAL AT THE CONSULATE WILL ATTRACT A LOT OF PUBLICITY. THE BRITISH POSITION WAS UNCHANGED. WE WERE NOT PUTTING ON ANY PRESSURE BUT WE WONDERED WHETHER THIS WOULD BE A GOOD TIME FOR THE SIX TO LEAVE. COOVADIA TOOK THE POINT AND IS CURRENTLY CONSULTING THE NIC EXECUTIVE.

7. WE ARE NOT OPTIMISTIC THAT OUR ACTION WILL LEAD TO ANY IMMEDIATE DECISION THAT THE SIX SHOULD LEAVE AND WE DO NOT KNOW WHETHER NAUDE'S VISIT WILL BE HELPFUL OR COUNTER-PRODUCTIVE ALTHOUGH WE ARE SURE THAT HE WILL ACT IN GOOD FAITH AND BELIEVE THAT HE WILL NOT DO ANYTHING TO MAKE OUR POSITION MORE DIFFICULT.

TONKIN

UNITED  
NATIONS**A**

## General Assembly

Distr.  
LIMITEDA/39/L.2  
26 September 1984

ORIGINAL: ENGLISH

Thirty-ninth session  
Agenda item 31POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICABotswana: draft resolutionSituation in South AfricaThe General Assembly,

Recalling its resolution 38/11 of 15 November 1983 and Security Council resolution 554 (1984) of 17 August 1984, which declared the so-called "new constitution" a further entrenchment of apartheid,

Recalling in particular that Security Council resolution 554 (1984) rejected the so-called "new constitution" and declared it null and void,

Also recalling that the said resolutions warned that the imposition of the so-called "new constitution" by the racist régime in South Africa would "further aggravate the already explosive situation prevailing inside apartheid South Africa",

Further recalling its various resolutions and those of the Security Council calling upon the authorities in South Africa to abandon apartheid, to end oppression and repression of the black majority and to seek a peaceful, just and lasting solution in accordance with the principles of the Charter of the United Nations and the Universal Declaration of Human Rights, 1/

Aware that the majority of the oppressed people of South Africa have decisively rejected the so-called "new constitution" and that the recent demonstrations, strikes and mass uprisings inside apartheid South Africa by the oppressed people directly emanate from the imposition of the so-called "new constitution",

1/ Resolution 217 A (III).

A/39/L.2  
English  
Page 2

④ Commending the united resistance of the oppressed people of South Africa against the imposition of the so-called "new constitution" and recognizing the legitimacy of their struggle to eliminate apartheid and establish a society based on majority rule with equal participation by all the people of South Africa, irrespective of race, colour or creed,

Alarmed by the aggravation of the situation in South Africa, in particular the wanton killing and the maiming of defenceless demonstrators and workers on strike as well as the imposition of virtual martial law conditions intended to facilitate the brutal repression of the black population,

Deeply concerned over the wave of new arbitrary arrests and detention of leaders and activists of mass organizations inside the country, as well as the closure of several schools and universities,

Convinced that South Africa's continued defiance of United Nations resolutions and its imposition of the rejected so-called "new constitution" will inevitably lead to further escalation of the already explosive situation in South Africa and will have far-reaching consequences for southern Africa and the world,

1. Reiterates its rejection of the so-called "new constitution" as null and void;

2. Declares that the current wave of violence and killing of defenceless demonstrators and striking workers is the direct consequence of the imposition of the so-called "new constitution" by the South African racist régime;

3. Condemns the South African racist régime for defying relevant resolutions of the United Nations and persisting with the further entrenchment of apartheid, a system declared a crime against humanity and a threat to international peace and security;

4. Further condemns the continued massacre of the oppressed people, as well as the arbitrary arrest and detention of leaders and activists of mass organizations and demands their immediate and unconditional release;

5. Rejects any so-called "negotiated settlement" based on bantustan structures or on the so-called "new constitution";

6. Reaffirms that only the total eradiction of apartheid and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and unfragmented South Africa, can lead to a just and lasting solution of the explosive situation in South Africa;

7. Urges all Governments and organizations to take appropriate action, in co-operation with the United Nations and the Organization of African Unity and in accordance with the present resolution, to assist the oppressed people of South Africa in their legitimate struggle for national liberation;



8. Requests the Security Council, as a matter of urgency, to consider the serious situation in South Africa emanating from the imposition of the so-called "new constitution" and to take all necessary measures, in accordance with the Charter of the United Nations to avert the further aggravation of tension and conflict in South Africa and in southern Africa as a whole.

-----



Prime Minister

Foreign and Commonwealth Office

London SW1A 2AH

COP.

In substance our position is a weak one, though factually we are well placed. I think we can sustain our position for some days yet. But if

25 September 1984

Dear Charles, that doesn't produce a solution, we shall have to consider alternatives.

COP 25/4.

Situation at the Durban Consulate

A / FCO telno 475 to UKMis New York (enclosed) records the main points arising from Lady Young's discussion with the South African Ambassador on 24 September. The South African Minister subsequently called at the FCO at 2200 last night and handed over a further aide memoire, the text of which I enclose. I also enclose the text of a statement which we issued late last night, in response to the South African decision to publish the texts of the written exchanges between the two Governments.

D Following last night's exchanges Lady Young summoned the South African Ambassador this afternoon. I enclose a copy of the telegram reporting what transpired. The meeting was a useful opportunity to restate our view that there is no connection between the action the South Africans have taken over the Armscor case and the situation at the Consulate, and to reaffirm our position: that the six should not be required to leave the Consulate premises against their will and that it would not be right for HMG to act as an intermediary between the six and the South African Government. Dr Worrall took all this calmly and, rather surprisingly, did not press his Government's legal case. He told Lady Young in strictest confidence (but with the authority of his Foreign Minister) that if, as he put it, the situation in South Africa was relatively normal tomorrow, the South African Government would begin the process of releasing those detained during the recent disturbances. In the corridor afterwards he added that the releases could include some of the six men in the Consulate (who are, of course, among that group), but he would not be drawn further. We have no means at this stage of knowing how much weight to attach to his remarks.

X In acting as they have done over the Armscor defendants, the South African Government has put itself in a weak position; and we see tactical value in concentrating public attention on this point. That said we doubt whether it would be right to escalate the dispute at this stage. If the South Africans themselves choose to do so we would be able to delay Mr Moberly's departure for Pretoria (he plans to leave London

/on



on 7 October) or conceivably to take exemplary action against some members of the South African Embassy. But since there are few options available to us it seems best to hold these sanctions in reserve for the present.

*1/E*  
 In your letter of 24 September you recorded the Prime Minister's concern about the legal issue. I attach a short note on this prepared by our Legal Advisers. You will see that there was some justification for our initial unwillingness to evict the six but that in current circumstances the legal case is a weak one.

The South Africans have not so far accused us of allowing the six to engage in political activities (paragraph 2 of your letter). We would not accept that this is what the six are in fact doing, even if their lawyers, who are of course beyond our control, are doing so on their behalf.

*But we did not receive a legal opinion before we consulted our lawyers without hindrance*  
 The legal arguments must of course be set in the political context. Within two hours of the six entering the Consulate we received a very large number of requests from Members of Parliament and the public that we should not hand the six over to the South African authorities. Only two weeks before this incident we had expressed our concern to the South African Government about those detained (including the six) in the period leading up to the elections. We had also subscribed to a strong statement by the Ten on 10 September about recent events in South Africa. To have compelled the six to leave the Consulate and accept detention without trial would have resulted in a considerable outcry, both in the UK and in the international community as a whole. As it is there is widespread understanding for our position and for the humanitarian motives which have underlain our whole approach to this problem. We continue to believe that our decision was the right one, and that any different course would have led to even greater difficulties. The political dilemma remains as it was on 13 September. Despite the awkwardness of the legal position, we must, in considering our policy, give due weight to the inhospitable nature of the South African system as it affects the six in the Consulate.

We shall, of course, continue the efforts we have made since the start to persuade them to leave voluntarily and without the use of force. As indicated in my letter of 24 September, we are already considering the main options open to us should the situation look like dragging on for a lengthy period.

*Yours ever,*  
 Colin Budd

(C R Budd)  
Private Secretary

C D Powell Esq  
 10 Downing Street

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OO UKMIS NEW YORK  
GRS 658  
CONFIDENTIAL

FM FCO 242000Z SEP 84  
TO IMMEDIATE UKMIS NEW YORK  
TELEGRAM NUMBER 475 OF 24 SEPTEMBER  
AND TO IMMEDIATE PRETORIA  
IMMEDIATE LILONGWE (FOR MR RIFKIND)  
FOLLOWING FOR SECRETARY OF STATE'S PARTY  
INCIDENT AT THE DURBAN CONSULATE

1. AS AGREED AT YESTERDAYS MEETING  
WITH THE SECRETARY OF STATE, LADY YOUNG  
SUMMONED THE SOUTH AFRICAN AMBASSADOR THIS AFTERNOON AND  
HANDLED OVER OUR AIDE MEMOIRE. TEXT OF FINAL VERSION IS IN  
MIPT. WORRALL WAS ACCOMPANIED BY EVANS.
2. COMMENTING ON THE SECOND PARAGRAPH OF THE AIDE MEMOIRES DR  
WORRALL SAID THAT HIS INSTRUCTIONS FOR HIS DISCUSSION WITH THE  
SECRETARY OF STATE ON 21 SEPTEMBER HAD BEEN TO OBTAIN A CLEAR STATE-  
MENT OF HMG'S ATTITUDE TO THE SOUTH AFRICAN AIDE MEMOIRE DELIVERED  
TO THE PUS ON 20 SEPTEMBER. HE HAD TAKEN THE SECRETARY OF  
STATE'S REPLY TO MEAN THAT OUR FURTHER STUDY OF THE AIDE  
MEMOIRE RELATED ONLY TO THE LEGAL POINTS. BUT HE THOUGHT THAT OUR RE-  
STATEMENT THAT WE COULD NOT ACT AS INTERMEDIARIES OR COMPEL THE  
SIX TO LEAVE THE CONSULATE AGAINST THEIR WILL IN EFFECT CONSTIT-  
CONSTITUTED OUR SUBSTANTIVE REPLY.
3. REFERRING TO THE LINKAGE BETWEEN THE SIX AND THE 'COVENTRY  
FOUR' (THE ARMSCOR CASE), WORRALL SAID THAT THERE WAS A  
CONNECTION HERE WITH THE LAST PARAGRAPH OF THE  
SECOND SOUTH AFRICAN AIDE MEMOIRE. THE MESSAGE WHICH HE  
WAS TO HAVE DELIVERED TO THE PRIME MINISTER FROM PRESIDENT  
BOTHA CONSTITUTED A 'FAR REACHING AND BOLD PROPOSAL' FOR  
SETTLING THE PROBLEM. HIS GOVERNMENT'S REACTION TO HIS REPORT  
OF HIS MEETING WITH THE SECRETARY OF STATE NEEDED TO BE SEEN  
AGAINST OUR REFUSAL TO ARRANGE A MEETING WITH THE PRIME

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/ MINISTER.

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MINISTER AT WHICH THIS PROPOSAL COULD HAVE BEEN TRANSMITTED.

4. WORRALL THEN REFERRED TO THE INCREASING PRESSURE ON HIS GOVERNMENT FROM ALL SIDES OF THE POLITICAL SPECTRUM. THE SITUATION WAS EXTREMELY DELICATE. THERE WAS TALK OF SIT-INS AT OTHER EMBASSIES AND CONSULATES. IT WAS UNLIKELY THAT THE NATAL SUPREME COURT WOULD HAND DOWN ITS DECISION TODAY. IF THE COURT CONCLUDED THAT THE DETENTION ORDERS WERE INVALID, THIS MIGHT 'LUBRICATE' THE SITUATION. IF NOT, FURTHER PROBLEMS WOULD BE CREATED. IN THIS SITUATION THE SOUTH AFRICAN GOVERNMENT'S POSITION LOOKED WEAK. THE FOREIGN MINISTER HAD MADE IT CLEAR THAT THEY WOULD NOT CLOSE DOWN THE CONSULATE BUT EQUALLY THEY WERE VERY RELUCTANT TO ENTER IT BY FORCE. WORRALL ADDED THAT ALTHOUGH HE HAD EXPLAINED THE GENESIS OF THE DECISION OVER THE COVENTRY FOUR, HE EXPECTED THAT THE LEGAL REASONING IN JUSTIFICATION OF THIS STEP WOULD BE SENT TO HIM SHORTLY. THE DECISION, HE SAID, HAD NOT BEEN TAKEN LIGHTLY AND HE PERSONALLY THOUGHT IT UNLIKELY THAT HIS GOVERNMENT WOULD RECONSIDER.

5. LADY YOUNG TOOK NOTE OF THESE REMARKS. SHE RESTATED OUR POSITION, EMPHASISING THAT THE SITUATION WAS NOT OF OUR MAKING. WE WOULD LIKE TO SEE CONDITIONS CREATED UNDER WHICH THE SIX WOULD BE PREPARED TO LEAVE THE CONSULATE OF THEIR OWN ACCORD. AS FAR AS THE MEETING WITH THE PRIME MINISTER WAS CONCERNED, THE SECRETARY OF STATE HAD CLEARLY EXPLAINED OUR POSITION.

6. EVANS REFERRED TO OUR REJECTION, AT PARAGRAPH THREE OF OUR AIDE MEMOIRE, OF THE ALLEGATION THAT OUR ATTITUDE AMOUNTED TO AN OBSTRUCTION OF THE ENFORCEMENT OF SOUTH AFRICAN LAW. HE ASKED HOW THIS COULD BE RECONCILED WITH OUR STATEMENT THAT WE WERE STILL GIVING CAREFUL STUDY TO THE FIRST SOUTH AFRICAN AIDE MEMOIRE: AND WITH OUR POSITION UNDER THE VIENNA CONVENTIONS. WE POINTED OUT THAT THE FACT THAT WE HAD EXPRESSED A VIEW ON ONE POINT WAS NOT INCONSISTENT WITH OUR STATEMENT THAT WE WERE STILL CONSIDERING THE COMPLETE TEXT. JOHNSON ADDED THAT WE THOUGHT THE SOUTH AFRICAN GOVERNMENT WAS QUITE WRONG TO SEEK TO

/justify.

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JUSTIFY UNILATERAL ACTION OVER THE COVENTRY FOUR BY REFERENCE TO THE SECRETARY OF STATE'S INTERIM RESPONSE.

7. IN CONCLUSION, WORRALL SAID THAT HE WAS ACUTELY CONSCIOUS OF THE ADVERSE EFFECT WHICH THE INCIDENT COULD HAVE ON OUR BILATERAL RELATIONS AND WAS TRYING TO MINIMISE THIS. LADY YOUNG AGREED AND SAID THAT THAT WAS WHY WE WERE ANXIOUS NOT TO WIDEN THE DISPUTE OR TO PUBLICISE IT.

HOWE

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SOUTHERN AFRICA

-3-

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## AIDE MEMOIRE

The South African Government has noted the contents of the British Government's Aide Memoire of 24 September 1984.

The South African Government finds it incomprehensible that the British Government can conclude that its refusal to either surrender the six persons in the British Consulate in Durban to the South African authorities or to allow the authorities to enter the Consulate in order to take them into custody, does not amount to an obstruction of the enforcement of law in South Africa. Furthermore, the British Government does not even attempt to justify its position or to address the arguments that have been advanced in the South African Aide Memoire of 20 September to the effect that the attitude of the British Government is clearly in conflict with customary international law as codified by the Vienna Convention on Consular Relations.

The South African Government fails to understand how the British Government can refer to the South African Government's Aide Memoire of 21 September as "purporting" to describe the British Government's position. If the description of the British Government's position is in any way inaccurate it would be reasonable to expect a substantiated statement of the reasons for any implied inaccuracy. The British Government's Aide Memoire contains no such statement.

As regards the South African Government's decision concerning its undertaking that the four South African nationals charged with infringing British Customs and Excise legislation would return to the United Kingdom to stand trial, it should be noted that the British Government's attitude in respect of the South Africans in the British Consulate has forced the South African Government either to enter the Consulate and take the men into custody, or to take action similar to that of the British Government and designed to reflect the South African Government's displeasure with the British Government's actions. The South African Government decided on the latter course.

The South African Government trusts that the British Government will seriously ponder over the consequences which its attitude might have on saboteurs and terrorists who in future might be encouraged to seek refuge from law-enforcement agencies in embassies and consulates around the world.

In the final paragraph of their Aide Memoire, Her Majesty's Government refer to the South African Ambassador's request, on the instruction of the South African State President, for an appointment with the British Prime Minister; and offers the assurance that the relevant message would have been conveyed to the British Prime Minister forthwith had it been delivered to her Private Secretary.

The South African Government does not doubt that the message would have been promptly conveyed, but Her Majesty's Government seem to miss the point. The South African Ambassador had instruction to seek an urgent and personal interview with the British Prime Minister, a meeting which in the opinion of the South African State



President was necessary in view of the urgency and gravity of the matter to be discussed. The nature of these matters, as stressed on two occasions by the Ambassador, was such that elaboration and elucidation would have been required, and the Ambassador would have been in a position to provide this.

The Foreign and Commonwealth Office will know that it is accepted practice in the conduct of international relations for a Head of Government to receive the Ambassador of another country when the assurance is given that the matter to be discussed warrants such a meeting. The South African Government has seldom, if ever, availed itself of this facility, but British Ambassadors to South Africa have often done so. In such circumstances the South African Government has never questioned the British Government's assessment of the urgency or gravity of the matters to be discussed.

In view of these considerations the South African Government considers the contents of the British Government's Aide Memoire of 24 September to be wholly unacceptable.

Regarding the South African Government's undertaking to a court in the United Kingdom, the South African Government wishes it to be known that it was at all times willing to meet its obligations in this respect until the British Government repudiated its own obligations in terms of international law and made it clear that it was not prepared to allow the enforcement in South Africa of legal provisions passed by the South African Parliament.

In any event, out of respect for British justice, the South African Government intends to explain fully to the relevant

court in the United Kingdom why it was compelled to consider itself absolved from its undertaking.

LONDON

24 September 1984

Statement by FCO spokesman : 25 September 1984

Since 20 Sept there have been a number of exchanges, initiated by the South African Government (SAG), about the situation in the Durban Consulate.

The position of the British Government throughout this incident has not changed: the six should not be required to leave the Consulate premises against their will and it would not be right for HMG to act as an intermediary between the six and the SAG.

The British Govt cannot accept that there is any justification for the action taken by the SAG over the four defendants in the Armscor case and HMG deplore the decision of the SAG, which involves going back on a clear undertaking given to a British court. Nor is there any link between this case and the situation at British Consulate in Durban.

HMG take the view that the best way to resolve that difficult problem is through negotiations between the six and SAG so that conditions are recreated whereby the six can leave the Consulate voluntarily.

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SAfD ✓

Mr Johnson

PS

PS/Lady Young

PS/PUS

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OUT TELEGRAM

	Classification and Caveats <b>CONFIDENTIAL</b>	Precedence/Deskby <b>IMMEDIATE</b>
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6 FM FCO  
7 IMMEDIATE UKMIS NEW YORK  
8 TELEGRAM NUMBER  
9 IMMEDIATE PRETORIA  
10 FOLLOWING FOR SECRETARY OF STATE'S PARTY: SITUATION AT THE  
11 DURBAN CONSULATE  
12 1. Lady Young summoned the South African Ambassador at 4.30 pm  
13 local time today. She told Dr Worrall that we had carefully  
14 studied the further aide memoire delivered by his Minister  
15 and the statement issued at the same time by his Foreign  
16 Minister. She reiterated our view that there could be  
17 no connection between the case of the Durban Consulate and  
18 the Armscor case. We looked to the South African Government  
19 to honour its undertaking to return the four defendants to  
20 the UK in October as they had committed themselves to do.  
21 2. ~~Lady Young said that~~ We were also concerned that the  
22 South African Government had decided to publish the four  
23 aide memoires. We could not prevent the South African  
24 Government from publishing its own aide memoires though we  
25 deplored this, but we took particular exception to the fact that

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File number	Dept SAFD	Distribution	
Drafted by (Block capitals) A Reeve		Southern Africa Standard SAFD PS/No 10 OADs MCAD UND NAD WED ECDs Soviet D EED	
Telephone number 233 5189		Mr Johnson Cabinet Office	
Authorised for despatch <i>CRB</i> 2579			
Comcen reference	Time of despatch		

OUT TELEGRAM (CONT)

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	IMMEDIATE

1 <<<<

2 they had published ours. This action was bound to be unhelpful.

3 We hoped that the situation could be contained but the

4 prospects had been damaged by these unilateral actions.

5 ~~the South African Government~~ *For example, he did not mention the layout*

6 3. Worrall was at pains to be conciliatory. *agreements.* He said that

7 he was not aware that our own aide memoire had ~~in fact~~ been

8 published. The South African action had to be seen in the

9 context of recent Cabinet discussions in which some Ministers

10 had been critical of the Government's foreign policies.

11 It had been necessary to react to these pressures.

12 The latest aide memoire had made clear that the South African

13 authorities did not intend to enter the Consulate. As

14 to our <sup>quote</sup> demand <sup>unquote</sup> for the return of the Armscor defendants,

15 he accepted Lady Young's point that this was primarily a

16 matter for the courts and undertook to pass ~~this~~ <sup>his request</sup> on to his

17 Government.

18 4. Worrall also said that Pik Botha would make a statement

19 this afternoon to "defuse the issue". (In fact, Botha's

20 remarks, as reported on the BBC, seem likely to have

21 the opposite effect.)

22 5. The most interesting point made by Worrall, which he said

23 he had been authorised <sup>by his Minister</sup> to pass on in the strictest confidence,

24 was that the South African authorities would tomorrow begin

25 the process of releasing some of those detained during

26 the recent disturbances "if the situation in South Africa

27 is relatively normal". When pressed by Johnson afterwards,

28 Worrall said that those released could include some of those

29 in the Consulate. He would not be drawn further and we have

30 no means of knowing whether this message is intended to

31 indicate that a possible concession to the six (and to HMG)

32 is in the offing.

33 6. On the appeal by the six, Worrall said that the verdict

34 could be handed down as early as tomorrow. Clearly, however, the

NNNN ends telegram	BLANK	Catchword bench
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OUT TELEGRAM (CONT)

Classification and Caveats

CONFIDENTIAL

IMMEDIATE

Page

3

1 <<<<

2 bench felt that this case was a "water mark". There was  
3 no means of knowing what the verdict would be though ~~the~~  
4 State counsel had expressed optimism.

5 7. On the Armscor case, Worrall hinted that the evidence  
6 might suggest that the four South African defendants had been  
7 victims of entrapment. Lady Young <sup>commented only</sup> ~~merely said~~ that  
8 they would, of course, be assumed innocent until proved  
9 guilty.

10 8. Worrall afterwards confirmed to Johnson that Pelser,  
11 the First Secretary, who had waived his immunity to stand  
12 surety for the four defendants, had left the UK. <sup>Worrall believed that he</sup> ~~she~~ would ~~be~~  
13 return ~~ing~~ shortly.

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Catchword

The Legal Aspects of the Situation at the Durban Consulate

1. Although the six men have not formally sought asylum (their lawyer has referred to 'sanctuary') and we have avoided using the word ourselves, we are harbouring our unwanted guests who have sought refuge in reliance on the inviolability of the consular premises. The inviolability of the premises is recognised as a factor both by ourselves and the South Africans. The situation as a matter of substance cannot therefore be distinguished from diplomatic asylum which "withdraws the offender from the jurisdiction of the territorial state and constitutes an intervention in matters which are exclusively within its competence" (I.C.J. in the Asylum case).
2. The law applicable in the present situation is therefore based on the same concepts as the law relating to diplomatic asylum (but see paragraph 7 below).
3. There is no general right to seek or grant asylum in diplomatic or consular premises. Exceptions may exist under treaty or local custom, neither of which is relevant in the present instance, or where there are extreme humanitarian grounds (where life, person or liberty is seriously and imminently imperilled in some extra-legal manner). There is some margin for appreciation in this last case but the existence of such circumstances was not, so far as we are aware, alleged by the six at the time they entered the consulate.
4. At the time the six entered the consulate, they did not ask for asylum (the request for sanctuary came later in the day). The situation therefore was not one on which the rules set out above would immediately apply. It was not unreasonable to refrain from evicting them, particularly having regard to the human rights aspects. With the passage of time, however, in particular when their refuge in the consulate became an issue with the South Africans, it has become increasingly difficult to contest the application of the general rule as to asylum.

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5. Asylum, if granted, is only temporary and once the circumstances justifying the grant of asylum have ceased to exist, there is no legal excuse for further protecting the refugee.

6. The ability to give asylum is a consequence of the inviolability of the premises concerned. If the asylum cannot be justified, the granting of refuge (which is no part of a diplomatic or consular function) is an abuse of the inviolability. An abuse of inviolability does not necessarily give the authorities of the receiving state the right to disregard the inviolability.

7. However, there is a distinction between the inviolability of the premises of a diplomatic mission, which is unqualified, and that of a consulate which (according to Art 31 of the Vienna Consular Convention) is limited, the authorities of the receiving state being restricted from entering "the part of the consular premises which is used exclusively for the purpose of the work of the consular post .....". Although we would not accept that the authorities of the receiving state are competent to decide for themselves which part of consulate premises are so used, the qualification of the inviolability gives them the possibility of effecting an entry to parts of the consular premises and at the same time denying any infringement of inviolability.



SOUTHERN AFRICA: ADVANCE COPIES 14

PS

PS/Mr RIFKIND

PS/PUS

~~SIR J LEAHY~~

MR. JOHANSON

MR ADAMS O'NEILL

MR BARRINGTON

HD/SAFD

HD/CAFQ

HD/UND

HD/NEWS D

HD CONS D

MR. FREELAND LEGAL ADV. Rm. WH216

~~RESIDENT CLERK~~

CARTLEBSSE  
MR A J S GOODALL  
CABINET OFFICE

PS/NO. 10 DOWNING STREET



IMMEDIATE

CONFIDENTIAL

FROM PRETORIA 251100Z  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 416 OF 25 SEPTEMBER 1984

INFO IMMEDIATE UKMIS NEW YORK (FOR SECRETARY OF STATE'S PARTY)  
LILONGWE (FOR MR RIFKIND)

YOUR TEL NO 475 TO UKMIS NEW YORK: INCIDENT AT THE DURBAN CONSULATE

SUMMARY

1. THE SOUTH AFRICANS AT OFFICIAL LEVEL ARE ACUTELY AWARE OF THE SERIOUS DIFFICULTIES WHICH YESTERDAY'S OUTBURST BY PW AND PIK BOTHA HAVE CAUSED. THEY ARE NONETHELESS ANXIOUS FOR US TO TALK TO THEM.

DETAIL

2. WHEN I CALLED ON FRANKLIN, DIRECTOR FOR EUROPE, ON ANOTHER MATTER THIS MORNING, OUR CONVERSATION INEVITABLY MOVED TO THE LATEST DEVELOPMENTS.
3. FRANKLIN (WHO HAS CLEARLY BEEN DRAFTING THE INSTRUCTIONS TO WORRALL) SAID THAT THE THREE ISSUES WHICH HAD UPSET PW AND PIK BOTHA MORE THAN ANYTHING HAD BEEN:
  - (A) THE REFUSAL TO ARRANGE A MEETING WITH THE PRIME MINISTER AT WHICH WORRALL COULD HAVE PRESENTED PERSONALLY P W BOTHA'S PROPOSAL WHICH MIGHT WELL HAVE REQUIRED ADDITIONAL ORAL ELABORATION.

HAVE REQUIRED ADDITIONAL ORAL ELABORATION.

- (B) THE INCREASINGLY POLITICAL SENSITIVITY OF THE DURBAN SIT-IN, WHICH WAS CAUSING P W BOTHA ACUTE DOMESTIC EMBARRASSMENT.
- (C) THEIR PERCEPTION OF THE STRENGTH OF THEIR LEGAL CASE ON THE QUESTION OF ASYLUM AND ENFORCEMENT OF SOUTH AFRICAN LAW.

FRANKLIN ADDED THAT PIK BOTHA WOULD HAVE BEEN PREPARED TO FLY TO BRITAIN TO MEET THE PRIME MINISTER IN THE COMPANY OF WORRALL.

- 4. FRANKLIN SAID THAT HE REALISED THAT THE LATEST EVENTS COULD HAVE A SERIOUSLY ADVERSE EFFECT ON RELATIONS. HE TOUCHED ON THE ARMSCOR CASE AND I EXPLAINED THAT WE HAD IN FACT GIVEN VERY CAREFUL CONSIDERATION TO PIK BOTHA'S REPRESENTATIONS TO ME ON 28 AUGUST AND THAT I WOULD ALREADY HAVE REPLIED IN DETAIL TO SOUTH AFRICAN CONCERNS HAD THE DURBAN INCIDENT NOT ARISEN. ADDING THAT I HAD NO SPECIFIC INSTRUCTIONS AT THIS STAGE, I DREW ON THE ARGUMENTS IN FCO TEL NO 199 IN RESPONSE TO FRANKLIN'S SPECIFIC REQUEST TO CLARIFY THE ISSUES. FRANKLIN COMMENTED THAT IT WAS A PITY THAT WE HAD NOT BEEN ABLE TO SPEAK TO HIM BEFORE ABOUT THIS MATTER. I SAID THAT I EXPECTED TO RECEIVE INSTRUCTIONS TO PUT OUR POSITION ON THE RECORD IN THE NEAR FUTURE. I ALSO ROUNDLY REJECTED THE ASSERTION BY PIK BOTHA YESTERDAY EVENING THAT THE FOUR SOUTH AFRICANS MIGHT HAVE BEEN ENTICED TO BRITAIN (YOUR TEL NO 223) AND IN THIS I WAS SUPPORTED BY BOURKE FROM OUR CONSULATE-GENERAL IN JOHANNESBURG, WHO HAS FOUR YEARS OF LONDON EXPERIENCE IN DEALING WITH CUSTOMS AND EXCISE.
- 5. FRANKLIN SAID THAT THE DFA WERE ANXIOUS TO RESOLVE THE DURBAN PROBLEM AND SUGGESTED THAT WE SHOULD GET TOGETHER AS SOON AS POSSIBLE TO DISCUSS WAYS IN WHICH THIS MIGHT BE ACHIEVED. I SHOULD BE GRATEFUL FOR INSTRUCTIONS.

TONKIN

NNNN

CONFIDENTIAL



FILE

WJ

cc: DG

10 DOWNING STREET

*From the Private Secretary*

25 September, 1984

THE DURBAN SIX

Thank you for your letter of 24 September reporting the latest developments over the Durban Six and enclosing a copy of the Aide Memoire given to the South African Ambassador.

The Prime Minister has noted this.

The Prime Minister has also read Pretoria telegram number 400 and has commented, in relation to paragraph 5 that we really must do better than this for the Consul. You will no doubt be considering whether life can be made more comfortable for him.

(C.D. Powell)

C. Budd, Esq.,  
Foreign and Commonwealth Office.

CONFIDENTIAL

EST

cell  
②



Foreign and Commonwealth Office

London SW1A 2AH

Prime Minister

24 September 1984

CDP  
24/9

Mr

Dear Charles,

The Durban Six

The Foreign Secretary held a meeting with Lady Young and officials on 23 September to discuss the situation at the Durban Consulate and our approach to it.

It was agreed that Lady Young should summon the South African Ambassador at 1530 this afternoon and hand him an Aide Memoire (copy enclosed). This states that the Government's position, namely that the Six will not be required to leave the Consulate against their will and that we hope that the situation can be resolved in a way that will enable them to leave voluntarily, remains unchanged. The Aide Memoire puts the onus on the South African Government to reconsider its position not to honour its commitment to the UK courts to ensure the return to the UK of the four South African nationals charged with arms embargo offences.

We judge that the South African Government will now await the outcome of the present case before the Natal court and possibly an appeal from it to the Supreme Court in Bloemfontein before taking further action. If the stalemate continues they may decide to enter the Consulate by force. The likelihood of their withdrawing or modifying the detention orders seems low. Options for the Six are very limited. We think it unlikely that the court will uphold their appeal or that they will leave the Consulate voluntarily in the near term.

Against this background the Foreign Secretary has considered carefully what our options now are for handling the incident. He has concluded that we should hold to our existing policy of refusing to hand over the Six. But the situation clearly cannot be allowed to continue indefinitely. Accordingly the Foreign Secretary concludes that we shall need to take steps, which will probably have to be phased over a period of several weeks, to demonstrate to the public that we have done everything we reasonably can for the Six and to build up pressure on them to leave.

/I shall

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I shall of course continue to keep you informed of developments, and will let you have an early note in response to the Prime Minister's concern (your letter of today's date) that we may be in breach of international law.

*Yours ever,  
Colin Budd*

(C R Budd)  
Private Secretary

C D Powell Esq  
10 Downing Street

CONFIDENTIAL

## A I D E M E M O I R E

Her Majesty's Government refer to the Aide Memoire dated 21 September which was delivered by the South African Ambassador in London to the Foreign and Commonwealth Office. This document purported to describe the British reaction to the South African Government's request in its Aide Memoire of 20 September that Her Majesty's Government should either surrender the six South Africans in the Consulate in Durban, or, alternatively, should allow the South African authorities to enter the Consulate premises in order to take them into custody.

The response of Her Majesty's Government to the Aide Memoire of 20 September was conveyed to the South African Ambassador by the Secretary of State for Foreign and Commonwealth Affairs on 21 September. He made it clear that Her Majesty's Government were still giving careful study to that Aide Memoire. Their position on the substance of the matter remains that the six men should not be required to leave the premises of the Consulate against their will. It remains their hope that the situation can be resolved in a way that will enable the six men to decide to leave the Consulate voluntarily.

Her Majesty's Government are wholly unable to agree that their attitude to the South African Government's request amounts as the Aide Memoire of 21 September states to 'an obstruction

/of

of the enforcement of South African law'. Furthermore, Her Majesty's Government cannot accept that there can be any justification for linking this matter to the case of four South African nationals charged with contravening United Kingdom Customs and Excise legislation. The clear undertaking of the South African Government to ensure the return to the United Kingdom of the four South African nationals involved in that case was given to a United Kingdom court and is primarily a matter for the courts. It is however the view of Her Majesty's Government that the repudiation by the South African Government of this undertaking is totally unacceptable. They trust that, given the seriousness of a commitment of this nature solemnly entered into by a government, the South African Government will wish to reconsider its position in this regard and honour the undertaking.

Her Majesty's Government would also like to point out in respect of the South African Ambassador's request for an urgent meeting with the Prime Minister that a prompt reply was given and that as the Secretary of State explained to the South African Ambassador on 21 September, the message could and would have been delivered to the Prime Minister forthwith through either the senior Foreign and Commonwealth Minister present or the Prime Minister's Private Secretary and would of course have received her early attention.

Foreign and Commonwealth Office  
24 September 1984

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AIDE MEMOIRE

The South African Government has noted the contents of the British Government's Aide Memoire of 24 September 1984.

The South African Government finds it incomprehensible that the British Government can conclude that its refusal to either surrender the six persons in the British Consulate in Durban to the South African authorities or to allow the authorities to enter the Consulate in order to take them into custody, does not amount to an obstruction of the enforcement of law in South Africa. Furthermore, the British Government does not even attempt to justify its position or to address the arguments that have been advanced in the South African Aide Memoire of 20 September to the effect that the attitude of the British Government is clearly in conflict with customary international law as codified by the Vienna Convention on Consular Relations.

The South African Government fails to understand how the British Government can refer to the South African Government's Aide Memoire of 21 September as "purporting" to describe the British Government's position. If the description of the British Government's position is in any way inaccurate it would be reasonable to expect a substantiated statement of the reasons for any implied inaccuracy. The British Government's Aide Memoire contains no such statement.

As regards the South African Government's decision concerning its undertaking that the four South African nationals charged with infringing British Customs and Excise legislation would return to the United Kingdom to stand trial, it should be noted that the British Government's attitude in respect of the South Africans in the British Consulate has forced the South African Government either to enter the Consulate and take the men into custody, or to take action similar to that of the British Government and designed to reflect the South African Government's displeasure with the British Government's actions. The South African Government decided on the latter course.

The South African Government trusts that the British Government will seriously ponder over the consequences which its attitude might have on saboteurs and terrorists who in future might be encouraged to seek refuge from law-enforcement agencies in embassies and consulates around the world.

In the final paragraph of their Aide Memoire, Her Majesty's Government refer to the South African Ambassador's request, on the instruction of the South African State President, for an appointment with the British Prime Minister; and offers the assurance that the relevant message would have been conveyed to the British Prime Minister forthwith had it been delivered to her Private Secretary.

The South African Government does not doubt that the message would have been promptly conveyed, but Her Majesty's Government seem to miss the point. The South African Ambassador had instruction to seek an urgent and personal interview with the British Prime Minister, a meeting which in the opinion of the South African State

President was necessary in view of the urgency and gravity of the matter to be discussed. The nature of these matters, as stressed on two occasions by the Ambassador, was such that elaboration and elucidation would have been required, and the Ambassador would have been in a position to provide this.

The Foreign and Commonwealth Office will know that it is accepted practice in the conduct of international relations for a Head of Government to receive the Ambassador of another country when the assurance is given that the matter to be discussed warrants such a meeting. The South African Government has seldom, if ever, availed itself of this facility, but British Ambassadors to South Africa have often done so. In such circumstances the South African Government has never questioned the British Government's assessment of the urgency or gravity of the matters to be discussed.

In view of these considerations the South African Government considers the contents of the British Government's Aide Memoire of 24 September to be wholly unacceptable.

Regarding the South African Government's undertaking to a court in the United Kingdom, the South African Government wishes it to be known that it was at all times willing to meet its obligations in this respect until the British Government repudiated its own obligations in terms of international law and made it clear that it was not prepared to allow the enforcement in South Africa of legal provisions passed by the South African Parliament.

In any event, out of respect for British justice, the South African Government intends to explain fully to the relevant

court in the United Kingdom why it was compelled to consider itself absolved from its undertaking.

LONDON

24 September 1984

PS

PS/Mr RIFKIND

PS/PUS

~~SIR J LEARY~~

MR. JOHNSON

MR ~~ADAMS~~ O'NEILL  
MR BARRINGTON  
ED/SAPD

ED/CAF3

ED/UND

ED/NEWS D  
HD CONS D  
MR FREELAND LEGAL ADV. Rm. WH216

RESIDENT CLERK

CARTLEDGE  
~~MR J S COOPER~~  
CABINET OFFICE

PS/NO. 10 DOWNING STREET

IMMEDIATE

CONFIDENTIAL

FM PRETORIA 241600Z SEPT 1984  
TO IMMEDIATE FCO  
TELNO. 408 OF 24TH SEPT 1984  
INFO SAVING JOHANNESBURG, DURBAN.

MY TELNO 395: DURBAN INCIDENT

SUMMARY

1. WE ARE CONCERNED ABOUT SECURITY AT THE DURBAN CONSULATE. THE INSTRUCTING SOLICITOR FOR THE SIX MAY INTERVENE LATER THIS WEEK TO ADVISE THEM TO LEAVE THE CONSULATE.

DETAIL

2. WE ARE BECOMING INCREASINGLY CONCERNED ABOUT THE SECURITY IMPLICATIONS OF THE PRESENT SITUATION. WE ARE LARGELY IN BARCLAYS' HANDS AND THERE IS A LIMIT TO WHAT BARCLAYS COULD DO IF FACED WITH CERTAIN SITUATIONS.

3. THE CONSULATE ARE RECEIVING FREQUENT BOMB THREATS. BARCLAYS DO WHAT THEY CAN TO SEARCH THE BUILDING ON EACH OCCASION, BUT WE CANNOT DISMISS THE POSSIBILITY THAT THERE MIGHT BE A REAL INCIDENT. IT IS RELEVANT THAT WE HAVE ALSO BEEN RECEIVING VENOMOUS ANONYMOUS PHONE CALLS, THAT A NUMBER OF UNIDENTIFIED PEOPLE HAVE BEEN SPOTTED OVER A PERIOD OUTSIDE THE BARCLAYS BUILDING, AND THAT ONE UNIDENTIFIED PERSON WAS SPOTTED WITHIN THE BUILDING ON FRIDAY ACTING SUSPICIOUSLY. WE CANNOT CONTROL ACCESS TO OTHER SURROUNDING BUILDINGS AND HAVE ALREADY HAD ONE REPORT OF PEOPLE ON A BEIGHBOURING ROOFTOP WHO TURNED OUT TO BE MEMBERS OF THE PRESS.

4. WE WERE ANNOYED TO DISCOVER THAT TWO PHOTOGRAPHS TAKEN WITHIN THE CONSULATE HAD BEEN PUBLISHED IN THE DURBAN PAPERS AT THE WEEK-

4. WE WERE ANNOYED TO DISCOVER THAT TWO PHOTOGRAPHS TAKEN WITHIN THE CONSULATE HAD BEEN PUBLISHED IN THE DURBAN PAPERS AT THE WEEK-END. A CAMERA HAD BEEN SMUGGLED IN BY ONE OF THE VISITORS TO THE SIX. WE HAVE REMONSTRATED WITH THE INSTRUCTING ATTORNEYS, POINTING OUT THE SECURITY IMPLICATIONS AND WE UNDERSTAND THAT THE SIX ARE CONTRITE. HOWEVER, THIS IS ANOTHER EXAMPLE OF THE WAYS IN WHICH THE SIX ARE CONTINUING TO TRY TO MANOEUVRE THEIR WAY TOWARDS MORE CONCESSIONS.

5. WE HAVE TODAY HAD FURTHER DISCUSSIONS WITH BARCLAYS ABOUT SECURITY ARRANGEMENTS IN THE BANK BUILDING AND HAVE ASKED WHAT THEY WOULD DO IN THE EVENT OF A BOMB THREAT OUT OF HOURS. IN VIEW OF THIS CONSIDERATION, WHICH HAD NOT PROVIOUSLY OCCURRED TO THEM, THEY ARE RECONSIDERING THEIR POSITION AND IT APPEARS THAT THEY WILL NOT IMMEDIATELY WITHDRAW THEIR OWN BANK GUARDS.

6. THE HEAD OF CHANCERY HAS TALKED AT LENGTH ABOUT OUR ANXIETIES TO MRS JANA, THE JOHANNESBURG LAWYER WHO IS THE INSTRUCTING SOLICITOR FOR THE SIX. HE TOOK THE OPPORTUNITY TO TALK IN MORE GENERAL TERMS ABOUT OUR CONCERNS, ABOUT THE PROVISIONS OF THE CONVENTION ON CONSULAR RELATIONS AND TO ASK WHETHER ANY USEFUL PURPOSE FROM THE POINT OF VIEW OF THE CONDUCT OF LEGAL REPRESENTATIONS WAS NOW SERVED BY THE SIX REMAINING WITHIN THE OFFICE. MRS JANA SAID THAT SHE WAS HAPPY TO TALK ABOUT THIS INFORMALLY, BUT WOULD NOT WISH TO BE QUOTED. FROM HER POINT OF VIEW THERE WAS NOW NO ADVANTAGE IN THE SIX REMAINING IN THE CONSULATE.

SHE RECOGNISED THE FORCE OF OUR ANXIETIES AND PARTICULARLY OUR CONCERN ABOUT WHAT CONSTITUTED PROPER ACTIVITIES FROM CONSULAR PREMISES. SHE IS CURRENTLY ENGAGED IN A TREASON TRIAL IN JOHANNESBURG WHICH IS LIKELY TO BE ADJOURNED LATER THIS WEEK. SHE UNDERTOOK THAT SHE WOULD THEN GO AGAIN TO DURBAN TO TALK TO THE SIX AND SAID THAT SHE WOULD TRY TO GET THEIR AGREEMENT TO LEAVE THE CONSULATE AS SOON AS JUDGEMENT WAS DELIVERED BY THE NATAL BENCH. HER RECOMMENDATION WOULD BE THAT THEY SHOULD LEAVE WHETHER OR NOT THE FINDING WAS IN THEIR FAVOUR. SHE SAID THAT THE OUTCOME OF THE COURT CASE WOULD IN ANY CASE MAKE LITTLE DIFFERENCE AS IT WAS OPEN TO THE STATE TO REDETAIN THE SIX UNDER ANOTHER SECTION OF THE INTERNAL SECURITY ACT IF THEY WISHED TO DO SO. SHE HOPED THAT THE SIX WOULD ACCEPT HER ADVICE AND SHE NATURALLY COULD NOT BE CERTAIN ABOUT THIS.

7. MRS JANA'S OFFER MAY BE OF ASSISTANCE. WE CANNOT BE CERTAIN HOW THE SIX WILL RESPOND, BUT THERE IS A POSSIBILITY THAT THEY WILL RESPECT THE ADVICE OF THE INSTRUCTING SOLICITOR. I AM INCREASINGLY INCLINED TO RESTRICT ACCESS TO THE SIX. SHOULD YOU INSTRUCT ME TO OPEN DISCUSSIONS WITH THE SOUTH AFRICAN GOVERNMENT ON THE SIX, I COULD REASONABLY ASK FOR THEIR UNDERSTANDING THAT A LITTLE MORE TIME IS NEEDED TO INFLUENCE THE SIX IN THE DIRECTION OF VOLUNTARY DEPARTURE AND THAT IT IS IN BOTH THE BRITISH AND SOUTH AFRICAN INTEREST NOT TO ROCK THE BOAT BY INJUDICIOUS PUBLIC STATEMENTS.

TONKIN

# CONFIDENTIAL

GRS 400

CONFIDENTIAL

FM PRETORIA 240935Z SEPT 1984

TO IMMEDIATE FCO

TELNO. 404 OF 24TH SEPT 1984

ms

YOUR TEL NO 217: DURBAN INCIDENT AND ARMS EMBARGO VIOLATIONS

## SUMMARY

1. GRATEFUL FOR INSTRUCTIONS TO SPEAK TO THE STATE PRESIDENT'S CHIEF LAW ADVISER ABOUT THE ARMS EMBARGO VIOLATIONS CASE.

## DETAIL

2. THE ALACRITY WITH WHICH THE SOUTH AFRICANS SEIZED ON THE DURBAN INCIDENT IN AN ATTEMPT TO ESCAPE THEIR UNDERTAKING TO ENSURE THE RETURN OF THE FOUR TO FACE COMMITAL PROCEEDINGS ON 22 OCTOBER ILLUSTRATES THE EXTENT TO WHICH THE ARMS CASE HAS RANKED WITH THE SOUTH AFRICANS AND HELPS TO EXPLAIN THE STRENGTH OF FEELING SHOWN BY PIK BOTHA WHEN HE SPOKE TO ME ON 28 AUGUST (MY TEL NO 299).

3. WE KNOW LITTLE ABOUT THE FOUR MEN WHO HAVE BEEN CHARGED. IT IS LIKELY THAT THEY ARE QUITE SENIOR OFFICIALS IN ARMSCOR. NO DOUBT THE ARMSCOR ADMINISTRATION AND STAFF ASSOCIATIONS HAVE BEEN PUTTING PRESSURE ON THE SOUTH AFRICAN GOVERNMENT TO ENSURE THAT THE FOUR DO NOT HAVE TO RETURN TO THE UK TO STAND TRIAL. ARMSCOR IS AN INFLUENTIAL PARA-STATAL BODY, WELL PLACED TO EXERT SUCH PRESSURE. THE FOUR HAVE NO DOUBT BEEN ARGUING THAT, AS CIVIL SERVANTS, THEY HAVE SIMPLY BEEN EXECUTING GOVERNMENT INSTRUCTIONS AND OUGHT NOT TO HAVE TO SUBMIT TO AN EXTENDED TRIAL IN THE UK WITH THE THREAT OF A POSSIBLE PRISON SENTENCE AT THE END.

4. THERE SEEMS LITTLE DOUBT THAT P W BOTHA IS BEHIND THE 'DECISION' NOT TO ALLOW THE FOUR TO RETURN TO BRITAIN. THE DURBAN INCIDENT PROVIDED A HEAVEN-SENT EXCUSE, HOWEVER ILLOGICAL AND UNREASONABLE THE LINKEAGE, TO ESCAPE THEIR COMMITMENT. A DISPLAY OF 'KRACDADICHEID' (TOUGHNESS) AGAINST THE BRITISH IS LIKELY TO GO DOWN WELL WITH A BROAD SECTION OF THE WHITE ELECTORATE, SHOULD THE SOUTH AFRICANS DECIDE TO MAINTAIN THEIR REFUSAL TO ALLOW THE UR TO RETURN.

# CONFIDENTIAL

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# CONFIDENTIAL

5. IN HIS PRESENT EXCITABLE MOOD, THERE MAY BE LITTLE TO BE GAINED FROM SPEAKING TO PIK BOTHA. BUT I WOULD SEE ADVANTAGE IN MY PUTTING THE POINTS IN YOUR TEL NO 199 TO JAN HEUNIS AS SOON AS POSSIBLE. I WOULD HOPE AT LEAST TO BE ABLE TO CONVICT HIM OF THE IMPARTIALITY OF OUR PROCEDURES AND HE MIGHT IN TURN BE DISPOSED TO SUBMIT (IN HIS NEW CAPACITY AS CHIEF LAW ADVISER TO THE STATE PRESIDENT) A BALANCED REPORT TO P W AND PIK WHICH MIGHT IN SOME MEASURE INDUCE THEM TO BE MORE REASONABLE. I SHOULD BE GRATEFUL FOR EARLY CLEARANCE TO ACT WITH HEUNIS, MAKING IT CLEAR THAT I WAS SPEAKING ON INSTRUCTIONS PRIOR TO THE LATEST EXCHANGES ON THE DURBAN SIX.

6. A POINT OF DETAIL: STRICTLY FOR MY INFORMATION ONLY, COULD CUSTOMS AND EXCISE YET BE MORE PRECISE ABOUT THE NATURE OF ANY ADDITIONAL CHARGES WHICH MAY BE BROUGHT (FCO TEL NO 170 TO CAPE TOWN SAID THAT ADDITIONAL CHARGES WERE CERTAIN) AND WHETHER THESE ARE LIKELY TO BE PRESENTED AT THE COMMITAL PROCEEDINGS ON 22 OCTOBER ?

TONKIN

[COPIES SENT TO NO 10 DOWNING STREET]

SOUTHERN AFRICA

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MR J R J JOHNSON

CABINET OFFICE

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SOUTHERN AFRICA

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CONFIDENTIAL





FILE

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87  
cc: P.C.

## 10 DOWNING STREET

From the Private Secretary

24 September, 1984

Dear Colin,

SITUATION AT THE DURBAN CONSULATE

Thank you for your two letters of 21 September about the situation in the Durban Consulate and the call by the South African Ambassador on the Foreign Secretary.

The Prime Minister has noted these developments. She has commented that she wishes the legal position about consulates had been put to her clearly before she was advised to write to the Leader of the Opposition and to the Liberal Chief Whip in the terms proposed. It appears to her that we may be in breach of international law by allowing the six to remain and, in effect, to conduct political activities from the Consulate. This point will no doubt be addressed in the reply to the South African Government's aide memoire. The Prime Minister would be grateful to see this.

I should be grateful if you would continue to keep me informed.

Yours sincerely,  
C.D. Powell

(C.D. Powell)

C. Budd, Esq.,  
Foreign and Commonwealth Office.

T.M.S.

GRS 700  
CONFIDENTIAL

CONFIDENTIAL

DESKBY 221100Z

FM PRETORIA 220955Z SEP 84

TO IMMEDIATE FCC

TELEGRAM NUMBER 400 OF 22 SEPTEMBER

INFO PRIORITY MAPUTO (FOR PS MR RIFKIND)

INFO SAVING JOHANNESBURG

YOUR TEL NOS 216 AND 217 : DURBAN INCIDENT

SUMMARY

1. THE SOUTH AFRICANS HAVE SAID LITTLE IN PUBLIC ABOUT YESTERDAYS EXCHANGES IN LONDON. THE ACTIONS ON BEHALF OF THE SIX ARE INCREASINGLY POLITICAL. THIS PRESENTS PROBLEMS FOR OUR ATTITUDE TO THEM.

DETAIL

2. THE SOUTH AFRICANS HAVE SO FAR LIMITED THEMSELVES, IN BRIEFING THE PRESS HERE TO CONFIRMING THAT THERE HAS BEEN A MEETING WITH YOU IN LONDON AND THAT THE SOUTH AFRICANS ARE STUDYING OUR RESPONSE. WE HAVE CONTINUED TO MAINTAIN AS LOW A PROFILE AS POSSIBLE : I HAVE NOT VISITED DURBAN.

3. THE INDICATIONS ARE THAT THE COURT ACTION WILL NOT HELP TO BRING THINGS TO A QUICK RESOLUTION (MY TEL NO 394). THERE IS NO SIGN IN DURBAN THAT THE SIX ARE THINKING OF ANY EARLY MOVE. AS WE REPORTED IN MY TEL NO 347 THEY SEE THEIR PRESENCE INCREASINGLY AS SYMBOLIC. THEY WILL HAVE BEEN ENCOURAGED IN THEIR ACTION BY LOCAL PRESS COMMENT WHICH HAS MOSTLY BEEN ON THE LINES OF THE ARTICLE REPORTED IN MY TEL NO 324. IN THE FIRST SUBSTANTIVE PRESS COMMENT ABOUT BRITISH ATTITUDES, THE RAND DAILY MAIL TODAY (TEXT IN MIFT) CONCLUDES THAT THE ACTION OF THE SIX HAS BEEN SUCCESSFUL IN PUTTING THE UDF ON THE MAP AS THE REAL OPPOSITION TO THE SOUTH AFRICAN GOVERNMENT.

4. I ASSUME THAT YOU WILL BE LETTING ME HAVE YOUR COMMENTS ON WHETHER WE ACCEPT THE SOUTH AFRICAN ARGUMENTS IN THE AIDE MEMOIRE ABOUT THE LIMITATIONS ON WHAT FUNCTIONS MAY PROPERLY BE CONDUCTED FROM CONSULAR PREMISES. OUR CONSUL IN DURBAN HAS RECEIVED NO REQUESTS OF ANY NATURE FROM THE AUTHORITES BUT MAY DO SO IF THE COURT REJECTS THE APPEAL BY THE SIX. WE HAVE HAD SOME INDICATION FROM LEGAL CONTACTS THAT THE JUDGES MAY TAKE SOME TIME TO PRODUCE THEIR JUDGEMENT. IF ASKED TO ADMIT SOUTH AFRICAN GOVERNMENT LAW OFFICERS, I HAVE INSTRUCTED DAVEY TO REFUSE ON THE GROUNDS THAT THE PREMISES ARE INVIOLEABLE. THE POLICE PRESENCE OUTSIDE THE BANK BUILDING HAS BEEN MORE IN EVIDENCE SINCE YESTERDAY.

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/s.

# CONFIDENTIAL

5. YOU WILL WISH TO TAKE INTO ACCOUNT IN DECIDING ON A RESPONSE TO THE SOUTH AFRICANS THAT THE DAILY CONSULTATIONS BETWEEN THE SIX, THEIR LAWYERS FAMILIES AND CHURCH VISITORS ENABLE THEM TO PASS OUT MESSAGES OF A POLITICAL NATURE AND THAT THE REPRESENTATIONS ON THEIR BEHALF TO GOVERNMENTS AND BODIES THROUGHOUT THE WORLD ARE NOT LIMITED TO REQUESTS FOR HELP IN HAVING THEIR DETENTION ORDERS SQUASHED. THIS USE OF CONSULAR PREMISES AS A BASE FOR POLITICAL ACTION MUST BE HIGHLY IRRITATING TO THE SOUTH AFRICAN AUTHORITIES AND IS POSSIBLY THE MAIN REASON WHY THEY WISH TO PUT AN END TO THIS AFFAIR. WE ARE DOING WHAT WE CAN TO PREVENT SUCH LEAKS, BUT WE CANNOT HOPE TO CONTROL SUCH ACTIVITIES SATISFACTORILY.

5. AS I COMMENTED IN MY TEL NO 383 THERE MAY BE SCOPE FOR A COMPROMISE THAT MIGHT PERSUADE THE SIX TO LEAVE AFTER THE COURT JUDGEMENT IS KNOWN. IF THE APPEAL IS SUCCESSFUL, THE SOUTH AFRICANS MIGHT DECIDE NOT TO APPEAL. IT IS ALSO POSSIBLE THAT A FIRM STATEMENT IN LONDON WHEN THE COURT HAVE RELEASED THEIR FINDINGS MIGHT GIVE US THE NECESSARY SUPPORT TO PERSUADE THEM TO GO. (I TAKE IT THAT YOU WISH US TO CONTINUE TO ENCOURAGE THEM GENTLY TO LEAVE; BUT NOT TO GO SO FAR AS TO "PREVAIL UPON" THEM TO GO). AS THINGS STAND, UNLESS THE SOUTH AFRICANS PRE-EMPT MATTERS BY CLOSING THE CONSULATE, WE MAY BE IN FOR A VERY LONG HAUL. IN THIS CASE WE SHALL FACE DIFFICULT DECISIONS ABOUT WHAT FACILITIES WE MAY OFFER THEM (SHOULD WE ALLOW IN MATTRESSES? THEY ARE AT PRESENT, LIKE OUR CONSUL, SLEEPING ON THE FLOOR) AND ALSO ABOUT WHAT WE CAN PROPERLY CONTINUE TO ALLOW THE SIX TO DO AND SAY: I SHALL REQUIRE FURTHER GUIDANCE ON THIS. I THINK THAT THIS NEEDS TO BE TAKEN INTO ACCOUNT BEFORE WE GIVE ANY GUARANTEES ABOUT OUR FUTURE ATTITUDE TO THE SIX IN THE CONTINUALLY CHANGING CIRCUMSTANCES AND IN THE LIGHT OF INDICATIONS THAT THEY MAY PROLONG THEIR SIT-IN EVEN WHEN THE REDETENTION ISSUE IS RESOLVED.

(REPEATED AS REQUESTED)

TONKIN

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CABINET OFFICE

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*W. really  
must do  
better than  
then for the  
Council - does  
he have to  
sleep in the  
premises?*

<sup>2</sup>  
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AIDE MEMOIRE

The South African Government has taken note of the reaction of the British Government to the South African Government's request to either surrender the six South Africans in the British Consulate in Durban or, alternatively, to allow the South African authorities to enter the Consulate premises in order to take them into custody.

Considering the fact that the British attitude amounts to an obstruction of the enforcement of South African law, the South African Government considers itself absolved from its undertaking to a United Kingdom Court to ensure the return to the United Kingdom of four South Africans who have been charged with contravening British customs and excise legislation.

It should be pointed out that the South African Ambassador to the United Kingdom was instructed on Wednesday 19 September 1984 to personally convey an urgent message from the South African State President to the British Prime Minister. This message was designed to resolve the matters under consideration to the mutual satisfaction of both Governments.

The South African Ambassador was informed by the Foreign and Commonwealth Office in London that his request for an urgent meeting with the British Prime Minister could not be acceded to, and that the South African State President's

message would have to be conveyed to the British Prime Minister via other channels. In view of this response the Ambassador was instructed to withdraw his request to convey to the British Prime Minister the message from the South African State President.

LONDON

21 September 1984



10 DOWNING STREET

From the Private Secretary

Prime Minister

Durban Detainees

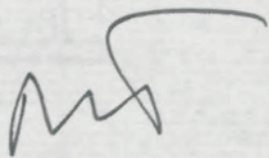
The two letters attached summarize South African manoeuvring over the Detainees. You will see that, in the light of our refusal to hand over the Detainees, the South Africans decline to return to the UK those charged in the Armscor case. This will reflect badly on them rather than on HRG: and it also probably means that they will feel under less pressure to take action against the Durban consulate. The remarks about the message to you are petulant. We know anyway that it proposed an unacceptable trade off.

/Gordon

Geoffrey Howe will have a meeting on  
Sunday to settle replies to the  
two aide-memoires. These are likely to  
confirm our position.

I will see that you are  
informed of any developments over the  
week-end.

C.D.P.  
-... 21/9.



I wish the legal position about  
Conrad's had been put to us clearly  
before the letter to Beeth & Kinnock  
was signed. It seems to me that we are  
offending against international law, not

SECRET



Foreign and Commonwealth Office

London SW1A 2AH

21 September 1984

*Dear Charles,*

Situation at the Durban Consulate

The situation has now, as you know, become more difficult. The South African Ambassador called on the PUS yesterday and left an aide memoire, a copy of which I enclose. In brief, the South African Government is requesting us either to hand over the six without delay or to instruct the Consul to allow the South African authorities to enter the Consulate and take them into custody.

Our Legal Advisers do not in general dissent from the legal points made in the aide memoire; nor does the Foreign Secretary think it would be right to do so, given the importance to us of the need to maintain an international consensus in support of the Vienna Convention. On the other hand, the political requirement not to be seen to be handing these people over to the South African authorities and the near certainty of further detention remains as strong as ever.

The Foreign Secretary considers that the least unattractive of the options open to us is to maintain our present position, recognising that the South Africans may seek to resolve the problem either by entering the premises and removing the six or by withdrawing the Consul's exequatur. In either of these eventualities, we would obviously have to react sharply, especially in the case of a forced entry into our premises. But there would at least then be a reasonable chance of emerging from the ensuing confrontation with no more than limited damage to Anglo/South African relations - as opposed to the widespread damage that would clearly follow if we appeared to the wider world to be acquiescing in the six being handed over to the South Africans.

However, the Foreign Secretary does not think that we have yet reached that point. When he sees the South African Ambassador this afternoon, for a meeting originally arranged as his first courtesy call, he will stress that before making any further move in this affair the South

/Africans

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S E C R E T



Africans should consider carefully the bilateral relationship and the wider implications for them of a serious rift between the two countries. He will also underline the fact that we have often defended South Africa, at some cost, against extreme proposals in international fora. He will make clear our policy on the six and say that it has not changed. Finally he will assure him that the Prime Minister has been following these events very closely. He will explain that although she was not able to receive him herself, she had suggested that he be received by her Private Secretary or the senior FCO Minister available; and that any message from President Botha would of course have been brought immediately to her attention.

The Foreign Secretary hopes, though he is not optimistic, that it might thus be possible to promote some discussion with the South African Government about ways of resolving this crisis. Such discussions will no doubt be very difficult to manage, not least because there is a real danger that the South Africans might act impulsively without consideration for the effects on our bilateral relations which both the Prime Minister and the Foreign Secretary have been trying to strengthen. The discussions with the South African Government will also need careful handling because of the risk that the South African Government might break confidentiality and represent any negotiations as a deal in which we connived at the departure and re-detention of the six. For all these reasons, we must clearly proceed with great caution. It may be worth considering whether at some stage it would be appropriate for the Prime Minister to send a message to President Botha, though again the timing and content would need to be weighed very carefully.

I will write to you again after Dr Worrall's call later today.

*Yours we,*

*Len Appleyard*

(L V Appleyard)  
Private Secretary

C D Powell Esq  
10 Downing Street

S E C R E T



AIDE MEMOIRE

Shortly after the six South African nationals in respect of whom the South African Minister of Law and Order issued detention notices on 8 September had sought "refuge" in the British Consulate in Durban on 13 September, the British Embassy in South Africa informed the South African Government, inter alia, that -

- (a) they had made it clear to the six that the British Government would not act as negotiators or intermediaries over their political demands;
- (b) they were prevailing upon them to leave the Consulate and were expecting early success in this regard; and,
- (c) the six had intimated in principle that they were not unwilling to surrender themselves peacefully to the South African authorities.

The South African Government subsequently publicly expressed appreciation of these assurances and purposely refrained from requesting the British Government to surrender the men to the appropriate South African authorities in order to afford the British Government the opportunity to persuade them to leave the Consular premises.

In accordance with Customary International Law (as codified by Article 31(2) of the Vienna Convention on Consular Relations, 1963) the South African authorities also refrained from entering the Consular premises in order to take the six into custody.

As a result of the failure of the British Government to persuade the men to vacate the Consular premises during what must, under the circumstances and given the initial expectations in this regard, be considered to be a prolonged period of time, it has now become necessary to give effect to the detention notices.

Given the fact that the men may legally be taken into custody if the detention notices can be served on them and since it is considered necessary that they be taken into custody, their presence in the Consulate and the resulting impossibility of serving the notices on them, amounts to an obstruction of law enforcement.

The attention of the British Government is drawn to Article 5(m) of the Vienna Convention on Consular Relations which provides that, apart from its other functions, a consular post's functions consist in performing any functions entrusted to it by the sending state which are not prohibited by the laws and regulations of the receiving state or to which no objection is taken by the receiving state.

In addition, the British Government is referred to Article 55(1) of the said Convention which provides that it is the duty of consular officers to respect the laws and regulations of the receiving state and not to

interfere in the internal affairs of the receiving state, as well as to the provisions of Article 55(2) which determine that Consular premises may not be used in any manner incompatible with the exercise of consular functions.

The provisions referred to accurately reflect customary international law insofar as it relates to consular functions and obligations.

Furthermore, Consular premises may not, as a matter of law, be used as places of asylum for persons fleeing from the judicial and law-enforcement agencies of the receiving state. Considering the fact that the British delegation at the Vienna Convention on consular relations proposed that "Consular premises shall not be used to afford asylum to fugitives from justice" (U.N. Doc. A/CONF.25/C.2/L.29), the British Government would appear to share this view.

In view of these considerations, the British Government is urgently requested to either deliver the South Africans in question to the appropriate South African authorities without delay or, alternatively, to instruct the head of the consular post to allow the South African authorities to enter the Consular premises in order to take them into custody.

LONDON

20 September 1984



Foreign and Commonwealth Office

London SW1A 2AH

21 September 1984

*Dear Charles,*Situation at the Durban Consulate

In my letter earlier today I said that I would write again after the South African Ambassador had called on the Foreign Secretary this afternoon.

When the South African Ambassador called, the Foreign Secretary told him that we were still studying the Aide Memoire. He hoped that Dr Worrall would explain to his Government that we were concerned about the effect of any actions the South Africans might take on our bilateral relations which were of great importance to both countries. Dr Worrall said that he had firm instructions to seek an immediate reply to the Aide Memoire. He asked whether it would be right to assume that our answer, in effect, was that our position had not changed. The Foreign Secretary confirmed this, adding that we would wish to look further at the text of the Aide Memoire before sending a considered reply.

The Foreign Secretary went on to say that, in case of any misunderstanding earlier this week, the Prime Minister was always ready to receive a personal message from President Botha. It could either be delivered to the Foreign Secretary or the most senior FCO Minister available, or to you. Dr Worrall accepted this and merely said that he had had very firm instructions that the message should be delivered to the Prime Minister personally.

An hour after leaving the Secretary of State, Worrall telephoned again and sought a further appointment to enable him to deliver an urgent message from Pretoria. In the absence of Ministers, he was seen by John Johnson. Dr Worrall handed over the attached Aide Memoire informing us of the South African's Government's view that, in the light of our position over the six, it considered itself absolved from its undertaking to return to the UK four South Africans who have been charged with contravening British Customs and Excise legislation (the Armscor case).

/You will



You will note that the Aide Memoire seeks to make much of the fact that the Prime Minister was unable to receive Dr Worrall on 19 September. In discussing this point with Johnson, the Ambassador explained that the South African decision over the Armscor defendants had been provisionally decided upon when it became known that the Prime Minister could not receive him. The final decision had been taken once Dr Worrall had reported to Pretoria that the Foreign Secretary's informal reaction to the Aide Memoire was that our position remained unchanged.

Dr Worrall said that it was not his Government's intention to make this action public. The South Africans intended to say merely that Dr Worrall has reported to his Government and that talks were continuing. It remains to be seen whether they will hold to this undertaking.

John Johnson confined himself to saying that the action of the South Africans was highly regrettable. We had made it clear to the South Africans that the case in question was a matter for HM Customs and Excise and that we could not interfere. He also thought it very regrettable that the Ambassador had not seen fit to rely on our assurance that the Prime Minister had been consulted about Dr Worrall's request for a meeting.

The four South Africans due to stand trial in the Armscor case are not due back in court until 22 October. If they fail to appear then, it will be for the court to decide how to respond. Meanwhile we have agreed with Customs and Excise that if this news leaks we should express sharp disapproval over the unacceptable South African decision but point out that in the first instance the matter will be one for the courts.

The Foreign Secretary will prepare a response to both South African Aide Memoires before he leaves for New York on Sunday. He will also consider contingency plans to cope with the kind of action which the South African Government might go on to take in the future. We are preparing briefing for the Foreign Secretary's meetings at the UN where the matter is likely to be raised by African and other delegations.

*Yours ever,*

*Len Appleyard*

(L V Appleyard)  
Private Secretary

C D Powell Esq  
10 Downing Street



AIDE MEMOIRE

(21/9/84)

The South African Government has taken note of the reaction of the British Government to the South African Government's request to either surrender the six South Africans in the British Consulate in Durban or, alternatively, to allow the South African authorities to enter the Consulate premises in order to take them into custody.

Considering the fact that the British attitude amounts to an obstruction of the enforcement of South African law, the South African Government considers itself absolved from its undertaking to a United Kingdom Court to ensure the return to the United Kingdom of four South Africans who have been charged with contravening British customs and excise legislation.

It should be pointed out that the South African Ambassador to the United Kingdom was instructed on Wednesday 19 September 1984 to personally convey an urgent message from the South African State President to the British Prime Minister. This message was designed to resolve the matters under consideration to the mutual satisfaction of both Governments.

The South African Ambassador was informed by the Foreign and Commonwealth Office in London that his request for an urgent meeting with the British Prime Minister could not be acceded to, and that the South African State President's

message would have to be conveyed to the British Prime Minister via other channels. In view of this response the Ambassador was instructed to withdraw his request to convey to the British Prime Minister the message from the South African State President.

LONDON

21 September 1984



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PS/PUS

~~SIR J LEAHY~~

MR. JOHNSON

MR. ADAMS O'NEILL

ED/SAPD

ED/CAF9

ED/TND

ED/NEWS D

MR. FREELAND LEGAL ADV. Rm. WH216

RESIDENT CLERK

CARTLEDGE  
MR. ~~A J B GOODALL~~  
CABINET OFFICE

PS/NO. 10 DOWNING STREET

M. K. FOOT, LEGAL ADV

IMMEDIATE

GRS 250  
RESTRICTED  
FM PRETORIA 211620Z SEPT 1984  
TO IMMEDIATE FCO  
TELNO. 394 OF 21ST SEPT 1984  
INFO SAVING JOHANNESBURG, DURBAN.

ADVANCE COPY

MY TELNO 390: DURBAN INCIDENT

1. TODAY'S HEARING IN PIETERMARITZBURG OF THE APPEAL ON BEHALF OF THE SIX ENDED THIS AFTERNOON WITH AN OFFER BY THE THREE JUDGES TO RENDER JUDGEMENT ON MONDAY WITH REASON TO FOLLOW LATER. THE LEAD ADVOCATE ON BEHALF OF THE SIX DECLINED THE OFFER ON THE GROUNDS THAT WHATEVER THE DECISION ONE SIDE WAS LIKELY TO APPEAL AND THAT THE REASONS WOULD THEREFORE NEED TO BE CONSIDERED WITH THE JUDGEMENT. THE JUDGES WILL PREPARE THEIR REASONS AND A JUDGEMENT WILL BE DELAYED.

2. WE HAVE ENQUIRED ABOUT CONCURRENT PROGRESS ON AN APPEAL BY DETAINEES IN JOHANNESBURG. THEIR COUNSEL ARE ENDEAVOURING TO OBTAIN TIME IN THE APPELLATE BENCH CALENDAR. THEY HAVE BEEN TOLD THAT THE EARLIEST THAT A HEARING COULD BE FITTED IN WOULD BE IN TWO WEEKS TIME BUT LEGAL CONTACTS IN JOHANNESBURG HAVE TOLD US THAT IF AN APPEAL HEARING IS FIXED THAT QUICKLY THIS WOULD BE VERY UNUSUAL.

3. FROM WHAT THE STAFF IN THE CONSULATE HAVE SEEN TODAY OF THE JUNIOR LEGAL COUNSEL, IT APPEARS THAT THE SIX'S REPRESENTATIVES ARE DEPRESSED ABOUT TODAY'S PROCEEDINGS. THEY COMMENTED IN THE PRESENCE OF OUR STAFF THAT THE QUESTIONS ASKED BY TWO OF THE JUDGES SUGGESTED THAT THEY MIGHT FIND AGAINST THE APPEAL.

TONKIN

SOUTHERN AFRICA: ADVANCE COPIES 14

PS

MR A J S GOODALL  
CABINET OFFICE

PS/1/2 RIFKIND

PS/PUS

PS/NO.10 DOWNING STREET

~~SIR J LEAHY~~

MR. JOHNSON

MR ADAMS O'NEILL

ED/SAFD

ED/CAF3

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MR FL FOOT, LEGAL ADV

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FM PRETORIA 211315Z SEPT 84

TO FLASH FCO

TELNO. 390 OF 21ST SEPT 1984

INFO SAVING JOHANNESBURG, DURBAN.

MY TELNO 385: DURBAN INCIDENT

1. IN A PRESS STATEMENT ISSUED THIS MORNING (21 SEPTEMBER) PIK BOTHA REACTED TO TODAY'S STORY IN THE 'RAND DAILY MAIL' REPORTED IN MY TUR.

2. PIK BOTHA DENIED THAT IT WAS THE INTENTION OF THE SOUTH AFRICAN GOVERNMENT TO ASK FOR THE CLOSURE OF THE CONSULATE. HE ADDED THAT CONTACTS BETWEEN THE BRITISH AND SOUTH AFRICAN GOVERNMENTS HAD TAKEN PLACE IN THE SPIRIT OF TWO GOVERNMENTS TRYING TO RESOLVE A DELICATE PROBLEM.

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DESKBY 210530Z

FM PRETORIA 202050Z SEPT 1984

TO IMMEDIATE FCO

TELNO 383 OF 20TH SEPT 1984

INFO SAVING JOHANNESBURG, DURBAN.

YOUR TELNOS 210 AND 211: DURBAN INCIDENT

SUMMARY

1. THE SOUTH AFRICANS ARE EMBARRASSED BY THE SITUATION AND INTENT ON RESOLVING IT. BUT THERE MAYBE AN OPPORTUNITY FOR FULLER DISCUSSION WITH THEM OF POSSIBLE COMPROMISES. IF NOT THEY MAY FEEL FORCED TO ASK US TO CLOSE THE CONSULATE AT LEAST TEMPORARILY.

DETAIL

2. THE SOUTH AFRICAN MINISTER OF FOREIGN AFFAIRS TOLD PRESS REPRESENTATIVES IN CAPE TOWN THIS AFTERNOON (20 SEPT) THAT SOUTH AFRICAN MINISTERS HAD DECIDED THAT THE DURBAN SITUATION MUST BE BROUGHT TO AN END. PIK BOTHA EXPRESSED CRITICISM OF THE BRITISH FAILURE TO TAKE DECISIVE ACTION AND SAID THAT THE SOUTH AFRICAN GOVERNMENT WOULD BE COMMUNICATING WITH THE BRITISH GOVERNMENT. HE GAVE NO DETAILS OF THEIR PROPOSALS.

3. THE SOUTH AFRICAN DETERMINATION TO SEE THIS HIGHLY EMBARRASSING ISSUE RESOLVED SHOULD NOT BE UNDERESTIMATED. DOMESTIC PRESS BOTH ENGLISH AND AFRIKAANS HAS BEEN CRITICAL OF THEIR GOVERNMENT'S ACTIONS THAT LED UP TO THE SITUATION. THE SOUTH AFRICAN GOVERNMENT HAVE HAD AN APPALLING INTERNATIONAL PRESS DURING THE LAST THREE WEEKS AND IT IS AGAINST THIS BACKGROUND THAT THEY HAVE SEEMINGLY DECIDED THAT THE DURBAN SIT-IN MUST BE ENDED. LIKE WORRALL I DOUBT IF TOMORROWS COURT HEARING WILL RESOLVE THE ISSUE. IF WE ARE NOT ABLE TO SOLVE THE PROBLEM THROUGH NEGOTIATION, THE SOUTH AFRICANS MIGHT WELL DECIDE TO FORCE THE ISSUE.

4. WORRALL'S COMMENTS TO THE PUS DO HOWEVER SUGGEST THAT THERE MIGHT BE AN OPPORTUNITY TO PROPOSE A FULLER DISCUSSION WITH THE SOUTH AFRICANS ABOUT POSSIBLE ALTERNATIVES FOR ENDING THE PRESENT DEAD-LOCK. WE HAVE NOT YET EXPLORED WITH THEM POSSIBLE OPTIONS, PRIMARILY BECAUSE WE DID NOT WISH TO APPEAR TO BE ENGAGED AS INTERMEDIARIES BETWEEN THE SIX AND THE SOUTH AFRICAN AUTHORITIES. WE HAVE HAD NO SUBSTANTIVE COMMENT WITH OFFICIALS OR MINISTERS ABOUT THE CONSULATE SINCE WE SPOKE ON YOUR INSTRUCTIONS ON THE EVENING OF 14 SEPTEMBER TO THE DFA TO OUTLINE OUR POSITION AND INVITE COMMENTS. THE SOUTH AFRICANS HAVE NOT COMMENTED UNTIL THE APPROACH BY WORRALL BUT THERE HAVE BEEN VARIOUS REPORTS (E.G. PARA 4 OF MY TEL NO 374

CONFIDENTIAL

/AND

AND PARA 5 OF MY TEL 340) OF POSSIBLE DEALS WHICH MIGHT BE STRUCK AND SOME OF THESE MAY REFLECT INSPIRED BRIEFING. GENERAL COETZEE HAS ALSO SPOKEN OF CONTACTS WITH REPRESENTATIVES OF THE SIX.

5. IT MIGHT BE POSSIBLE TO GET THE GOVERNMENT TO MAKE AN OFFER WHICH WOULD PROVIDE US WITH A PRETEXT FOR SOME CHANGE IN OUR POSITION. E.G. AN OFFER OF NO IMMEDIATE REDETENTION AGAINST ASSURANCES THAT WOULD NOT PRECLUDE THE SIX TAKING FUTURE LEGAL STEPS IF THIS WAS NECESSARY. WE HAVE EARLIER EXPLAINED TO THE SIX THROUGH THEIR LAWYERS THAT OUR AGREEMENT TO TAKE NO STEPS TO REQUIRED THEM TO LEAVE WOULD ONLY APPLY IN PRESENT CIRCUMSTANCES. IT IS ALSO RELEVANT THAT WE HAVE LAID STRESS IN CONTACTS WITH THE SIX, THEIR LEGAL REPRESENTATIVES AND BOESAK THAT WE HAVE TO KEEP IN MIND CONSTANTLY WHAT IS PROPER TO OUR CONSULAR STATUTES IN DURBAN.

6. IF THE SOUTH AFRICANS DECLINED TO OPEN DISCUSSIONS WITH US ON THESE LINES, WE SHOULD BE FACED WITH A VERY DIFFICULT CHOICE. THEY WOULD SEEM TO HAVE A FAIRLY STRONG CASE IN TERMS OF INTERNATIONAL LAW. ON THE OTHER HAND IT WOULD BE POLITICALLY ABHORRENT FOR US TO HAND OVER THE SIX AND IN THESE CIRCUMSTANCES YOU WOULD PRESUMABLY WISH TO REPEAT OUR REFUSAL TO COMPEL THEM TO LEAVE AGAINST THEIR WILL. NOR PRESUMABLY WOULD YOU WISH TO ALLOW THE SOUTH AFRICANS TO ENTER THE PREMISES (WHICH WOULD BE TANTAMOUNT TO HANDING THEM OVER). THE SOUTH AFRICANS WOULD THEN HAVE THE DIFFICULT CHOICE OF WHETHER TO FORCE THE ISSUE, DESPITE THE REPERCUSSIONS FOR UK-SOUTH AFRICAN RELATIONS AND THE INEVITABLE INTERNATIONAL OUTCRY, BY CLOSING DOWN THE CONSULATE, IF ONLY TEMPORARILY. MY BEST GUESS IS THAT IN THEIR PRESENT MOOD, WITH A ROW POSSIBLY LOOMING OVER THE PROSECUTIONS FOR ARMS EMBARGO VIOLATIONS AND ILL FEELING OVER OUR TOUGH RESPONSE RECENTLY OVER CERTAIN ACTIVITIES BY THEIR EMBASSY, THEY MAY SEE LITTLE TO LOSE IN FORCING THIS PARTICULAR ISSUE AS WELL. IT WOULD AT LEAST SAVE US POLITICAL EMBARRASSMENT INTERNATIONALLY AND DOMESTICALLY IF WE WERE COMPELLED TO CLOSE THE CONSULATE.

TONKIN

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MR J R J JOHNSON

CABINET OFFICE

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GRS 633

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FM FCO 20 1440Z SEP 1984

TO FLASH PRETORIA

TELEGRAM NUMBER 211 OF 20 SEP 84

MIPT THE TEXT OF SOUTH AFRICAN AIDE MEMOIRE IS AS FOLLOWS  
'SHORTLY AFTER THE SIX SOUTH AFRICAN NATIONALS IN RESPECT OF  
WHOM THE SOUTH AFRICAN MINISTER OF LAW AND ORDER ISSUED DETENTION  
NOTICES ON 8 SEPTEMBER HAD SOUGHT 'REFUGE' IN THE BRITISH  
CONSULATE IN DURBAN ON 13 SEPTEMBER, THE BRITISH EMBASSY IN  
SOUTH AFRICA INFORMED THE SOUTH AFRICAN GOVERNMENT, INTER ALIA,  
THAT -

- A) THEY HAD MADE IT CLEAR TO THE SIX THAT THE BRITISH GOVERNMENT  
WOULD NOT ACT AS NEGOTIATORS OR INTERMEDIARIES OVER THEIR  
POLITICAL DEMANDS.
- B) THEY WERE PREVAILING UPON THEM TO LEAVE THE CONSULATE AND  
WERE EXPECTING EARLY SUCCESS IN THIS REGARD. AND
- C) THE SIX HAD INTIMATED IN PRINCIPLE THAT THEY WERE NOT  
UNWILLING TO SURRENDER THEMSELVES PEACEFULLY TO THE SOUTH  
AFRICAN AUTHORITIES.

THE SOUTH AFRICAN GOVERNMENT SUBSEQUENTLY PUBLICLY EXPRESSED  
APPRECIATION OF THESE ASSURANCES AND PURPOSELY REFRAINED FROM  
REQUESTING THE BRITISH GOVERNMENT TO SURRENDER THE MEN TO THE  
APPROPRIATE SOUTH AFRICAN AUTHORITIES IN ORDER TO AFFORD THE  
BRITISH GOVERNMENT THE OPPORTUNITY TO PERSUADE THEM TO LEAVE THE  
CONSULAR PREMISES.

IN ACCORDANCE WITH CUSTOMARY INTERNATIONAL LAW (AS CODIFIED  
BY ARTICLE 31(2) OF THE VIENNA CONVENTION ON CONSULAR RELATIONS,  
1963) THE SOUTH AFRICAN AUTHORITIES ALSO REFRAINED FROM ENTERING  
THE CONSULAR PREMISES IN ORDER TO TAKE THE SIX INTO CUSTODY.  
AS A RESULT OF THE FAILURE OF THE BRITISH GOVERNMENT TO PERSUADE  
THE MEN TO VACATE THE CONSULAR PREMISES DURING WHAT MUST, UNDER  
THE CIRCUMSTANCES AND GIVEN THE INITIAL EXPECTATIONS IN THIS  
REGARD, BE CONSIDERED TO BE A PROLONGED PERIOD OF TIME, IT HAS  
NOW BECOME NECESSARY TO GIVE EFFECT TO THE DETENTION NOTICES.

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GIVEN THE FACT THAT THE MEN MAY LEGALLY BE TAKEN INTO CUSTODY IF THE DETENTION NOTICES CAN BE SERVED ON THEM AND SINCE IT IS CONSIDERED NECESSARY THAT THEY BE TAKEN INTO CUSTODY, THEIR PRESENCE IN THE CONSULATE AND THE RESULTING IMPOSSIBILITY OF SERVING THE NOTICES ON THEM, AMOUNTS TO AN OBSTRUCTION OF LAW ENFORCEMENT.

THE ATTENTION OF THE BRITISH GOVERNMENT IS DRAWN TO ARTICLE 5(M) OF THE VIENNA CONVENTION ON CONSULAR RELATIONS WHICH PROVIDE THAT, APART FROM ITS OTHER FUNCTIONS, A CONSULAR POST'S FUNCTIONS CONSIST IN PERFORMING ANY FUNCTIONS ENTRUSTED TO IT BY THE SENDING STATE WHICH ARE NOT PROHIBITED BY THE LAWS AND REGULATION OF THE RECEIVING STATE OR TO WHICH NO OBJECTION IS TAKEN BY THE RECEIVING STATE.

IN ADDITION, THE BRITISH GOVERNMENT IS REFERRED TO ARTICLE 55(1) OF THE SAID CONVENTION WHICH PROVIDES THAT IT IS THE DUTY OF CONSULAR OFFICERS TO RESPECT THE LAWS AND REGULATIONS OF THE RECEIVING STATE AND NOT TO INTERFERE IN THE INTERNAL AFFAIRS OF THE RECEIVING STATE, AS WELL AS TO THE PROVISIONS OF ARTICLE 55(2) WHICH DETERMINE THAT CONSULAR PREMISES MAY NOT BE USED IN ANY MANNER INCOMPATIBLE WITH THE EXERCISE OF CONSULAR FUNCTION THE PROVISIONS REFERRED TO ACCURATELY REFLECT CUSTOMARY INTERNATIONAL LAW INSOFAR AS IT RELATES TO CONSULAR FUNCTIONS AND OBLIGATIONS.

FURTHERMORE, CONSULAR PREMISES MAY NOT, AS A MATTER OF LAW, BE USED AS PLACES OF ASYLUM FOR PERSONS FLEEING FROM THE JUDICIAL AND LAW-ENFORCEMENT AGENCIES OF THE RECEIVING STATE. CONSIDERING THE FACT THAT THE BRITISH DELEGATION AT THE VIENNA CONVENTION ON CONSULAR RELATIONS, PROPOSED THAT 'CONSULAR PREMISES SHALL NOT BE USED TO AFFORD ASYLUM TO FUGITIVES FROM JUSTICE' (UN DOC A/CONF.25/C2/L29), THE BRITISH GOVERNMENT WOULD APPEAR TO SHARE THIS VIEW.

IN VIEW OF THESE CONSIDERATIONS, THE BRITISH GOVERNMENT IS URGENTLY REQUESTED TO EITHER DELIVER THE SOUTH AFRICANS IN QUESTION TO THE APPROPRIATE SOUTH AFRICAN AUTHORITIES WITHOUT DELAY OR, ALTERNATIVELY, TO INSTRUCT THE HEAD OF THE CONSULAR POST TO ALLOW THE SOUTH AFRICAN AUTHORITIES TO ENTER THE CONSULAR PREMISES IN ORDER TO TAKE THEM INTO CUSTODY.

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TO FLASH PRETORIA

TELEGRAM NUMBER 210 OF 20 SEPTEMBER

SOUTH AFRICAN DEMARCHE DURBAN CONSULATE

1 MIFT CONTAINS TEXT OF AIDE MEMOIRE HANDED BY SOUTH AFRICAN AMBASSADOR TO PUS THIS AFTERNOON.

2 IT CALLS ON THE BRITISH GOVERNMENT URGENTLY TO EITHER DELIVER THE SIX TO THE 'APPROPRIATE SOUTH AFRICAN AUTHORITIES' WITHOUT DELAY OR, ALTERNATIVELY, TO INSTRUCT THE HEAD OF CONSULAR POST TO ALLOW THE SOUTH AFRICAN AUTHORITIES TO ENTER THE CONSULATE PREMISES IN ORDER TO TAKE THE SIX INTO CUSTODY.

3 THE PUS TOOK NOTE. HE SAID THAT WE WOULD STUDY THE MEMORANDUM AS QUICKLY AS POSSIBLE. HE WOULD REPORT TO MINISTERS. SPEAKING PERSONALLY, PUS SAID THAT THE SOUTH AFRICAN REQUEST COULD HAVE VERY FAR REACHING IMPLICATIONS FOR OUR RELATIONS. WE AND THEY MUST ACCORDINGLY THINK VERY CAREFULLY ABOUT HOW TO PROCEED. HE HOPED THAT WE WOULD BE GIVEN ENOUGH TIME TO CONSIDER THE POSITION PROPERLY AND WHETHER THERE WERE OTHER WAYS FORWARD. THE PUS STRESSED THAT IN HIS VIEW IT WAS VERY IMPORTANT THAT THE CONTENTS OF THE SOUTH AFRICAN DEMARCHE SHOULD REMAIN CONFIDENTIAL. NOBODY'S INTERESTS WOULD BE SERVED BY ITS BECOMING PUBLIC KNOWLEDGE THAT THE SOUTH AFRICANS HAD PRESENTED US WITH OPTIONS IN THIS WAY.

4 DR WORRALL SAID THAT THERE WAS NO SUGGESTION THAT HIS GOVERNMENT WAS PRESENTING US WITH AN ULTIMATUM. BUT THERE WAS INCREASING PRESSURE IN SOUTH AFRICA FOR THE GOVERNMENT TO TAKE ACTION. ACCORDINGLY TIME WAS OF THE ESSENCE. HE DOUBTED WHETHER TOMORROW'S COURT CASE WOULD HELP. HE BELIEVED IT LIKELY THAT THE COURT WOULD DECLINE TO GIVE A RULING IN THE CASE ON THE GROUNDS THAT THE DETENTION ORDERS HAD NOT BEEN SERVED ON THE SIX. WORRALL SPECULATED THAT THE SOUTH AFRICAN GOVERNMENT MIGHT NOT EXPECT US TO HAND OVER THE SIX TO THEM HAVING MADE A PUBLIC COMMITMENT NOT TO THROW THEM OUT. IT MIGHT BE THAT ALL THEY WANTED WAS A

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RESTATEMENT OF THE BRITISH POSITION THAT WE COULD NOT EJECT THE SIX. THE PUS ASKED WHETHER THE SOUTH AFRICANS WOULD REALLY ACCEPT THIS. THE AMBASSADOR REPLIED THAT HE COULD NOT SPEAK FOR HIS GOVERNMENT ON THIS. HE UNDERTOOK TO RELAY TO THE SOUTH AFRICAN GOVERNMENT OUR CONCERN FOR CONFIDENTIALITY.

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BRITISH CONSULATE IN DURBAN: CONDITIONS

1. The Consulate normally has only one UK-based member of staff, Mr Davey. There are a number of locally-engaged staff concerned with consular and commercial work. The Consulate premises are on the 7th floor of the Barclay Bank building in Durban, and occupy a suite of five rooms. As is common in modern office blocks, washroom facilities are located outside our offices and shared with other offices on the same floor.

2. In the difficult circumstances created by the arrival of the six, we have made the following arrangements:

- (a) Reinforced our staff with an officer from our Embassy in Pretoria. He, the Consul and a senior locally-engaged officer share the task of supervising the six round the clock. Other locally-engaged staff are attempting to work normally, though this is extremely difficult. One room, the largest (70 sq yards), has been vacated, and this is occupied by the six.
- (b) Washing facilities: the six are at liberty to use the main facilities outside the Consulate during the hours when the building is closed and at weekends. While the building is open we have made clear that they leave Consulate premises at their own risk and we cannot guarantee re-admission. We have, however, provided a make-shift chemical toilet inside the premises, and the six have, in practice, made use of this.
- (c) Food and drink: this has been provided by friends and relatives of the six and has been passed into the Consulate.
- (d) Radios: it is common practice not to permit the possession of radios by unauthorised persons in British missions abroad. Accordingly a radio held by one of the six has been taken away.
- (e) Newspapers: the six have been allowed to see a newspaper each day.
- (f) Family visits: family visits for each of the six have been permitted on 13 and 14 August and again on 17 September.
- (g) Medical: doctors have been allowed to enter, and all six have been medically examined since their arrival.

~~Prime Minister~~  
EDP

M. Ingh  
M. Powell



HOUSE OF COMMONS  
LONDON SW1A 0AA

19<sup>th</sup> September

Rt Hon Denis Healey today said :

The Prime Minister's refusal to allow any of her ministers to see representatives of the six South Africans who have taken sanctuary in the British Consulate in Durban can only make a difficult situation worse. The Foreign Secretary clearly committed Britain to act on behalf of opponents to the new South African constitution at the last meeting of the European Foreign Ministers. By refusing to allow him to honour that commitment Mrs Thatcher has taken her stand on the side of apartheid.

mf

Non-halt



FILE

10 DOWNING STREET

THE PRIME MINISTER

19 September 1984

Dear Mr. Kinnock.

Thank you for your further letter of 17 September, about the six opposition leaders presently in our Consulate in Durban.

We fully understand the predicament of the six and others like them and have expressed our concern about the recent arrests and detentions to the South African authorities. We also, as you note, subscribed to the Declaration by the Ten on South Africa issued by Community Foreign Ministers last week.

But, as I said in my letter to you of 13 September, we cannot act as intermediaries between the six South African citizens and their own Government. It would not be right for us to intervene in the legal processes of another country, whether or not we agree with them. The six have free access to their lawyer. It is for him, not us, to negotiate with the South African authorities.

You ask that Ministers should see Mr. Yacoob, the lawyer who is acting for the six and who is currently in London. Mr. Yacoob had the opportunity on 17 September to put his arguments to a senior Foreign Office official responsible for Africa. The latter explained the Government's position, making clear our wish to see the matter quickly resolved by direct discussion between the lawyers representing the six and the South African

authorities. Since there is no role for Her Majesty's Government, I see no need for a Ministerial meeting. If Mr. Yacoob has additional points to put to us about the six, he is, of course, welcome to call again on Mr. Johnson at the Foreign Office.

You mention the physical conditions for the six. We have done our best to provide reasonable facilities in very difficult circumstances, not of our making. The Consulate is small, with no water and no toilet facilities. It is not designed as living accommodation. The largest room in the Consulate has been vacated for the six and makeshift sanitation provided. They can communicate at any time with their lawyers. Families have been allowed in to visit on three occasions, most recently yesterday, and the six have been medically examined.

I hope that Mr. Yacoob and the six will now quickly come to an arrangement with the South African authorities which will enable this very difficult situation to be brought to an early end.

Yours sincerely  
Raymond Stalder

The Rt. Hon. Neil Kinnock, MP.



GR

Foreign and Commonwealth Office

London SW1A 2AH

18 September 1984

Dear Charles,

Letter for Mr Kinnock: Incident at Durban Consulate

/ Thank you for your letter of 17 September enclosing one of the same date from Mr Kinnock to the Prime Minister about the six South African opposition leaders occupying our Consulate in Durban. I enclose a draft reply for the Prime Minister's signature, together with a note on physical conditions at the Durban Consulate, which may be helpful to you in considering the draft.

/ You will recall that Mr Kinnock wrote to the Prime Minister on 13 September on the same matter. The Prime Minister replied that day. I enclose copies of this correspondence.

There have been no recent developments at the Consulate. Attention has focussed on the presence here of Mr Yacoob, lawyer for the six. He called yesterday on John Johnson, the AUS here responsible for Africa, urging, as Mr Kinnock does, that we should mediate on behalf of the six. He pressed for a meeting with Ministers and expressed concern at the conditions the six were experiencing at the Consulate.

FCO Ministers have carefully considered our position. They remain convinced that it would not be appropriate for the Government to become involved as mediator. They are, in addition, firmly of the view that no useful purpose would be served by acceding to Mr Yacoob's request for a Ministerial meeting. The draft is worded accordingly. We should take the opportunity to reassure Mr Kinnock that we are doing our best in very difficult circumstances in the Consulate to provide reasonable facilities for the six.

Mr Kinnock mentions in his letter that we have granted sanctuary to the six. The legal position is as follows. The six have not asked for asylum as such. But in asking for sanctuary and protection for as long as it is needed they have in effect sought asylum from us. We have been careful to make no commitment of any kind.

/The six



The six are in the Consulate on sufferance. We are anxious to avoid giving any status or label to their presence. International legal rules do, however, provide some margin for political judgement. Our policy is to grant asylum only in the most exceptional circumstances and for the most limited period (hours). It would be a complete departure from our approach if we were to continue to harbour the six in the Consulate if we were faced with a formal demand for surrender by the South African authorities backed by warrants of arrest or detention orders.

*Yours ever,*

*Len Appleyard*

(L V Appleyard)  
Private Secretary

C D Powell Esq  
10 Downing Street

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM  
PRIME MINISTER

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

TO: The Rt Hon Neil Kinnock MP  
House of Commons  
LONDON  
SW1A 0AA

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

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PRIVACY MARKING

SUBJECT:

.....In Confidence

Thank you for your further letter of 17 September, about the six opposition leaders presently in our Consulate in Durban.

CAVEAT.....

We fully understand the predicament of the six and others like them and have, ~~accordingly,~~ expressed our concern about the recent arrests and detentions to the South African authorities. We ~~were~~ also, as you note, <sup>Subscribed to</sup> ~~associated with~~ the Declaration by the Ten on South Africa issued by Community Foreign Ministers last week.

But, as I said in my letter to you of 13 September, we cannot act as intermediaries between the six ~~foreign nationals~~ <sup>South African citizens and their own</sup> and the Government of South Africa. It would not be right for us to intervene in the legal processes of another country, whether or not we agree with them. Nor do I believe that it would be helpful for us to seek to do so. The six have free access to their lawyer. It is for him, not us, to negotiate with the South African authorities.

Enclosures—flag(s).....

/You

You ask that Ministers should see Mr Yacoob,  
the lawyer who is acting for the six and who is  
currently in London. Mr Yacoob had the opportunity ~~yesterday,~~  
<sup>on</sup> 17 September <sup>2</sup> to put his arguments to ~~the~~ <sup>a</sup> senior  
Foreign Office official responsible for Africa. The  
latter ~~set out~~ <sup>explained</sup> the Government's position, making clear  
our wish to see the matter quickly resolved by direct  
discussion between the lawyers representing the  
six and the South African authorities. ~~In the~~ <sup>Since there is</sup>  
~~circumstances,~~ <sup>no role for Her Majesty's Government</sup> I see no need for a Ministerial  
meeting. If Mr Yacoob has additional points to put  
to us about the six, he is, of course, welcome to  
call again on Mr Johnson at the Foreign Office.

~~I am concerned that there should be no misunderstanding~~ <sup>You mention the physical conditions</sup>  
~~of the for the six~~ about the conditions at the Consulate. We have done  
our best to provide reasonable facilities in very  
difficult circumstances, not of our making. The  
Consulate is small, ~~consisting of only five rooms, on the-~~  
~~seventh floor of an office building. The largest of these~~  
~~has been vacated for the six adding to the disruption of the~~  
~~business of the Consulate. There is no water~~ <sup>with</sup> ~~or toilet~~ <sup>and no</sup> ~~facilities.~~  
within the Consulate. ~~It is not designed as living~~  
~~accommodation. There are only two Diplomatic Service staff~~  
~~at the post, who are endeavouring to provide basic~~  
~~facilities in an increasingly difficult situation.~~  
The six can communicate at any time with their lawyers.  
Families have been allowed in to visit on three  
occasions, most recently yesterday, and the six  
have been medically examined.

The largest  
room in  
the Consulate  
has been  
vacated for  
the six &  
makeshift  
sanitation  
provided



<sup>1</sup>  
We hope that Mr Yacoob and the six will now quickly  
come to an arrangement with the South African authorities  
which will enable this very difficult situation to be  
brought to an <sup>early</sup> end.

om.



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Pine Rimster

Detainees in Durban:

Reply to Mr. Kinnock

Law earlier  
exchange with him is also  
attached.

CIDP

10/79

ms.

PS

MR A J S GOODALL  
CABINET OFFICE

PS/Mr RIFKIND

PS/PUS

PS/NO.10 DOWNING STREET

~~SIR J LEAHY~~

MR. JOHNSON

MR ~~ADAMS~~ O'NEILL

HD/SAFD

HD/CAFØ

HD/UNB

HD/NEWS D

MR FREELAND LEGAL ADV. Rm. WH216

RESIDENT CLERK



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FROM PRETORIA 180915Z  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 363 OF 18 SEPTEMBER 1984

INFO ROUTINE JOHANNESBURG

INFO SAVING DURBAN

YOUR TELNO 200: **DETAINEES**

1. THE HEAD OF CHANCERY SPOKE TO BOESAK LAST NIGHT GIVING HIM A FRANK ACCOUNT OF THE MEETING IN LONDON. BOESAK THEN SPOKE TO THE SIX. SUBSEQUENTLY OUR STAFF IN DURBAN HAVE GONE OVER THE GROUND AGAIN WITH THE SIX AND HAVE SPOKEN TO THE SENIOR LEGAL ADVISER IN DURBAN. WE HOPE THAT THIS WILL AVOID ANY MISUNDERSTANDINGS.
2. WE ARE CONTINUING TO PRESS FOR THE EARLY RESOLUTION OF THE SITUATION, STRESSING THAT WE CANNOT ACCEPT THE SITU-

2. WE ARE CONTINUING TO PRESS FOR THE EARLY RESOLUTION OF THE SITUATION, STRESSING THAT WE CANNOT ACCEPT THE SITUATION IN WHICH OUR CONSULATE IS EFFECTIVELY INDEFINITELY PRECLUDED FROM NORMAL OPERATIONS. SINCE YACOOB'S DEPARTURE FOR LONDON, THERE SEEMS TO BE AN EASIER ATMOSPHERE. WE ARE NOT BEING HARANGUED AND ATTENTION SEEMS TO BE FOCUSED ON THE COURT ACTION RATHER THAN THE WHOLE GAMUT OF ISSUES THAT YACOOB RAISED IN LONDON.

3. THE POSITION ON THE APPLICATION TO THE COURT IS THAT THIS WILL BE CONSIDERED AGAIN TODAY. IT APPEARS TO BE THE INTENTION THAT THIS WILL BE HEARD BY THREE JUDGES AND THAT THE EARLIEST THIS COULD BE ARRANGED WOULD BE 20 SEPTEMBER ALTHOUGH IT IS POSSIBLE THAT A HEARING WILL HAVE TO BE HELD OVER UNTIL EARLY NEXT WEEK.

4. LEGAL CONTACTS SUCH AS DUGARD OF THE UNIVERSITY OF WITWATERSRAND TELL US THAT IT IS DIFFICULT TO PREDICT THE OUTCOME. THE NATAL BENCH WILL NOT NECESSARILY BE INFLUENCED BY FINDINGS IN JOHANNESBURG. NEVERTHELESS BOESAK TOLD US IN CONFIDENCE THAT HE AND OTHERS IN DURBAN WERE NOT OPTIMISTIC THAT THE BENCH WOULD FIND IN THE SIX'S FAVOUR.

TONKIN



Rle

SM

10 DOWNING STREET

*From the Private Secretary*

17 September 1984

Detainees in the Consulate in Durban

I enclose a copy of a further letter to the Prime Minister on this subject from the Leader of the Opposition. I should be grateful for a draft reply in the course of tomorrow.

Charles Powell

Len Appleyard, Esq.,  
Foreign and Commonwealth Office

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FM FCO 171225Z SEP 84  
TO IMMEDIATE PRETORIA  
TELEGRAM NUMBER 200 OF 17 SEPTEMBER

YOUR TELNO 345: DETAINEES

1. YACOOB, ACCOMPANIED BY KOOVADIA AND MOROBI, CALLED ON JOHNSON AT 11.30 THIS MORNING.
2. YACOOB SPOKE FOR FORTY-FIVE MINUTES. HE COVERED THREE MAIN AREAS: WHY THE UK SHOULD PROVIDE SUPPORT TO THE SIX: WAYS IN WHICH THIS COULD BE DONE: AND WHY A MEETING WITH MINISTERS WAS NECESSARY.
3. YACOOB ARGUED THAT WE SHARED A COMMON VIEW THAT THE NEW SOUTH AFRICAN CONSTITUTION WAS SERIOUSLY FLAWED. MOREOVER, THE UK ALWAYS MAINTAINED THE NEED FOR CONTACT AND DIALOGUE WITH SOUTH AFRICA IN ORDER TO INFLUENCE EVENTS THERE. THERE WERE MORAL AND HISTORICAL ARGUMENTS WHY THE UK SHOULD NOW PUT THIS POLICY INTO PRACTICE. HE BELIEVED IT FOLLOWED FROM THIS THAT THE UK SHOULD PROVIDE PROTECTION AND SANCTUARY FOR THE SIX, AND SHOULD ASSIST IN THE ACHIEVEMENT OF SOME REDRESS OF THEIR GRIEVANCES. WE SHOULD ALSO BE PROVIDING BETTER FACILITIES, INCLUDING USE OF TELEPHONE AND TELEX, ACCESS TO RADIO, BETTER FAMILY VISITS AND BETTER HYGIENE FACILITIES. YACOOB STATED THE DEMANDS OF THE SIX ON THE SOUTH AFRICAN GOVERNMENT AS BEING THE RELEASE OF ALL THOSE DETAINED UNDER SECTION 28 OF THE INTERNAL SECURITY ACT, AGREEMENT TO A SHORTER PERIOD OF DETENTION, AND CONCESSIONS OVER THE CONDITIONS OF DETENTION. HE MADE CLEAR THAT IF THE PRESENT APPLICATION TO THE COURT SEEKING THE ANNULMENT OF THE DETENTION ORDERS WERE SUCCESSFUL, THIS WOULD NOT NECESSARILY BE THE END OF

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THE AFFAIR AND IT WAS IMPORTANT THAT SOME WAY WAS FOUND TO 'ACCORD DIGNITY' TO THE SIX. YACOOB EMPHASISED THE DELEGATION'S ANXIETY TO SEE A MINISTER: THIS WAS A POLITICAL MATTER AND THEY WISHED TO DISCUSS NOT ONLY THE QUESTION OF THE SIX BUT ALSO BROADER ISSUES, FOR EXAMPLE THE NEW CONSTITUTION.

4. JOHNSON SAID HE HAD LISTENED CAREFULLY AND WOULD REPORT YACOOB'S PRESENTATION TO MINISTERS. HE STRESSED THAT HIS ONLY CONCERN WAS TO DISCUSS THE RESOLUTION OF THE PROBLEMS CAUSED FOR US BY THE PRESENCE OF THE SIX IN THE CONSULATE. MR RIFKIND HAD STATED OUR POSITION CLEARLY: IN THE PRESENT CIRCUMSTANCES WE WOULD NOT REQUIRE THE MEN TO LEAVE AGAINST THEIR WILL, BUT THEY COULD NOT STAY INDEFINITELY. THE UK WOULD NOT NEGOTIATE OR BECOME AN INTERMEDIARY: THAT WAS FOR YACOOB AND THE LAWYERS REPRESENTING THE SIX, WHO MUST SEEK A RESOLUTION OF THE DIFFERENCES WITH THE SOUTH AFRICAN GOVERNMENT DIRECTLY. THE SIX COULD NOT LIVE IN THE CONSULATE: IT WAS A PLACE OF BUSINESS AND WE COULD NOT ACCEPT PROLONGED DISRUPTION OF ITS WORK. THE SIX SHOULD THEREFORE LEAVE VOLUNTARILY. THEIR CONTINUED PRESENCE IN THE CONSULATE WAS NOT HELPFUL TO THEIR OWN CASE.

5. ON FACILITIES, JOHNSON MADE CLEAR WE HAD DONE OUR BEST IN DIFFICULT CIRCUMSTANCES TO PROVIDE REASONABLE LIVING CONDITIONS ON A TEMPORARY BASIS. THE SIX HAD BEEN PERMITTED ACCESS TO THEIR LAWYERS WHO WERE IN TOUCH WITH THE SOUTH AFRICAN GOVERNMENT. THEY HAD HAD ACCESS TO NEWSPAPERS. TOILET FACILITIES WERE ADEQUATE CONSIDERING THE CIRCUMSTANCES. FOOD AND DRINK WERE ALLOWED IN AND FAMILY VISITS HAD ALSO BEEN PERMITTED. IT COULD NOT BE SAID WE WERE BEING UNFRIENDLY. IN RESPONSE TO YACOOB'S QUESTION WHETHER FURTHER FAMILY VISITS WOULD BE PERMITTED, JOHNSON SAID THAT DAVEY HAD DISCRETION TO PERMIT FAMILY VISITS, BUT WE COULD GIVE NO ASSURANCES AND THIS MUST BE DECIDED ON THE GROUND. IN CONCLUSION, JOHNSON EMPHASISED THAT THIS SITUATION WAS NOT OF OUR CHOICE: WE COULD NOT CHALLENGE THE LEGAL PROCESSES OF ANOTHER COUNTRY AND WE BELIEVED IT WAS FOR THE SIX

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TO NEGOTIATE WITH THE SAG. WE THEREFORE VERY MUCH HOPED THE SITUATION COULD BE RESOLVED SOON. PRESSED BY YACOOB OVER THE POSSIBILITY OF A MEETING WITH MINISTERS JOHNSON SAID WE COULD GIVE NO COMMITMENTS.

6. COMMENT: YACOOB AND HIS COLLEAGUES WERE CLEARLY DISAPPOINTED. WE PRESUME THEY WILL CONTINUE TO PRESS FOR ACCESS TO MINISTERS. THEY WILL ALSO PROBABLY MISREPRESENT JOHNSON'S DISCUSSION WITH THEM, BOTH TO INCREASE CRITICISM OF OUR POSITION HERE, AND TO TRY TO OPEN UP SOME ROOM FOR MANOEUVRE. WE INTEND TO SIT TIGHT.

7. THERE MAY BE SOME ADVANTAGE IN GIVING THE SIX A FRANK ACCOUNT OF THIS MEETING, RATHER THAN PERMITTING YACOOB'S VERSION TO GO UNCHALLENGED. GRATEFUL IF YOU WOULD INSTRUCT DAVEY OR FALL TO DO THIS.

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HOUSE OF COMMONS  
LONDON SW1A 0AA

Prime Minister  
Received this  
evening. Draft reply  
requested for  
tomorrow.

C.D.P. 17/9.

mf

The Office of the Leader of  
the Opposition

17 September 1984

Dear Prime Minister,

Thank you for your letter of 13 September regarding the six leaders of the United Democratic Front and the Natal Indian Congress who have taken refuge in the British consulate in Durban. I am naturally pleased that Her Majesty's Government has given sanctuary to these six individuals.

You will be aware, however, that the South African authorities have not withdrawn the detention orders which led these people to seek the protection and assistance of Her Majesty's Government. It is certain that if they leave the consulate offices the six will be re-arrested and detained without trial by the South African police.

You will recall that in my letter of 13 September I requested that Her Majesty's Government should respond positively to the appeal made by the six that the Government intervene with the South African authorities to prevent their being detained without trial or charge, and urged you to ensure that the Government communicate urgently to this end with the South African authorities. As you know, such intervention would be fully in line with the Declaration by the Ten on South Africa issued following the Ministerial meeting on 11 September. With that explicit expression of view by British and other Ministers in mind, I am writing now to renew my request. I am sure that the intervention of Her Majesty's Government would carry great weight with the South African authorities.

Cont'd/...

Finally, this afternoon I was fortunate to be able to meet a small delegation representing the six members of the United Democratic Front and the Natal Indian Congress who are inside the consulate. I understand that so far no Foreign Office Minister has been able to meet them. I would urge that following the preliminary meeting with Mr J Johnson of the Foreign Office, Mr Yacoob, Professor Coovadia and Mr Morobe should be received by a Minister for further discussions. I also hope that Her Majesty's Government can respond sympathetically to the requests which they have made on behalf of the six concerning physical conditions and access to a telephone in the consulate in Durban.

Yours sincerely

Neil Kinnock

Rt Hon Margaret Thatcher PM

7 SEP 1984

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file 7A  
Sir P. Cadogan

10 DOWNING STREET

*From the Private Secretary*

17 September 1984

Detainees in the Consulate in Durban

The Prime Minister received two telexes over the weekend on behalf of the detainees in the Consulate in Durban. The first, dated 14 September, did not actually reach No.10 until mid morning today. As I suggested to you on the telephone, it would be best if Mr. Johnson acknowledges receipt of these telexes and says that he has been instructed to deal with the points raised in them. I do not propose to send any reply from here.

Charles Powell

L.V. Appleyard, Esq.,  
Foreign and Commonwealth Office.

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CONFIDENTIAL

*CEPC*



Foreign and Commonwealth Office

London SW1A 2AH

17 September 1984

*NBPM  
EOP 17/9*

*Dear Charles.*

Prime Minister's Interview on BBC News, Monday 17 September

I enclose a note on the Durban Consulate incident, in case the Prime Minister is interviewed about it on BBC News.

There have been no fresh developments at the Consulate. Mr Yacoob, lawyer for the six, called this morning on John Johnson, the Assistant Under Secretary here with responsibility for Africa, to re-state the demands of the six, principally that we should intervene with the South African Government on their behalf. He reiterated his wish for a meeting with Ministers. We made no commitment to this; FCO Ministers here have decided that we should refuse on the grounds that such a meeting would merely increase the pressure on us to get involved and would also bolster Yacoob's position. He has been highly critical of our handling of the affair locally and has undoubtedly stiffened the attitude of the six against leaving voluntarily.

The Prime Minister has assured Mr Kinnock that the six will not be compelled to leave against their wishes. We are of course sticking firmly to this line. At the same time this may be a useful moment to take the opportunity to highlight the growing difficulty of the situation at the Consulate. It might also be useful to stress that we hope there will be a sensible agreement between the men and the South African authorities that will enable them to leave as quickly as possible. The Prime Minister might add that the occupation should not drag on indefinitely, impeding as it does the work of the Consulate and doing no good for the position of the six. She might also say that the Consul is doing his best in a very small post (normally one UK based officer only) to provide the six with essential facilities, but that his task is extremely difficult.

*Yours ever,*

*Len Appleyard*

(L V Appleyard)  
Private Secretary

C D Powell Esq  
10 Downing Street

CONFIDENTIAL



PRIME MINISTER'S INTERVIEW ON PANORAMA, MONDAY 17 SEPTEMBER:  
INCIDENT AT DURBAN CONSULATE

LINE TO TAKE

General

1 Understand the predicament of the six. Our concern throughout has been to see the matter quickly resolved.

2 Made clear last week that the six would not be required to leave the Consulate against their will. But occupation should not drag on indefinitely. We hope that there will be a sensible agreement which will enable them to leave as quickly as possible. Work of the Consulate being totally disrupted. Situation bound to become increasingly difficult. Is not benefitting the six.


UK Mediation?

3 It is for the men and their lawyers to negotiate with the South African Government. We are not taking sides. We cannot negotiate or act as intermediaries.

UK Position Inconsistent with our concern at Detentions?

4 Not so. We are of course concerned at the oppression associated with apartheid, and want to see changes. But we cannot intervene in the legal processes of another country.

/Meeting



Meeting between Six's Lawyers and Ministers

5. Mr Yacoob has had a full discussion today with a senior official at the FCO. He has reported fully. We have made clear we are not willing to negotiate on behalf of the six, which was main purpose of Mr Yacoob's visit. Nothing therefore to be gained by meeting Ministers. Officials remain ready to see him again if he wishes.


Asylum?

6. Group have entered our premises and we are not compelling them to leave. But there is no general practice or custom about granting diplomatic asylum. The UK does not accept individuals seeking refuge in diplomatic premises from the local authorities, except in cases of extreme and immediate physical danger, and then only while that threat persists.

Facilities at Consulate

7. Consulate is small (5 rooms <sup>on seventh floor</sup> of which the largest now occupied by the six). There are minimal facilities (no water or toilet on the premises). Not designed for living accommodation. Inevitable that presence of 6 (plus our own staff to watch over them) leads to discomfort. But we have done our best to provide reasonable facilities. Food, drink permitted; adequate toilet facilities. Doctors have been allowed to examine all six. Situation not of our choosing.

/Access



Access to Families

8. Families admitted three times (13 and 14 September and again today). Further visits subject to Consul's discretion: must be a decision for man on the ground. Can give no commitments on further visits. We must control access to Consulate.

Have we Approached South African Government?

9. The South African Government is aware of our position.



## ESSENTIAL FACTS

General

1. Six members of the United Democratic Front (UDF) and the Natal Indian Congress (NIC; a constituent member of the UDF) took refuge in our Consulate in Durban on 13 September. The men, along with others, were detained on 20 August without charge under the Internal Security Act. On 7 September the six and one other successfully petitioned the Supreme Court in Natal for release on the grounds that their detention orders were invalid. The Court ordered their release. They then went to ground, emerging only on 13 September at the Consulate. The Minister of Law and Order has issued fresh, re-worded, detention orders, yet to be served. Counsel for the six have submitted a fresh application to the Natal Supreme Court to have the new detention orders declared invalid. The hearing is scheduled for today or tomorrow. The likelihood of their succeeding seems slender.

Latest DevelopmentsConsulate

2. There have been no recent developments at the Consulate. The six remain there in necessarily spartan conditions. These have attracted criticism eg that the men have not been given access to their families. But we have done everything possible to make conditions tolerable.

Visit of the Six's Lawyer to London

3. A lawyer for the six, Mr Yacoob, accompanied by two members of the UDF/NIC are currently in London to press the British Government to intervene on behalf of the six. Mr Yacoob called at the Foreign and Commonwealth Office this morning. Mr Johnson (AUS for Africa) told him that in the present circumstances we would not require the six to leave the Consulate against their will but that they could not stay there indefinitely. He said that there was no question of HMG negotiating on their behalf. They must resolve their difficulties direct with the South African Government through Mr Yacoob and his colleagues. Mr

/Johnson



Johnson stressed that we had done our best to provide for the six on a temporary basis in the Consulate. He urged Mr Yacoob to work for the early resolution of the problem. Mr Yacoob was disappointed at our firm line. He is likely to continue to press for a Ministerial meeting, and further progress to securing the six's removal seems unlikely while Mr Yacoob is here.

#### Asylum

4. The six have not asked for asylum as such. But by asking for sanctuary and protection for as long as it is needed they have in effect sought asylum from us. The South Africans have so far neither informally requested surrender of the six members of the group nor presented legal authority for their detention in the shape of warrants of arrest or detention orders. Our policy is to grant asylum only in the most exceptional circumstances and for the most limited period (hours). It would be a complete departure from our approach if we were to continue to harbour the six in the Consulate if we were faced with a formal demand for surrender by the South African authorities backed by warrants of arrest or detention orders. International legal rules, do however, provide some margin for political appreciation.

ANNEX: BRITISH CONSULATE IN DURBAN: CONDITIONS

1. The Consulate normally has only one UK-based member of staff, Mr Davey. There are a number of locally-engaged staff concerned with consular and commercial work. The Consulate premises are on the 7th floor of the Barclays Bank building in Durban, and occupy a suite of five rooms. As is common in modern office blocks, washroom facilities are located outside our offices and shared with other offices on the same floor.

2. In the difficult circumstances created by the arrival of the six, we have made the following arrangements:

- (a) Reinforced our staff with an officer from our Embassy in Pretoria. He, the Consul and a senior locally-engaged officer share the task of supervising the six round the clock. Other locally-engaged staff are attempting to work normally, though this is extremely difficult. One room, the largest (70 sq yards), has been vacated, and this is occupied by the six.
- (b) Washing facilities: the six are at liberty to use the main facilities outside the Consulate during the hours when the building is closed and at weekends. While the building is open we have made clear that they leave Consulate premises at their own risk and we cannot guarantee re-admission. We have, however, provided a make-shift chemical toilet inside the premises, and the six have, in practice, made use of this.
- (c) Food and drink: this has been provided by friends and relatives of the six and has been passed into the Consulate.
- (d) Radios: it is common practice not to permit the possession of radios by unauthorised persons in British missions abroad. Accordingly a radio held by one of the six has been taken away.
- (e) Newspapers: the six have been allowed to see a newspaper each day.
- (f) Family visits: family visits for each of the six have been permitted on 13 and 14 August and again this evening.
- (g) Medical: doctors have been allowed to enter, and all six have been medically examined since their arrival.



7 8 9 10 11 12  
1 2 3 4 5 6

17 SEP 1984

10 DOWNING STREET

Pl. keep  
in file  
CO.

CDP,

Message relayed to Mr. Zac Yacoob  
by telephone 14.9.84.

I have been asked to convey  
the following reply to your request:-

A meeting with the Prime Minister  
will not be possible. We understand that  
Mr. Yacoob has also asked to see the  
FCS, and arrangements will be made  
for him to meet an appropriate official  
of the FCO, who will take note of  
what he has to say.'

Mr. Yacoob replied to this  
with following statement:-

Our debts would respectfully  
request the Prime Minister to consider

the matter in the light of the information and appeal entertained in the telex being despatched today.

Both these messages were relayed to Resident Clerk on 14.9.84.

Duty Clerk.

16.9.84.

UNCLASSIFIED  
FROM CAPE TOWN  
TO ROUTINE FCG  
TEL U/N OF 15.9.84.

297711 PRDRME  
TO : MARGARET THATCHER

WE REFER TO OUR TELEX SENT TO YOU YESTERDAY TO WHICH THERE HAS YET BEEN NO REPLY. WE RESPECTFULLY CONVEY TO YOU THAT WE REGARD THIS SITUATION AS A DELICATE AND SENSITIVE ONE REQUIRING CAREFUL YET DECISIVE ACTION. OUR CLIENTS WISH TO ASSURE YOU THAT THEY HAVE EVERY INTENTION OF PROMOTING AN AMICABLE SOLUTION TO THIS UNHAPPY MATTER ACCEPTABLE TO ALL THE PARTIES AS QUICKLY AS POSSIBLE. TO THIS END, AND IN VIEW OF THE PARTICULAR URGENCY OF THIS MATTER, WE HAVE DECIDED TO DESPATCH A DELEGATION TO LONDON TO CRAVE AUDIENCE WITH YOU AND REPRESENTATIVES OF YOUR GOVERNMENT. WE DO SO SECURE IN THE KNOWLEDGE THAT YOUR GOVERNMENT, TOO, IS GENUINELY DESIROUS OF ACHIEVING A SPEEDY AND EFFECTIVE RESOLUTION. OUR CLIENTS WOULD PROPOSE THAT FRANK DISCUSSION IN AN ATMOSPHERE OF MUTUAL CO-OPERATION AND A COMMON COMMITMENT TO ACHIEVE JUSTICE AND NORMALITY ARE THE ESSENTIAL INGREDIENTS FOR MEANINGFUL NEGOTIATION INTENDED TO PUT AN END TO THIS CRISIS.

WE FERVENTLY TRUST THAT YOU WILL GRANT AUDIENCE TO OUR DELEGATION SO THAT A BEGINING CAN BE MADE.

YOURS FAITHFULLY  
YUNUS MAHOMED AND ASSOCIATES  
ON BEHALF OF :

ARCHIE GUMEDE  
GEORGE SEWPERSAD  
BILLY NAIR  
MEWA RAMGOBIN  
M J NAIDOO  
PAUL DAVID.

NATAL INDIAN CONGRESS  
~~INDIAN~~ DEMOCRATIC FRONT.  
ONWARD TRANSMISSION

[COPIES SENT TO NO 10 DOWNING STREET]

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MR J R J JOHNSON

CABINET OFFICE

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DD 160700Z PRETORIA

GRS 250  
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DESKBY 160700Z  
FM FCO 151842Z SEP 84  
TO IMMEDIATE PRETORIA  
TELEGRAM NUMBER 198 OF 15 SEPTEMBER

OUR TELNO 192 : DETAINEES AT DURBAN.

FOLOWING TELEX WAS RECEIVED AT THE FOREIGN AND COMMONWEALTH  
OFFICE ON 15 SEPTEMBER.

BEGINS  
TO : MARGARET THATCHER

WE REFER TO YOU TELEX SENT TO YOU YESTERDAY TO WHICH THERE HAS  
YET BEEN NO REPLY. WE RESPECTFULLY CONVEY TO YOU THAT WE REGARD  
THIS SITUATION AS A DELICATE AND SENSITIVE ONE REQUIRING CAREFUL  
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OF MUTUAL CO-OPERATION AND A COMMON COMMITMENT TO ACHIEVE JUSTICE  
AND NORMALITY ARE THE ESSENTIAL INGREDIENTS FOR MEANINGFUL  
NEGOTIATION INTENDED TO PUT AN END TO THIS CRISIS.

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THAT A BEGINING CAN BE MADE.

1

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3199 - 2

YOURS FAITHFULLY  
YUNUS MAHOMED AND ASSOCIATES  
ON BEHALF OF :

ARCHIE GUMEDE  
GEORGE SEWPERSAD  
BILLY NAIR  
MEWA RAMGOBIN  
M J NAIDOO  
PAUL DAVID.

NATAL INDIAN CONGRESS  
UNITED DEMOCRATIC FRONT.  
FOR ONWARD TRANSMISSION

ENDS

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SOUTHERN AFRICA

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MR J R J JOHNSON

CABINET OFFICE

ADDITIONAL DISTRIBUTION

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PS (6)

MR A J S GOODALL  
CABINET OFFICE

PS/MT RIPPIND

PS/NO. 10 DOWNING STREET

PS/PUS

~~SIR J BERRY~~

Mr. Johnson  
MR JAMES O'NEILL

HD/SAPD

HD/CAFQ

HD/UND

HD/NEWS D

MR FREELAND LEGAL ADV. Rm. W216

RESIDENT CLERK



OO FCO

**IMMEDIATE**

GRS 603  
CONFIDENTIAL  
FM PRETORIA 151040Z SEP 84  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 353 OF 15 SEPTEMBER  
INFO ROUTINE JOHANNESBURG.  
INFO SAYING DURBAN, CAPE TOWN.

**ADVANCE COPY**

FROM ARCHER  
MY TEL NO 351 : DETAINEES

COMMENT

1. THE SITUATION IS UNCHANGED. THE SIX ARE UNLIKELY TO LEAVE UNLESS SOUTH AFRICAN ACTION IN SEEKING TO REDETAIN THEM IS INVALIDATED. THEY ARE MAKING NO PROGRESS WITH DEMANDS TO THE SOUTH AFRICAN GOVERNMENT. THERE MAY BE RENEWED EFFORTS TO PRESS US TO INTERVENE.

DETAIL

- 2. THE LEGAL REPRESENTATIVES OF THE SIX ARE PERSISTING WITH EFFORTS TO BRING A CHALLENGE TO THE GOVERNMENTS ACTION IN SEEKING TO RETAIN THE SIX BEFORE THE COURTS BUT THEY HAVE NOT SO FAR HAD THEIR CASE ACCEPTED.
- 3. IT DOES NOT APPEAR THAT THERE IS ANY PROSPECT OF PROGRESS WITH DEMANDS TO THE SOUTH AFRICAN GOVERNMENT WHO SEEM, NOT SURPRISINGLY, TO BE TAKING THE LINE THAT THEY WILL DO NOTHING WHILE THE SIX REMAIN WITHIN THE CONSULATE.
- 4. WE HAVE RECEIVED NO COMMENTS FROM THE GOVERNMENT ON THEIR INTENTIONS. THE MORNING PAPERS QUOTE AN UNIDENTIFIED GOVERNMENT MINISTER AS SAYING THAT EVEN IF THE SIX STAYED ON FOR 20 YEARS IN THE CONSULATE, THE SOUTH AFRICAN GOVERNMENT WOULD NOT INTERVENE.
- 5. FACED WITH THE SOUTH AFRICAN ATTITUDE THE LAWYERS OF THE SIX

5. FACED WITH THE SOUTH AFRICAN ATTITUDE, THE LAWYERS OF THE SIX APPEAR TO BE ATTEMPTING TO ORGANISE PRESSURE ON THE BRITISH GOVERNMENT TO INTERVENE WITH THE SOUTH AFRICAN GOVERNMENT. WE UNDERSTAND FROM CHURCH CONTACTS THAT THEY HAVE ASKED THE CHURCH AUTHORITIES TO TRY TO BRING PRESSURE ON THE BRITISH GOVERNMENT. THE NATAL INDIAN CONGRESS HAVE ALSO BEEN DISCUSSING WHETHER TO SEND REPRESENTATIVES TO LONDON.

6. ONE OF THE NIC LEADERS IN DURBAN HAS SAID THAT SUCCESS IN A COURT ACTION WOULD BE ONLY ONE OF THE FACTORS THAT MIGHT PERSUADE THE SIX TO LEAVE. THEY REQUIRE A REPLY TO THEIR DEMANDS TO THE SOUTH AFRICAN GOVERNMENT.

#### COMPLAINTS

7. THE MORNING PRESS REPORTS ON COMPLAINTS OF LACK OF ACCESS TO THE SIX BY FAMILIES BUT IN FACT WE HAVE ALLOWED CONTACT ON BOTH THURSDAY AND FRIDAY EVENING ON CONSULAR PREMISES BUT OUTSIDE THE SECURE AREA ONCE OTHER VISITORS AND PRESS HAD LEFT AND WE COULD CONTROL THE SITUATION.

8. THE OTHER MAIN COMPLAINT HAS BEEN ABOUT TOILET FACILITIES. THERE ARE NO TOILET OR WASHING FACILITIES WITHIN THE CONSULAR OFFICE. OUR STAFF USE TOILETS IN ANOTHER PART OF THE BARCLAYS BUILDING. SO THAT THE SIX HAVE FACILITIES IN THE CONSULATE WE HAVE ARRANGED PORTABLE TOILET FACILITIES IN THE ROOM THEY HAVE OCCUPIED. THEY ARE OF COURSE FREE TO LEAVE THE CONSULATE IF THEY WISH TO BUT WE HAVE FELT UNABLE TO GIVE ANY ASSURANCES OF WHAT WOULD THEN HAPPEN. (IN PRACTICE THEY HAVE USED THE TOILETS OUT OF OFFICE HOURS WHEN THE BUILDING IS SHUT AND WE HAVE LET THEM BACK INTO THE CONSULATE BUT WE HAVE NOT DRAWN ATTENTION TO THIS IN OUR PRESS COMMENTS). WE HAVE SO FAR DECLINED TO PROVIDE PROPER ELSAN TYPE PORTABLE TOILETS.

9. WE ARE ALSO REFUSING REQUESTS TO PROVIDE OFFICE EQUIPMENT, SUCH AS TYPENITERS ON THE GROUNDS THAT THE SIX CAN COMMUNICATE FREELY WITH THEIR LAWYERS AND ARE ONLY IN THE CONSULATE TEMPORARILY.

10. THE CONSULATE HAS ATTEMPTED TO CONTINUE TO PROVIDE OTHER SERVICES. ALL OTHER ROOMS ARE OCCUPIED BY THE CONSULATE STAFF INCLUDING THOSE DISPLACED FROM THE ROOM OCCUPIED BY THE SIX. BUT IN PRACTICE LITTLE NORMAL WORK HAS BEEN POSSIBLE SINCE THURSDAY MORNING. NORMAL VISITORS ARE FINDING IT DIFFICULT TO REACH THE CONSULATE. THE BIRMINGHAM CHAMBER OF COMMERCE VISITORS HAVE REPORTED THAT THE AFRIKANS CHAMBER OF COMMERCE HAS DECLINED TO SEE THEM WHILE THE PRESENT SITUATION CONTINUES. WE HAVE VARIOUS INDICATIONS OF GROWING CRITICISM OF OUR ROLE IN HARBOURING THE SIX AMONG THE AFRIKANER COMMUNITY.

11. WE ARE COPING WITH THE PRESS SITUATION ALTHOUGH WITH SOME DIFFICULTY FOR THOSE IN DURBAN WHOM WE HAVE REINFORCED FROM PRETORIA. STAFF ARE ON DUTY IN THE CONSULATE ROUND THE CLOCK.

TOMKIN

NNNN

NO DISTRIBUTION

THIS TELEGRAM  
WAS NOT  
ADVANCED

No 10 DST

297711 PRDRME G  
6-21299 SA

FOR ONWARD TRANSMISSION TO MARGARET THATCHER.

14 SEPTEMBER 1984

TO : MARGARET THATCHER

WE ARE INSTRUCTED TO RESPECTFULLY REQUEST THAT YOU AND YOUR GOVERNMENT INTERVENE ON BEHALF OF OUR CLIENTS URGENTLY IN AN EFFORT TO ENSURE THE IMMEDIATE AND UNCONDITIONAL RELEASE OF ALL SECTION 28 DETAINEES IN GENERAL AND THOSE OF OUR LEADERS WHO OCCUPY YOUR CONSULAR OFFICES IN DURBAN IN PARTICULAR.

OUR CLIENTS ARE CONVINCED THAT YOUR GOVERNMENT HAS THE POWER TO SECURE THE DEMANDS OF THE LEADERSHIP. WE ARE ACCORDINGLY OF THE VIEW THAT YOUR REFUSAL TO DO SO AMOUNTS TO A CONDONATION OF AN EVEN SUPPORT FOR THE EVIL OF APARTHEID, THE PRACTICE OF DETENTION WITHOUT TRIAL AND THE USE OF ARBITRARY LEGISLATION TO MAINTAIN THE STATUS QUO. IN ADDITION HAVING PUBLICLY STATED THAT THE LEADERS AT YOUR CONSULAR OFFICES WILL NOT BE COMPELLED TO LEAVE, YOUR GOVERNMENT IS DELIBERATELY EXECUTING A SOFISTICATED CAMPAIGN OF COERCION INTENDED TO FORCE OUR LEADERS TO VACATE THE CONSULAR OFFICES. IN THE COURSE OF THIS CONDUCT YOUR CONSULAR REPRESENTATIVES HAVE PREVENTED OUR CLIENTS FROM USING THE TOILETS DURING THE DAY UNDER THE TREATH THAT THERE IS NO CERTAINTY THAT THEY WILL BE ALLOWED TO RETURN. FURTHERMORE FAMILY VISITS AND A RADIO HAVE BEEN DISCOURTEOUSLY DISALLOWED. OUR CLIENTS ASK THAT THIS MATTER BE ATTENDED TO URGENTLY.

FINALLY WE WISH TO REITERATE OUR REQUEST THAT YOU ALLOW THE CONSULAR PREMISES TO AFFORD PROTECTION AND SANCTUARY TO THE LEADERS OF OUR COMMUNITY AND THAT THE USE OF RESOURCES FOR THE CONDUCT OF REPRESENTATIONS TO THE MINISTER BE ENCOURAGED.

WE ARE CERTAIN THAT YOU AND THE BRITISH GOVERNMENT WILL NOT WANT TO BE HELD RESPONSIBLE FOR FACILIATING THE RE-ARREST OF OUR LEADERS.

YOURS FAITHFULLY  
YUNUS MAHOMED AND ASSOCIATES  
ON BEHALF OF :

ARCHIE GUMEDE  
GEORGE SEWPERSAD  
BILLY NAIR  
MEWA RAMGOBIN  
M J NAIDOO  
PAUL DAVID  
NATAL INDIAN CONGRESS  
UNITED DEMOCRATIC FRONT.

ENDS.

TIME 20. 31 HRS.

297711 PRDRME G  
6-21299 SA

297711 PRDRME G  
6-21299 SA

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BILLY NAIR  
MEWA RAMGOBIN  
M J NAIDOO  
PAUL DAVID  
NATAL INDIAN CONGRESS  
UNITED DEMOCRATIC FRONT.

ENDS.

TIME 20. 31 HRS.

297711 PRDRME G  
6-21299 SA

PS

MR A J S GOODALL  
CABINET OFFICE

PS/MT RIFKIND

PS/PUS

PS/NO. 10 DOWNING STREET

~~SIR J LEATT~~

MR. JOHNSON

MR ADAMS

~~ED/BAFO~~

ED/CAF

ED/UNB

ED/NEWS D

MR. FREELAND LEGAL ADV. Rm. W216

RESIDENT CLERK

ADVANCE COPY

IMMEDIATE



CONFIDENTIAL

FROM PRETORIA 141900Z  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 351 OF 14 SEPTEMBER 84

INFO ROUTINE JOHANNESBURG

INFO SAVING CAPE TOWN AND DURBAN

YOUR TELNO 192: DETAINEES AT DURBAN

1. ARCHBISHOP HURLEY SAW THE SIX MEN WITH OUR AGREEMENT LATE THIS AFTERNOON (14 SEPTEMBER). HE HAS TOLD OUR STAFF IN DURBAN THAT THE SIX SEEM TO BE INTENT ON A LONG STAY.

2. THE SOUTH AFRICAN GOVERNMENT HAVE MADE NO ATTEMPT TO CONTACT US DURING THE DAY BUT THE HEAD OF CHANCERY HAS SPOKEN TO THE DEPARTMENT OF FOREIGN AFFAIRS (NARLEY - MINISTER'S OFFICE) MAKING THE POINTS IN TOR. THE DEPARTMENT OF FOREIGN AFFAIRS IS CONSIDERING THESE AND HAS UNDERTAKEN TO CONTACT US AGAIN WHEN THEY HAVE COMPLETED.

3. AN ATTEMPT BY ONE OF THE SIX TO BRING A FURTHER LEGAL CHALLENGE TO THE DETENTION ORDERS IN COURT TOMORROW.

TOWKIN

NNNN

CONFIDENTIAL

2875 - 1

ZZ PRETORIA  
ZZ CAPE TOWN  
OO JOHANNESBURG

GRS 550

CONFIDENTIAL

FM FCO 141440Z SEP 84

TO FLASH PRETORIA

TELEGRAM NUMBER 192 OF 14 SEPTEMBER

AND TO FLASH CONSULATE CAPETOWN

AND TO IMMEDIATE JOHANNESBURG

TELECON ARCHER/THORPE: DETAINEES AT DURBAN

1. IT NOW SEEMS LIKELY THAT, AS YOU FEAR, THE SIX DETAINEES WILL SEEK TO STAY IN THE CONSULATE FOR A FURTHER PERIOD AND INCREASE THE PRESSURE ON US TO SUPPORT THEIR DEMANDS TO THE SOUTH AFRICAN GOVERNMENT. WE MUST RESIST THIS. THE CONTINUED PRESENCE OF THE DETAINEES IN THE CONSULATE IS UNDESIRABLE AND UNCOMFORTABLE, BUT WE WILL HAVE TO LIVE WITH IT. OUR PRESENT POSITION IS BASED ON THE FOLLOWING:-

(I) NO FORCIBLE EXPULSION.

(II) CONTINUATION OF EFFORTS TO PERSUADE THE SIX TO LEAVE AT THEIR OWN VOLITION.

(III) REFUSAL TO ACT AS INTERMEDIARY OR NEGOTIATOR OVER THE GROUP'S DEMANDS (DOES NOT PRECLUDE CONTACT WITH THE SOUTH AFRICAN GOVERNMENT ON MODALITIES OF THEIR DEPARTURE).

(IV) PROVISION OF ESSENTIAL FACILITIES IN ORDER TO PERMIT NEGOTIATIONS BETWEEN THE SIX AND THE SAG TO TAKE PLACE.

(V) PROVISION OF BASIC FACILITIES, EG FOOD AND DRINK.

2. POINT (I) ABOVE NEEDS CAREFUL PUBLIC PRESENTATION. ALTHOUGH WE HAVE STATED THAT THE GROUP SHOULD NOT BE FORCIBLY REMOVED THEY CLEARLY CANNOT STAY INDEFINITELY. THERE ARE OBVIOUS LEGAL IMPLICATIONS AND WE DO NOT WANT TO SET UNDESIRABLE PRECEDENTS. WE ARE THEREFORE NOW TAKING THE FOLLOWING LINE: 'IN THE PRESENT CIRCUMSTANCES WE HAVE INFORMED THE GROUP THAT, THEY

WILL NOT BE REQUIRED TO LEAVE THE PREMISES AGAINST THEIR WILL. THEIR CONTINUED PRESENCE, HOWEVER, IS SERIOUSLY DISRUPTING THE WORK OF THE CONSULATE''. UNATTRIBUTABLY YOU MAY POINT OUT THAT IT IS NO SOLUTION TO THE GROUP'S PROBLEMS THAT THEY SHOULD SEEK TO REMAIN INDEFINITELY.

3. IT WOULD BE USEFUL NOW TO APPROACH FORMALLY THE SOUTH AFRICAN GOVERNMENT. GRATEFUL THEREFORE IF TONKIN COULD SEEK AN EARLY OPPORTUNITY TO SPEAK TO BOTHA IN CAPE TOWN OR, FAILING THAT, IF ARCHER COULD SPEAK AT AN APPROPRIATE OFFICIAL LEVEL IN THE DFA OR THE PRESIDENT'S OFFICE. YOU SHOULD MAKE THE FOLLOWING POINTS:

(I) THIS IS AN EMBARRASSING AND DIFFICULT SITUATION FOR THE BRITISH GOVERNMENT.

(II) FROM THE BEGINNING OF THIS INCIDENT WE HAVE TRIED TO MINIMISE OUR INVOLVEMENT.

(III) WE HAVE MADE CLEAR TO THE SIX THAT WE WILL NOT ACT AS NEGOTIATORS OR INTERMEDIARIES OVER THE GROUP'S POLITICAL DEMANDS (ALTHOUGH WE ARE READY TO PROVIDE THE FACILITIES FOR THEM TO NEGOTIATE DIRECTLY OR THROUGH THEIR INTERMEDIARIES, EG: THEIR LAWYERS).

(IV) WE ARE NOT ABOUT TO EXPEL THEM FORCIBLY

(WE HOPE THE SOUTH AFRICANS WILL NOT ASK US FOR ACCESS TO THE CONSULATE TO REMOVE THEM, BUT IF THEY DID, YOU SHOULD EMPHASISE THE INVIOLABILITY OF THE PREMISES AND SEEK INSTRUCTIONS).

(V) WE VERY MUCH HOPE THAT THE SOUTH AFRICAN GOVERNMENT AND THE SIX CAN ACHIEVE EARLY AGREEMENT WHICH WILL RELIEVE US OF THIS EMBARRASSING PROBLEM.

YOU SHOULD ENCOURAGE THE SOUTH AFRICAN AUTHORITIES TO COMMENT.

4. WE HAVE JUST SEEN YOUR TELEGRAM NUMBERS 346 AND 347. SUBJECT TO POINTS (IV) AND (V) OF PARAGRAPH 1 ABOVE WE AGREE THAT WE SHOULD STRONGLY RESIST MAKING ANY FURTHER CONCESSIONS TO THE GROUP. WE DO NOT THINK IT WOULD BE HELPFUL TO SET DEADLINES. WE AGREE ACCORDINGLY WITH YOUR TELEGRAM NUMBER 347 WHICH IS CONSISTENT WITH THE POINTS YOU ARE INSTRUCTED TO DEPLOY AT PARAGRAPH 3 ABOVE.

HOWE

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FROM PRETORIA 141040Z  
TO FLASH FCO  
TELEGRAM NUMBER 346 OF 14 SEPTEMBER 1984

INFO ROUTINE JOHANNESBURG

INFO SAVING CAPE TOWN AND DURBAN

FROM HEAD OF CHANCERY IN CHARGE'S ABSENCE IN CAPE TOWN

OUR TELNO 340 AND CONVERSATION ARCHER/THORPE

SUMMARY

1. THE DEMANDS FROM THE SIX MEN IN THE BRITISH CONSULATE IN DURBAN HAVE ESCALATED THIS MORNING FOLLOWING FURTHER CONSULTATION WITH THEIR LEGAL ADVISERS WHO ARE APPARENTLY ADVISING THAT THEY STAY ON FOR REASONS OF WIDER PUBLICITY RATHER THAN IN THE HOPE THAT THEY WILL RECEIVE ANY CONCESSIONS FROM THE SOUTH AFRICAN AUTHORITIES. THERE MAY BE A CASE FOR A FIRMER LINE WITH THE SIX.

DETAIL

2. DR ALLAN BOESAK, PRESIDENT OF THE WORLD ALLIANCE OF REFORMED CHURCHES VISITED THE SIX MEN IN THE CONSULATE WITH OUR AGREEMENT THIS MORNING. AN ADVOCATE (YACOOB) AND ATTORNEY (MAHOMET) WERE ALSO PRESENT. AT THE REQUEST OF THE SIX THE CONSUL AGREED THAT THEY SHOULD HAVE A PRIVATE CONSULTATION. WE BELIEVE THAT BOESAK, HELPFULLY, PRIVATELY SUGGESTED THAT THEIR CONTINUED PRESENCE IN THE CONSULATE WOULD NOT HELP THEIR CASE AND THEY MIGHT LEAVE BUT THEY SEEM TO BE PRINCIPALLY INFLUENCED BY THE ADVOCATE'S ADVICE WHICH IS THAT THEY SHOULD STAY IN THE CONSULATE.

3. WE BELIEVE THAT FOLLOWING DISCUSSION WITH THEIR ADVOCATE THEY ARE PREPARING A LIST OF DEMANDS, INCLUDING ACCESS TO A RADIO, BETTER ARRANGEMENTS FOR FEEDING AND TOILET FACILITIES AND ACCESS TO THEIR FAMILIES WITHIN THE CONSULATE.

4. BOESAK LEFT THE CONSULATE AFTER THE MEETING AND ANSWERED PRESS QUESTIONS OUTSIDE THE CONSULATE. HE WAS ASKED WHAT REPRESENTATIONS WERE BEING MADE ON BEHALF OF THE SIX TO THE SOUTH AFRICAN GOVERNMENT AND SAID THAT HE UNDERSTOOD THAT THESE CONCERNED THE POSSIBILITY OF THEIR RE-DETENTION AND THE IMPLICATIONS OF SUCH ACTION. HE WAS ASKED ABOUT THEIR ATTITUDE TO THE BRITISH GOVERNMENT. HE SAID THAT THEY WERE TAKING THE BRITISH GOVERNMENT AT THEIR WORD. THE GOVERNMENT HAD MADE STATEMENTS ABOUT ITS CONCERN. THEY WERE NOW LOOKING TO THE GOVERNMENT TO DO SOMETHING TO ADDRESS THE ISSUES. HE READ OUT A MESSAGE TO OTHERS IN DETENTION FROM THE SIX EXPRESSING SOLIDARITY AND SUP-

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# CONFIDENTIAL

PORT AND COMMENTED THAT HE HAD ALSO RECEIVED MESSAGES OF SUPPORT FROM ORGANISATIONS ABROAD. THE SIX'S MESSAGE REFERRED TO THE STEPS THAT THEY HAD TAKEN TO HIGHLIGHT THEIR DEMANDS. DR BOESAK WAS ASKED WHETHER THE SIX'S ARRIVAL AT THE CONSULATE ON THE EVE OF THE PRESIDENTIAL INAUGURATION WAS A COINCIDENCE. HE SAID THAT HE DID NOT THINK SO. THEIR ACTION WAS TO BE APPLAUDED.

5. YACOOB WHO WAS PRESENT WITH DR BOESAK WAS ASKED WHETHER THERE HAD BEEN ANY RESPONSE FROM THE SOUTH AFRICAN GOVERNMENT TO THE SIX'S DEMANDS. HE SAID THAT THERE HAD BEEN NO RESPONSE TO A TELEX SENT TO MINISTER LE GRANGE'S OFFICE LATE YESTERDAY. (WE THINK THAT THIS MAY HAVE REFERRED SPECIFICALLY TO THE QUESTION OF ASSURANCES THAT THE SIX WOULD NOT BE RE-ARRESTED ON LEAVING THE OFFICE).

6. DR BOESAK WAS ASKED WHAT HE EXPECTED FROM WESTERN GOVERNMENTS. HE COMMENTED THAT THEY HAD MADE STATEMENTS, THE TIME HAD NOW ARRIVED FOR MEANINGFUL PRESSURE 'CLEAR AND UNEQUIVOCAL ACTION'. MRS RAMGOBIN, THE WIFE OF ONE OF THE SIX, THEN READ OUT A LIST OF COMPLAINTS ABOUT THE CONSULATE'S ACTION. SHE SAID THAT A RADIO HAD BEEN TAKEN AWAY FROM THE SIX, THAT THE GROUP HAD NOT BEEN ALLOWED TO SEE NEWSPAPERS, THAT SHE HAD NOT BEEN ALLOWED TO SEE HER HUSBAND THIS MORNING EVEN THOUGH HE HAD BEEN UNWELL, THAT THE GROUP WERE BEING KEPT IN CONDITIONS AS IF THEY WERE PRISONERS.

## COMMENT

7. WE HAVE HEARD NO MORE FROM THE SOUTH AFRICAN GOVERNMENT SINCE THE CONTACT WITH PIK BOTHA REPORTED IN TUR. SOUTH AFRICAN MINISTERS ARE CURRENTLY INVOLVED IN THE PRESIDENTIAL INAUGURATION CEREMONIES IN CAPE TOWN BUT THE INTERNATIONAL ATTENTION WHICH THE SIX HAVE RECEIVED WILL BE UNWELCOME TO THE GOVERNMENT. THEY WILL PROBABLY FACE MOUNTING DEMANDS TO TAKE FIRM ACTION AND MAY WELL SUGGEST TO US THAT WE SHOULD TAKE A FIRMER LINE.

8. THE SITUATION IN DURBAN IS BECOMING MORE DIFFICULT. IN PARTICULAR THERE ARE NOW LARGE GROUPS OF RELATIVES IN THE AREA IMMEDIATELY OUTSIDE THE CONSULATE DEMANDING TO BE ADMITTED. WE ALLOWED A SMALL GROUP OF RELATIVES TO SEE THE SIX BRIEFLY LAST EVENING. THIS MAY HAVE LED OTHERS TO BELIEVE THAT IF THEY PERSIST IN THEIR DEMANDS WE SHALL AGAIN ALLOW CONTACT.

9. THE ONLY REASONABLE COURSE APPEARS TO ME TO BE FIRM IN DENYING GENERAL ACCESS TO THE SIX. THE MORE WE YIELD TO DEMANDS, THE GREATER THE DEMANDS ARE LIKELY TO BE. I ACCEPT THAT THIS WILL LEAD TO CRITICISM SUCH AS THE COMPLAINTS EXPRESSED BY MRS RAMGOBIN, BUT WE FEEL THAT WE SHOULD NOT BE PRESSURED INTO CONCESSIONS. G GSE CONSUL HAS CONFISCATED THE RADIO. THIS IS IN ACCORD WITH NORMAL PROCEDURES WHICH PROHIBIT THE USE OF RADIOS WITHIN THE CONSULATE. THE SIX WERE ALLOWED TO LOOK AT MORNING

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/NEWSPAPERS.

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NEWSPAPERS AND WE SHALL CONTINUE TO ACCEPT FOOD DELIVERED BY FAMILIES WHICH HAS SO FAR SUSTAINED THE SIX.

10. AS SEEN FROM HERE, THERE IS NOW A STRONG CMSE FORGTAKING ACTION TO TRY TO SET SOME SORT OF A DEADLINE TO THE PRESENT SITUATION BEFORE IT BECOMES EVEN MORE DIFFICULT.

11. NWE COULD REASONABLY POINT OUT THAT (A) THE CONSULATE CAN NO LINGER CONTINUE TO FUNCTION. (IT IS CURRENTLY SECHNICALLY OPEN AN BARCLAYS HAVE MADE IT CLEAR THAT THEY DO NOT INTEND TO CLOSE THEIR BUILDING TO THE PUBLIC). WE HAVE NO FACILITIES TO SUPPORT PEOPLE STAYING IN TON CONSULATE INDEFINITELY. (B) THERE IS NO SIGN THAT BY THEIR PRESENCE IN THE CONSULATE THE SIX HAVE BEEN SUCCESSFUL IN WINNING ANY IMPROVEMENT IN THEIR SITUATION. THE SOUTH AFRICANS HAVE NOT AGREED TO THEIR DEMANDS. (C) THE PRINCIPLE OF INDEFINITE BOCCUPATION OF COESULAR PREMISED VSBY PERSONS WHO HAVE BEEN ADKED TO LEAVE IS NOT ACCEPTABLE.

12. IF WE FAIL TO TAKE A FIRM LINE IN THE PRESENT CASE, WE COULD WELL BE ESTABLISHING A VERY DIFFICULT PRECEDENT. THERE ARE MANY OTHER SOUTH AFRICANS WITH CIVIL RIGHTS PROBLEMS WHO MIGHT THEN PE TEMPTED TO TRY TO EMULATE THE SIX.

13. WE CANNOT BE CONFIDENT THAT THE SIX WOULD NOW COMPLY WITH A FIRMER DEMANT THAT THEY IOAPE LEAVE SHHTHEY APPEAR TO BE BUOYED UP TO STAY BUT IF WE COULD PRESENT A CIRMER LONDON LINE OUR STAFF IN DURBAN COULD TRY BY TALKING DIRECT TO THE SIX (RATHER THAN THROUGH THEIR LEGAL ADVISERS) TO GET THEM TO CO-OPERATE BY MEETING ANY NEW REQUIREMENTS.

14. ~~THE ALTERNATIVE APPEARS TO BE THAT THE SIX ARE LIKELY TO REMAIN THROUGHOUT THE WEEKEN D AND POSSIBLY INTO NEXT WEEK.~~

RE

IN THROUGHOUT THE WEL END AND POSSIBLY INTO NEXT WEEK. WE WOULD THEN FACE PRESSURES FROM THE SOUTH AFRICAN GOVERNMENT. WE COULD POSSIBLY BE INVOLVED IN A PROOOSS OF MOUNTING DEMANDS THAT WOULD MAKE IT VERY DIFFICULT TO END THE PRESENT SITUATION.

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/ IS. MEANWHILE.

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15. MEANWHIL WE ARE LIMITING FURTHER ACCESS TO THE SIX TO THEIR LEGAL REPRESENTATIVES WITH THE REQUIREMENT THAT THEY MUST MEET WITH THE CONSUL TO EXPLAIN WHY THEY ARE VMWING THE VISIT. GIVEN THE ROLE THAT YACCOB IS PLAYING, WE DO NOT THINK WE SHOULD BE TOO FORTHCOMING. NOR DO WE WISH TO ADMIT FAMILIES AS TO DO SO WILL ONLY ESCALATE DEMANDS FOR ACCESS.

TONKIN

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THE PRIME MINISTER

13 September 1984

Dear Mr. Kinross.

Thank you for your letter of today's date about the six members of the United Democratic Front and Natal Indian Congress who have taken temporary refuge in the British consulate in Durban.

I understand that this group have sent a letter to the South African Minister of Law and Order making various demands relating to the conditions of their detention. The group has requested Her Majesty's Government to provide sanctuary and to facilitate the conduct of negotiations. I can assure you that from the moment we were first informed of the presence of this group at the Consulate, instructions were issued that they should not be required to leave the premises against their will. While it would not be right for HMG to act as an intermediary between them and the South African Government, they have lawyers who have been actively involved in this capacity, and with whom we are in touch.

Geoffrey Howe and his colleagues will, of course, be keeping a very close eye on the situation.

Yours sincerely  
Margaret Thatcher

The Rt. Hon. Neil Kinross, M.P.

LETTER

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM: Prime Minister

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

TO:  
 The Right Honourable Neil Kinnock MP  
 The Office of the Leader of the  
 Opposition  
 House of Commons  
 London  
 SW1A 0AA

Your Reference

Copies to:

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.....In Confidence

CAVEAT.....

SUBJECT:

Thank you ~~very much~~ for your letter of today's date about the six members of the United Democratic Front and Natal Indian Congress who have ~~sought~~ <sup>taken</sup> temporary <sup>refuge</sup> ~~sanctuary~~ in the British Consulate in Durban.

I understand that this group have sent a letter to the South African Minister of Law and Order making various demands relating to the conditions of their detention. The group has requested Her Majesty's Government to provide sanctuary and to facilitate the conduct of negotiations. I <sup>can</sup> ~~am~~ happy to assure you that from the moment we were first informed of the presence of this group at the Consulate, instructions were issued that they should not be required to leave the premises against their will. While it would not be right for HMG to act as an intermediary between them and the South African Government, they have lawyers who have been actively involved in this capacity, and with whom we are in touch.

Enclosures—flag(s).....

/ This

~~This is a situation of some delicacy. [I can~~  
~~assure you that] Geoffrey Howe <sup>and</sup> ~~or~~ his colleagues~~  
~~will (be keeping a very close eye on it as it evolves.~~  
*of course* *the situation.*

x

em.



HOUSE OF COMMONS  
LONDON SW1A 0AA

cc Press  
cc FCO

The Office of the Leader of  
the Opposition

13 September 1984

Dear Prime Minister,

You will know that the South African Minister of Justice, Louis le Grange, last month issued a detention order against a number of critics of the government. Subsequently, the Supreme Court declared the Minister's order invalid and ordered the release of the detainees. I am sure you will also be aware that the Minister has since issued a fresh order for their re-detention.

I understand that this morning some of those against whom this order has been made, leading figures in the United Democratic Front and the Natal Indian Congress, have sought temporary sanctuary in the British Consulate in Durban and have asked that Her Majesty's Government intervene with the South African authorities to prevent their being detained without trial by the South African police.

I urge you to ensure that the Government responds positively to this request by communicating urgently with the South African government and by instructing the consul to provide protection until a satisfactory reply is received. There can be no doubt that, if denied the protection and assistance of Her Majesty's Government, the individuals concerned will be re-arrested and detained without trial for an indefinite period. I am certain that you would not wish to be responsible - directly or indirectly - for the renewed detention without trial of people whose only 'crime' is to seek basic freedoms for their people.

Yours sincerely,

Rt Hon Margaret Thatcher MP



HOUSE OF COMMONS  
LONDON SE1 1AA

COMMUNIST

19 SEP 1984



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OO DAR ES SALAAM  
OO ADDIS ABABA  
OO NAIROBI  
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TO IMMEDIATE LAGOS

TELEGRAM NUMBER 589 OF 13 SEPTEMBER

AND TO IMMEDIATE ACCRA, DAR ES SALAAM, ADDIS ABABA, NAIROBI,  
MAPUTO, LUANDA, GABORONE, MBABANE, MASERU, LUSAKA, UKMIS NEW YORK,  
WASHINGTON, EC POSTS, CANBERRA, OTTAWA, PRETORIA

INCIDENT AT DURBAN CONSULATE

1. SIX BLACK OPPOSITION LEADERS ENTERED THE CONSULATE IN DURBAN THIS MORNING SEEKING TEMPORARY SANCTUARY. THE MEN ARE THE SUBJECT OF DETENTION ORDERS, YET TO BE SERVED (SEE PARA 6 BELOW).
2. THE GROUP, THROUGH THEIR LAWYERS, HAVE PUT THREE DEMANDS TO US:
  - (I) WE SHOULD PROVIDE SANCTUARY AND PROTECTION FOR AS LONG AS THEY NEED IT:
  - (II) WE SHOULD FACILITATE THE CONDUCT OF NEGOTIATIONS WITH THE SOUTH AFRICAN GOVERNMENT
  - (III) WE SHOULD PROVIDE SUCH ASSISTANCE AS THE UK CAN.
3. WE UNDERSTAND THAT THE SIX HAVE PUT TO THE SOUTH AFRICAN GOVERNMENT, AGAIN THROUGH THEIR LAWYERS, DEMANDS CONCERNED WITH THE TERMS AND CONDITIONS OF THEIR FUTURE DETENTION.
4. WE ARE TAKING THE LINE THAT
  - (I) NO QUESTION OF OUR REQUIRING THE SIX TO LEAVE THE CONSULATE AGAINST THEIR WILL. (IF NECESSARY: CLEARLY THEY

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CANNOT STAY INDEFINITELY).

(II) NOT RIGHT FOR THE UK TO BECOME INVOLVED IN THE NEGOTIATIONS, (THEY HAVE LAWYERS WHO ARE ACTING IN THIS CAPACITY).

IF YOU ARE ASKED TO COMMENT YOU SHOULD SPEAK ACCORDINGLY.

5. STRICTLY FOR YOUR OWN INFORMATION (UNDERLINED) WE HAVE AUTHORISED THE EMBASSY TO SPEAK INFORMALLY TO THE SOUTH AFRICAN DFA TO THE EFFECT THAT WE UNDERSTAND THE SIX ARE CONCERNED AT THE POSSIBILITY OF REDETENTION WHEN THEY LEAVE THE CONSULATE AND TO ASK IF THE DFA COULD EXPLAIN TO THE GROUP'S LAWYER THE POSITION ON THIS:

6. BACKGROUND (UNDERLINED)

A NUMBER OF BLACK OPPOSITION LEADERS, OPPOSED TO THE NEW CONSTITUTIONAL ARRANGEMENTS IN SOUTH AFRICA (GUIDANCE TELNO 83 REFERS), WERE ARRESTED IN AUGUST, BEFORE THE ELECTIONS FOR THE NEW COLOURED CHAMBER OF PARLIAMENT. SEVEN OF THOSE WERE RELEASED ON 7 SEPTEMBER, BY ORDER OF THE SUPREME COURT ON THE GROUNDS, THAT THEIR DETENTION ORDERS WERE NOT VALID. THE MINISTER OF LAW AND ORDER ISSUED FRESH DETENTION ORDERS AT ONCE BUT THE SEVEN WENT TO GROUND, UNTILL THEIR RE-APPEARANCE TODAY.

7. ON 27 AUGUST, OUR EMBASSY, ON INSTRUCTIONS, MADE KNOWN TO THE SOUTH AFRICAN DFA OUR CONCERN AT THE ARRESTS AND DETENTIONS ON 11 SEPTEMBER EC MINISTERS ISSUED A STATEMENT OF CONCERN. THE AMERICAN AND FRENCH GOVERNMENTS HAVE TAKEN SIMILAR ACTION.

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From the Private Secretary

Prime Minister

Incident in Durban

These telegrams summarize where matters stand. I am told that Mr Botha has said that the South African Government will not take any action to expel the six from the Consulate.

2. The lawyer acting for the six (Mr. Yacoob) has tried to telephone Sir G. Howe and you. He has been told that he must deal with our representatives in Durban & Pretoria.

C.D.P.

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PS

PS/Mr RIFKIND

PS/PUS

~~SIR J LEMMY~~

MR. JOHANSON

MR ~~ADAMS~~ O'NEILL

HD/SAFD

HD/CAFD

HD/UND

HD/NEWS D

MR. FREELAND LEGAL ADV. Rm. WH216

RESIDENT CLERK

MR A J S GOODALL  
CABINET OFFICE

PS/NO.10 DOWNING STREET



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297711 PRDRME G  
6-21299 SA  
07 SEPTEMBER 1984

TO : MARGARET THATCHER

WE REFER TO OUR TELEX SENT TO YOU YESTERDAY TO WHICH THERE HAS YET BEEN NO REPLY. WE RESPECTFULLY CONVEY TO YOU THAT WE REGARD THIS SITUATION AS A DELICATE AND SENSITIVE ONE REQUIRING CAREFUL YET DECISIVE ACTION. OUR CLIENTS WISH TO ASSURE YOU THAT THEY HAVE EVERY INTENTION OF PROMOTING AN AMICABLE SOLUTION TO THIS UNHAPPY MATTER ACCEPTABLE TO ALL THE PARTIES AS QUICKLY AS POSSIBLE. TO THIS END, AND IN VIEW OF THE PARTICULAR URGENCY OF THIS MATTER, WE HAVE DECIDED TO DESPATCH A DELEGATION TO LONDON TO CRAVE AUDIENCE WITH YOU AND REPRESENTATIVES OF YOUR GOVERNMENT. WE DO SO SECURE IN THE KNOWLEDGE THAT YOUR GOVERNMENT, TOO, IS GENUINELY DESIROUS OF ACHIEVING A SPEEDY AND EFFECTIVE RESOLUTION. OUR CLIENTS WOULD PROPOSE THAT FRANK DISCUSSION IN AN ATMOSPHERE OF MUTUAL CO-OPERATION AND A COMMON COMMITMENT TO ACHIEVE JUSTICE AND NORMALITY ARE THE ESSENTIAL INGREDIENTS FOR MEANINGFUL NEGOTIATION INTENDED TO PUT AN END TO THIS CRISIS.

WE FERVENTLY TRUST THAT YOU WILL GRANT AUDIENCE TO OUR DELEGATION SO THAT A BEGINING CAN BE MADE.

YOURS FAITHFULLY  
YUNUS MAHOMED AND ASSOCIATES  
ON BEHALF OF :

ARCHIE GUMEDE  
GEORGE SEWPERSAD  
BILLY NAIR  
MEWA RAMGOBIN  
M J NAIDOO  
PAUL DAVID.

NATAL INDIAN CONGRESS  
UNITED DEMOCRATIC FRONT.

for ONWARD TRANSMISSION

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Foreign and Commonwealth Office

London SW1A 2AH

13 September, 1984

PN has been  
C/D. 13/9

Dear Charles,

South Africa

As you may already know from media reports, six leading members of the United Democratic Front and the Natal Indian Congress (political parties which opposed the new Constitution in South Africa) have taken refuge in the British consulate in Durban.

The background to this development is that a number of UDF and NIC members, including many leaders, were arrested before the elections for the Coloured Chamber under the new South African Constitution. Seven of these were arrested on 7 September by order of the Pieter Maritzburg Supreme Court. The Minister of Law and Order issued fresh detention orders at once, but the seven went to earth. We believe that the six people now in the Durban Consulate are all members of this group.

The six men turned up this morning and asked to see our Consul, Mr Davey. After speaking to him they declined to leave the Consulate premises. We know they have sent a letter to the Minister of Law and Order, Mr le Grange, which apparently seeks to renegotiate the terms under which they will be detained. They have told Davey that they will wait in the Consulate for a reply to this letter, although they have also indicated that they would leave at the close of business today (4.30 pm local time). At present the six UDF and NIC leaders have not sought asylum.

This places us in an awkward situation. We expressed concern to the South Africans at the time these men were arrested, and our handling of their presence in the Consulate will be closely watched both by the South African Government and others in South Africa and here. We have instructed our Embassy in South Africa that there must be no question of forcible eviction of the six; that we should try to persuade them to leave voluntarily; and that Mr Darcy should agree if necessary to act as a channel on communications but must not negotiate on behalf of the six.

The South African Foreign Minister has been in touch with our Charge d'Affaires who has briefed him factually on what has occurred. Mr Botha has said the South Africans will

/not

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not at this stage intervene themselves.

---

*Yours ever,*

*Colin Budd*

(C R Budd)  
Private Secretary

C D Powell Esq  
10 Downing Street

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10 DOWNING STREET

*From the Private Secretary*

11 September, 1984.

South Africa: The Kwangema Community

Thank you for your letter of 6 September enclosing a draft letter from the Prime Minister to Mr. Botha about the forced removal of the Kwangema Community.

I enclose a signed version of the letter, amended in some respects from your draft. I should be grateful if the text could be telegraphed to our Embassy for early delivery.

Charles Powell

C.R. Budd, Esq.,  
Foreign and Commonwealth Office.

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10 DOWNING STREET

THE PRIME MINISTER

11 September 1984

PRIME MINISTER'S

PERSONAL MESSAGE

SERIAL No. T 157/84

cc MASTER.  
OPS

Dear Mr. President,

I valued our discussions at Chequers on 2 June, and was grateful for your letter about this. I firmly believe that we must maintain the dialogue between our two Governments.

I told you at Chequers of my strong support for the Nkomati Accord and was heartened by your determination to make the Accord a success. You may like to know that we intend very soon to announce a significant increase in our level of economic assistance to Mozambique. We are active in trying to stimulate interest among other Western donor countries on both the multilateral and bilateral fronts and are adopting a sympathetic attitude towards IMF/IBRD membership and Paris Club rescheduling. A speedy improvement in the security situation in Mozambique is, of course, essential for success in the economic field. I very much hope that South Africa can assist in this. President Machel is clearly under pressure from his hard-liners and needs to demonstrate soon that he is on top of the security situation.

At Chequers we also discussed, among other subjects, the question of the Kwangema community. Since we spoke I have received a copy of a letter sent to you by the Kwangema people, dated 3 July. I found it both eloquent and disturbing and I remain concerned at the plight of these people. I am sure that South Africa's reputation both here and elsewhere in the West will only be tarnished if people

are moved against their clearly expressed will. I would be sorry to see that happen and hope that you will stay the implementation of your apparent intention to do so.

I have been following with interest the constitutional changes which have now been inaugurated in South Africa and wish you well in your new responsibilities.

Yours sincerely

Margaret Thatcher

The Honourable P W Botha DMS



Prime Minister

Foreign and Commonwealth Office

London SW1A 2AH

It is not the best moment to write, against the background of the current disturbances & violence, and if you deal with them, the chances of making any impact on Mr. Botha will be negligible.

6 September 1984  
 Dear Charles, on balance I think that the letter as amended should go.

South Africa: The Kwangema Community

Thank you for your letter of 6 August regarding the Prime Minister's wish to write to the South African Prime Minister pleading for reconsideration of his Government's decision to go ahead with the forced removals of the Kwangema community.

There has been no progress on Kwangema since Peter Ricketts wrote to you on 3 August. The South African Government had by then confirmed its intention to move the community, but no action has been taken to implement this decision. It looks unlikely that anything will happen in the immediate future.

We have carefully considered how the Prime Minister might most effectively raise this issue once again with Mr Botha. There is a risk that a letter dealing solely with Kwangema would be counter-productive. The Foreign Secretary therefore recommends that the point on Kwangema should be made in a more general letter, which picks up one other topic discussed at Chequers on 2 June - our activity in organising increased Western assistance to Mozambique. This is a point to which the South Africans attach great importance and a reference to it would add a positive note to the letter. I enclose a draft which the Foreign Secretary believes would have the right impact.

Before the Prime Minister sends the letter to Mr Botha, there are two other points to consider. First, the South African Government is at present engaged in implementing its new constitution. Mr Botha himself will become the new Executive President of South Africa, and is to be inaugurated on 14 September. He might take it amiss if the Prime Minister were to write to him without mentioning these events, particularly his appointment as President. Given, however, that the UK has been criticised both here and abroad for our abstention in the Security Council (alone with the Americans against 13 votes for) on a Resolution adopted on 17 August declaring the new constitution 'null and void', and also the violence of recent weeks in South Africa, the Foreign Secretary thinks it best that the

/Prime



Prime Minister's message should make only a passing reference to the new constitution and Mr Botha's new position. The South Africans would be likely to publicise anything which smacked of congratulations and our position would be further misinterpreted.

Secondly, the Foreign Secretary points out that our bilateral relations with South Africa may be put under strain in the next few weeks following his proposal to seek the withdrawal of two members of the South African Embassy for improper activities. The atmosphere in which the Prime Minister's letter on Kwangema is received may not therefore be propitious. The reference to our aid for Mozambique should, however, help to sweeten both pills and do something to reassure Mr Botha about our willingness to look for a better relationship where and when that is possible.

*Yours ever,*

*Colin Budd*

(C R Budd)  
Private Secretary

C D Powell Esq  
10 Downing Street

S. AFRICA

Relates PE }  
}



DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM

Reference

The Prime Minister

DEPARTMENT: ECLAD TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

The Honourable P W Botha DMS MP  
~~Prime Minister~~ <sup>President</sup> of the Republic  
 of South Africa

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

CAVEAT.....

I valued our discussions at Chequers on 2 June, and was grateful for your letter about this. I firmly believe that we must maintain the dialogue between our two Governments.

2. I told you at Chequers of my strong support for the Nkomati Accord and was heartened by your determination to make the Accord a success. You may like to know that we intend very soon to announce a significant increase in our level of economic assistance to Mozambique. We are active in trying to stimulate interest among other Western donor countries on both the multilateral and bilateral fronts and are adopting a sympathetic attitude towards IMF/IBRD membership and Paris Club rescheduling. A speedy improvement in the security situation in Mozambique is, of course, essential for success in the economic field. I very much hope that South Africa can assist in this. President Machel is clearly under pressure from his hard-liners and needs to demonstrate soon that he is on top of the security situation.

Enclosures—flag(s).....

3. At Chequers we also discussed, among other subjects, the question of the Kwangema community. Since we spoke I have received a copy of a letter sent to you by the Kwangema people, dated 3 July. ~~I wanted to tell you that I remain concerned at the plight of~~

/these

I found it both eloquent & disturbing and I remain

these people. I am sure that South Africa's reputation both here and elsewhere in the West will only be tarnished if people are moved against their clearly expressed will.

I would be sorry to see that happen and hope that you will stay the implementation of your

4. I have ~~of course~~ been following with great interest the constitutional changes

which have now been inaugurated in South Africa and

I wish you well in your new responsibilities, and

~~very much hope that these changes will bring lasting benefit to the South African people.~~

I remain concerned at the plight of these people.

apparent ~~decision~~ intention to do so.

[This would sound hollow against the background of the massive absences & of the rioting]

S E C R E T



FILE

rwj

11

10 DOWNING STREET

*From the Private Secretary*

4 September, 1984

IMPROPER ACTIVITIES BY MEMBERS OF THE  
SOUTH AFRICAN EMBASSY

The Prime Minister has seen Sir Geoffrey Howe's minute of 3 September to the Home Secretary on this subject. Subject to the views of the Home Secretary, she is inclined to think that the action proposed by Sir Geoffrey is right.

I am sending a copy of this letter to Hugh Taylor (Home Office).

(C.D. Powell)

L. Appleyard, Esq.,  
Foreign and Commonwealth Office

S E C R E T



SECRET



Prime Minister <sup>10</sup>  
Agree?

Yes mt

CDD  
3/9

FCS/84/233

HOME SECRETARY

Improper Activities by Members of the South African Embassy

1.

2.

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RETAINED UNDER SECTION 3 (4)  
OF THE PUBLIC RECORDS ACT

3



THIS IS A COPY. THE ORIGINAL IS  
RETAINED UNDER SECTION 3 (4)  
OF THE PUBLIC RECORDS ACT

4. I believe this action will register firmly with the South Africans our determination not to tolerate activities of this kind. Barnard's personal attitude has been correct and responsible. He has given every indication that he will keep a firm grip on his London office in future. He is our best hope for bringing incidents of this sort to an end.

5. I expect to see the new South African Ambassador during September and will express to him, as earlier agreed with you, our concern, alluding if necessary to this latest incident (of which he will presumably be aware by then, if he is not already). I shall tell him that we do not propose to seek publicity, but that if news breaks of the burglary and charges are brought, we shall have no choice but to give publicity to our action. However, I think it important that nothing be said in public unless there is publicity about the burglary, in order to avoid undesirable speculation about the source of our information.

6. I am sending a copy of this minute to the Prime Minister.

A handwritten signature in black ink, appearing to be 'G. Howe'.

GEOFFREY HOWE

Foreign and Commonwealth Office

3 September 1984

RESTRICTED



FILE

cc: AC

WJ

10 DOWNING STREET

*From the Private Secretary*

6 August, 1984

SOUTH AFRICA: THE KWANGEMA COMMUNITY

Thank you for your letter of 3 August about the KwaNgema Community's letter to the South African Prime Minister setting out the case against their forced removal, which they have copied to the Prime Minister.

The Prime Minister has read the KwaNgema Community's letter and commented that we cannot just leave this alone. She wishes to write to Mr. P.W. Botha, pleading for reconsideration in the interests of both the KwaNgema Community itself and of South Africa's reputation abroad.

I shall be grateful if you could supply me with a draft letter for the Prime Minister to send to Mr. Botha by the time of the Prime Minister's return from holiday on 28 August.

BF/1

(C.D. Powell)

P. Ricketts, Esq.,  
Foreign and Commonwealth Office

RESTRICTED

DEPARTMENT/SERIES ..... <i>PREM 19</i> ..... PIECE/ITEM ..... <i>1391</i> ..... (one piece/item number)	Date and sign
Extract/Item details:  <i>Ricketts to Powell dated 3 August 1984          with encls</i>	
CLOSED FOR ..... YEARS UNDER FOI EXEMPTION	
RETAINED UNDER SECTION 3(4) OF THE PUBLIC RECORDS ACT 1958	
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Use **Black Pen** to complete form

Use the card for one piece/item number only

Enter the Department, Series and Piece/Item references clearly  
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DEPARTMENT/SERIES ..... <i>GRA 168</i> .....
PIECE/ITEM ..... <i>49</i> ..... (ONE PIECE/ITEM NUMBER ONLY)

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GR 1000

CONFIDENTIAL [circled]

CONFIDENTIAL

Prime Minister  
Summary only.  
I suggest

FM PRETORIA 011200Z AUG 84

TO ROUTINE FCO

TELEGRAM NUMBER 216 OF 01 AUGUST

INFO ROUTINE DTI (FOR TITCHENER AND OT5), BANK OF ENGLAND (FOR MAYES) ECGD (FOR BREACH), TREASURY, CABINET OFFICE (FOR ASSESSMENTS STAFF), AND MODUK (FOR DEI).

CDP  
2/P.

INFO SAVING JOHANNESBURG (ACTIONED), DURBAN (ACTIONED), CAPE TOWN (ACTIONED), MASERU, HARARE, MBABANE, GABORONE, MAPUTO (ACTIONED), LUANDA, LILONGWE, LUSAKA, WASHINGTON, UKDEL BRUSSELS, UKDEL NATO AND UKMIS NEW YORK.

RECENT TRENDS IN THE SOUTH AFRICAN ECONOMY AND THEIR POLITICAL IMPLICATIONS

SUMMARY

1. THE RECESSION IN SOUTH AFRICA CONTINUES TO DEEPEN. THE RAND HAS RECENTLY DECLINED IN VALUE BY ABOUT 15 PERCENT AGAINST MOST OTHER CURRENCIES. INFLATION IS STEADILY RISING. THE SHORT-TERM OUTLOOK IS GRIM AND THE LONGER-TERM TREND DISQUIETING. THE GOVERNMENT ARE STILL FAILING TO TACKLE THE ROOT CAUSES OF THE PROBLEM WHICH LIE IN THE STRUCTURE OF SOCIETY. PARTICULARLY AT STAKE ARE WHITE LIVING STANDARDS WHICH SEEM SURE TO CONTINUE TO DECLINE.

DETAIL

2. 1984 IS TURNING OUT TO BE A MORE DIFFICULT YEAR FOR THE SOUTH AFRICAN ECONOMY THAN EVEN PESSIMISTS HAD FORECAST. THE RECENT DECLINE BY ABOUT 15 PERCENT IN THE VALUE OF THE RAND AGAINST MOST OTHER CURRENCIES, THE CONTINUING STRENGTH OF THE US DOLLAR, A DETERIORATING BALANCE OF PAYMENTS POSITION AND UNHEALTHY FINANCIAL AND PRODUCTIVITY INDICATORS PROMPTED VOLSKAS, A LEADING SOUTH AFRICAN BANK, TO COMMENT RECENTLY THAT 'SELDOM IF EVER SINCE THE END OF THE SECOND WORLD WAR HAS THE SOUTH AFRICAN ECONOMY BEEN IN SUCH DIRE STRAITS AS IT IS AT PRESENT'.

3. GOLD ACCOUNTS FOR ABOUT HALF OF SOUTH AFRICA'S EXPORT EARNINGS AND THE ECONOMY IS ACCORDINGLY VERY VULNERABLE TO THE UNPREDICTABLE MOVEMENTS IN THE PRICE OF THIS KEY COMMODITY. THE GOLD PRICE AND THE STRENGTH OF THE US DOLLAR ARE ADMITTEDLY OUTSIDE SOUTH AFRICA'S CONTROL. BUT WHITE SOUTH AFRICANS, LONG ACCUSTOMED TO HEALTHY GROWTH RATES, DEPENDABLE PROFITS AND STEADILY RISING LIVING STANDARDS, HAVE BEEN RELUCTANT TO ACCEPT THAT SOUTH AFRICA TOO COULD BE ALL THAT SERIOUSLY AFFECTED BY THE INTERNATIONAL RECESSION. IN THIS THEY WERE ENCOURAGED BY THEIR GOVERNMENT WHICH IN THE AUTUMN OF 1981 FIRST DENIED EVIDENCE OF A DOWNTURN, THEN PREDICTED THAT IT WOULD BE MINIMAL AND SHORT-LIVED, AND HAVE SINCE

CONFIDENTIAL

/PERSISTENTLY.

## CONFIDENTIAL

PERSISTENTLY FOSTERED FALSE EXPECTATIONS BY PRESENTING A DISTORTED PICTURE OF THE ECONOMIC REALITY. RECENT ANNUAL BUDGET FORECASTS HAVE LACKED CREDIBILITY. THE GOVERNMENT ENDEAVOURED TO GIVE THE IMPRESSION, BOTH AT HOME AND ABROAD, THAT SOUTH AFRICA WAS A SHINING EXAMPLE OF FINANCIAL DISCIPLINE. BUT THEY HAVE, FOR EXAMPLE, GRANTED SUCH LARGE SALARY INCREASES TO CIVIL SERVANTS THAT THEY ARE RELUCTANT TO MAKE THE DETAILS PUBLIC. THEY GIVE THE IMPRESSION OF HAVING LOST CONTROL OF THEIR SPENDING, WHICH IS CURRENTLY RUNNING AT NEARLY DOUBLE THE BUDGET FORECAST RATE OF A 11.7 PERCENT INCREASE OVER FY 1983/84.

4. INFLATION IS RISING STEADILY. AN EARLIER FORECAST BY THE MINISTER OF FINANCE THAT IT SHOULD DECLINE FROM 11 PERCENT AT END 1983 TO 8.5 PERCENT BY END 1984 HAS BEEN DISCOUNTED BY MOST OBSERVERS WHO ARE PREDICTING A RISE FROM THE PRESENT NEARLY 12 PERCENT TO 14 OR 15 PERCENT. THE COST OF IMPLEMENTING THE NEW CONSTITUTION AND OF PURSUING ECONOMICALLY UNSOUND INDUSTRIAL DECENTRALISATION POLICIES IN PURSUIT OF THE IDEOLOGICAL REQUIREMENTS OF SEPARATE DEVELOPMENT, THE FINANCIAL BURDEN OF NAMIBIA, THE EFFECTS OF THE WORST DROUGHT THIS CENTURY, THE INCREASING IMPOVERISHMENT OF THE HOMELANDS WHERE NEARLY 1.5 MILLION BLACKS ARE DESTITUTE (NO INCOME, NO LAND, NO CATTLE) AND ANOTHER 7.5 MILLION ARE SURVIVING BELOW A MINIMUM SUBSISTENCE LEVEL IS BOUND TO PLACE A SEVERE STRAIN ON RESOURCES. THERE HAS HOWEVER BEEN LITTLE EVIDENT PUBLIC DESIRE TO FACE UP TO THE ECONOMIC IMPLICATIONS OF THE PRESENT CRISIS. SAVINGS ARE AT AN HISTORICAL LOW (3 PERCENT OF NET DISPOSABLE INCOME) AND CONSUMER DEBT IS AT AN ALL-TIME HIGH. PRIME RATE IS AT 22 PERCENT AND THE INCREASE IN THE BROAD MONEY SUPPLY (M2) AT 20 PERCENT OVER 1983 LEVEL IS A CAUSE FOR CONCERN. BANKRUPTCIES, BUSINESS FAILURES, MORTGAGE AND HIRE PURCHASE ARREARS ARE ON THE INCREASE.

5. THOUGH SERIOUS, IT WOULD BE WRONG TO DESCRIBE THE PRESENT ECONOMIC SITUATION AS DESPERATE. SOUTH AFRICA STILL ENJOYS WHAT IS PERCEIVED INTERNATIONALLY AS A HEALTHY OVERSEAS DEBT SERVICE RATIO OF 6 PERCENT AND ITS INTERNATIONAL CREDITWORTHINESS IS NOT (YET) UNDER STRAIN. SOUTH AFRICA HAS AN ENVIABLE INFRASTRUCTURE. ITS PORTS, ROADS AND RAILWAYS ARE SECOND TO NONE IN AFRICA AND CAN HANDLE A SUBSTANTIAL INCREASE IN TRAFFIC WHEN THE RECESSION ENDS. SOUTH AFRICA IS THE REGION'S INDUSTRIAL AND MILITARY GIANT. ITS MINERAL AND OTHER NATURAL RESERVES ARE SIGNIFICANT. IN COMPARISON WITH WEST EUROPEAN ECONOMIES, THE SOUTH AFRICAN ECONOMY IS SMALL-SCALE AND ITS INDICATORS ARE DECEPTIVELY VOLATILE AND NEED TO BE INTERPRETED CAUTIOUSLY. SOUTH AFRICA IS ONE OF THE FEW COUNTRIES IN AFRICA WHERE OVERSEAS SUPPLIERS GET PAID WITHOUT HASSLE. (BRITISH EXPORTERS SHOULD BE ABLE TO CONTINUE TO DO GOOD BUSINESS IN SOUTH AFRICA. IN STERLING TERMS, BRITISH EXPORTS WERE UP 27 PERCENT OVER 1983 IN THE FIRST FIVE MONTHS OF THE YEAR. BUT THE JAPANESE SEEM LIKELY TO EDGE US OUT OF THIRD POSITION, AFTER THE US AND GERMANY, AS SUPPLIERS.)

## CONFIDENTIAL

6. THE ANXIETIES OF THE SOUTH AFRICAN GOVERNMENT MAY INDEED BE LESS CONCERNED WITH PROBLEMS OF INDUSTRIAL STRATEGY AND RESOURCE DEVELOPMENT AS WITH THE POLITICAL IMPLICATIONS OF DECLINING WHITE LIVING STANDARDS. THE LONGER-TERM TREND IS DISQUIETENING. GROWTH RATES OF 5 PERCENT AND MORE IN THE 1950S AND 60S GAVE WAY TO AN ANNUAL AVERAGE OF 3.5 PERCENT IN THE 1970S. IN THE FIRST HALF OF THE 1980S, THE AVERAGE IS UNLIKELY TO EXCEED 2 PERCENT. IT IS HOWEVER GENERALLY ACCEPTED THAT A 5 PERCENT GROWTH RATE IS NEEDED JUST TO KEEP UNEMPLOYMENT AMONG THE RAPIDLY INCREASING BLACK POPULATION AT THE PRESENT LEVEL OF ABOUT 20 PERCENT. THE EXPECTED DECLINE IN WHITE LIVING STANDARDS COULD IN DUE COURSE POSE SERIOUS POLITICAL PROBLEMS FOR P W BOTHA UNLESS HE IS ABLE TO CONVINCE WHITES THAT THIS DECLINE IS BOTH INEVITABLE AND EVEN DESIRABLE. HIS PERSONAL STANDING AND THAT OF THE NATIONAL PARTY ARE FORTUNATELY STILL HIGH AFTER HIS VICTORY LAST NOVEMBER IN THE REFERENDUM ON THE NEW CONSTITUTION AND HIS RECENT EUROPEAN TOUR. IT WOULD ONLY BE HUMAN FOR WHITES TO RESIST ANY DECLINE IN LIVING STANDARDS, BUT RESISTANCE SEEMS BOUND TO LEAD TO INCREASINGLY WIDESPREAD PERSONAL FINANCIAL CRISES AND SOCIAL TENSIONS. THE BATTLE FOR ECONOMIC SURVIVAL IN SOUTH AFRICA COULD BE FOUGHT AS MUCH IN THE FAMILY HOME AS IN THE BOARDROOMS OF COMMERCE AND INDUSTRY.

7. FCO PLEASE PASS SAVING ADDRESSEES.

TONKIN

BT

FINANCIAL  
SAFD.

(REPEATED AS REQUESTED)

COPIES TO-

DTI

BANK OF ENGLAND

ECCD

HM TREASURY

CABINET OFFICE.

-3-

## CONFIDENTIAL



cc PC SECRET

9



QUEEN ANNE'S GATE LONDON SW1H 9AT

31 July 1984

NBOM

CDP

1/8

IMPROPER ACTIVITIES BY MEMBERS OF THE SOUTH AFRICAN EMBASSY

Thank you for your minute of 18 July about the warnings you intend to administer to the South Africans about the consequences of any further instances of unlawful or unacceptable activity. I warmly welcome this initiative, and am glad to see that the Speaking Note is in unequivocal terms, referring specifically to the link between the burglary at the Anti-Apartheid Movement's offices in 1983 and the NIS station under the control of Mr Stephanus Botha.

THIS IS A COPY. THE ORIGINAL IS  
RETAINED UNDER SECTION 3 (4)  
OF THE PUBLIC RECORDS ACT

I am sending a copy of this letter to the Prime Minister.

The Rt Hon Sir Geoffrey Howe, QC, MP

SECRET

S E C R E T



file 168  
= Sir P Cadogan

10 DOWNING STREET

*From the Private Secretary*

19 July 1984

IMPROPER ACTIVITIES BY MEMBERS OF THE SOUTH  
AFRICAN EMBASSY

---

The Prime Minister has noted the Foreign and Commonwealth Secretary's minute to the Home Secretary on this subject and agrees with the action proposed.

CHARLES POWELL

Len Appleyard, Esq.,  
Foreign and Commonwealth Office.

S E C R E T



FCS/84/207

 WCH  
 (2)  
 Prime Minister 7

 CDP  
 10/7

SECRETARY OF STATE FOR THE HOME DEPARTMENT
Improper Activities by Members of the South African Embassy

1. As you know, we agreed that we would take advantage of the visit of the South African Prime Minister to express concern at continued improper activities by members of the South African Embassy here. In the event, the subject was not raised, but I am now anxious that we should make our concerns clear to the South Africans.

2.

I intend to follow this up by speaking to the new South African Ambassador when he arrives in mid-August, to warn him in general terms about improper activities. This should leave the South Africans in no doubt of our resolve and of the consequences of any further improper activities here.

3. I am sending a copy of this minute to the Prime Minister.

**THIS IS A COPY. THE ORIGINAL IS  
RETAINED UNDER SECTION 3 (4)  
OF THE PUBLIC RECORDS ACT**

(GEOFFREY HOWE)

Foreign and Commonwealth Office  
18 July 1984



## SPEAKING NOTE

Improper Activities by Members of the South African Embassy  
in the UK

1. In January 1983 the South African authorities were warned that we could not tolerate unlawful or otherwise unacceptable behaviour by members of any diplomatic mission and that evidence of such activities by individual South African intelligence officers in London continued to come to the attention of the British authorities. We warned of the consequences if this continued.
2. My Government's resolve not to tolerate improper activities of this kind was clearly expressed following the incident at the Libyan People's Bureau in April. I made clear in Parliament that we would consider, if appropriate, exemplary expulsions.
3. We regret that further evidence of illegal activities against opponents of the South African Government has come to light. This concerns the burglary of the Anti-Apartheid Movement's offices in London in 1983 and the activities of the NIS station under the control of Mr Stephanus Botha, First Secretary at the South African Embassy, who you will recall was the subject of a previous representation in January 1983.
4. I must now repeat our warning that if we see any further evidence of improper activities by NIS officers here, or any other South African officials, this will lead to an expulsion.
5. This problem is not of our making. We value our relationship with the South African Government, as was evidenced by Mr P W Botha's visit to the UK, and do not wish

/to

SECRET



to disrupt it. We are therefore anxious that this irritant to our relations should be brought to an end.

6. I must ask you to report this meeting to your Government and to ensure that our concern is brought to the attention of your Ministers.

SECRET

5 Africa  
News?

18 JUL 1984



copy W



Foreign and Commonwealth Office

Prime Minister

London SW1A 2AH

You asked whether the  
South African memo. could  
be sent to Mrs. Kinnock.  
It seems better not.

10 July, 1984

John Archer,

Agree to sign attached  
letter? CDP 14/7

South Africa: the Kwa Ngema Community

In your letter of 5 July you ask whether the Prime Minister should give Mrs Kinnock a copy of the South African memorandum entitled "Resettlement in Southern Africa". We believe that to do so would be counter-productive.

As far as we know, the South Africans had not made this memorandum public. Strictly speaking it is for them to decide whether to do so. They might conclude that in giving the memorandum to Mrs Kinnock we were deliberately trying to embarrass them, having already pressed them very hard on the issue. This might tip what is a delicate balance. It would give the South African Government a fresh grievance to the detriment of Anglo-South African relations, without helping the Kwa Ngema Community.

In any case, the arguments in the memorandum are unconvincing and occasionally downright misleading. I am sure that Mrs Kinnock would find them so. If she decided to make a public issue of the memorandum the ensuing publicity could embarrass the Prime Minister even though the latter would obviously want to make clear that she was not associating herself with the views it contained.

On balance therefore, we would advise against handing the memorandum over to Mrs Kinnock.

(R B Bone)  
Private Secretary

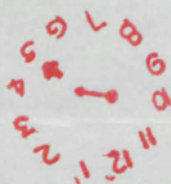
C D Powell Esq  
10 Downing Street

S. Africa R3

Foreign and Commonwealth Office

London SW1A 2AH

Relatives



10 JUL 1987





10 DOWNING STREET

*From the Private Secretary*

5 July 1984

South Africa: The KwaNgema Community

BF | Thank you for the draft reply to Mrs. Kinnock's further letter to the Prime Minister about the KwaNgema community. The Prime Minister has asked whether we could let Mrs. Kinnock have the South African memorandum enclosed with the South African Charge d'Affaires' letter of 20 June to me. I should be grateful for early advice on whether you think this is appropriate or likely to be counter productive.

Charles Powell

Roger Bone Esq  
Foreign and Commonwealth Office.



10 DOWNING STREET

*From the Private Secretary*

4 July 1984

Thank you for your letter of 20 June and for its enclosures about the policies of your Government on resettlement in South Africa. We have taken careful note of what it says, and have looked with particular interest at the references to the KwaNgema community.

We remain very concerned about the future of this community. While the resettlement of some families may be necessary because of the proposed new dam, the KwaNgema community have made very clear to us their wish that those who are not affected by the dam should not be resettled, and that those who are should be allowed to establish new homes in the same area.

Charles Powell

Mr. L.H. Evans

AF

PRIME MINISTER

South Africa: The KwaNgema Community

Mrs. Kinnock has written to you further about the KwaNgema community. I attach a reply for your signature (Flag A).

At the same time, the South African Embassy have sent you a further memorandum on the subject as promised by Mr. Botha. I intend to reply as in the attached letter (Flag B) if you agree.

C.D.P.

Can we not send  
a copy of the  
memo on

KwaNgema  
not

4 July 1984

RESTRICTED



Foreign and Commonwealth Office

London SW1A 2AH

4 July 1984

2 P05

*Dear Andrew,*

South Africa: The KwaNgema Community

Thank you for your letter of 20 June, enclosing one from Mr Evans, Charge d'Affaires at the South African Embassy, covering a memorandum about resettlement in South Africa. I enclose a draft reply.

As you know, the Prime Minister raised the issue of forced removals with the South African Prime Minister during their talks on 2 June. The South Africans have felt obliged to let us have a defence of their resettlement policy. It follows standard lines and bears little relation to reality. The memorandum claims that it is not the policy of the Government to bring about forced removals and suggests that where resettlement takes place the overriding motive is the 'improvement of the quality of life for the people concerned, economically, socially and politically'. The state of affairs in many resettlement camps, and indeed in the homelands generally, where most of the 2 million blacks who have been removed have been sent, belies this. The argument cannot be sustained that the removals, for example, of the people of Mogopa, to whom the memorandum refers, are genuinely voluntary. Force and intimidation are routinely used to bring people to move.

The memorandum and Mr Evans's covering minute make specific reference to KwaNgema. He confirms the intention of the South African Government to move the community, saying that it is necessary to do this because of the new dam being built in the area. In fact, the proposal to remove the KwaNgema people originated before the dam was mooted. Moreover, according to some reports, it will cover only a small proportion of the land occupied by the KwaNgema people.

The South Africans already know our position very clearly, but it is worthwhile reminding them that we shall be watching developments closely, particularly at KwaNgema. The draft reply therefore refers to the continuing concern in this country at the prospect of the removal of the KwaNgema people.

I am writing separately about the letter from Mrs Kinnock to the Prime Minister, dated 16 June, about KwaNgema.

*[Signature]*  
(R B Bone)  
Private Secretary

C D Powell Esq  
10 Downing Street

RESTRICTED

DSF (Revised)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM:

Reference

PS (No 10)

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Mr L H Evans  
 Charge d'Affaires  
 Embassy of the Republic of South Africa  
 LONDON WC2N 5DD

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

CAVEAT.....

Thank you for your letter of 20 June and for its enclosures about the policies of your Government on resettlement in South Africa. We have taken careful note of what it says, and have looked with particular interest at the references to the KwaNgema community.

We remain very concerned about the future of this community. While the resettlement of some families may be necessary because of the proposed new dam, the KwaNgema community have made very clear to us their wish that those who are not affected by the dam should not be resettled, and that those who are should be allowed to establish new homes in the same area.

EM

Enclosures—flag(s).....

South Africa: Relats 143.



Foreign and Commonwealth Office

London SW1A 2AH

4 July 1984

*John Chester*

Letter to the Prime Minister from Mrs Glenys Kinnock:  
The KwaNgema Community

Mrs Kinnock wrote to the Prime Minister on 16 June asking if Mrs Thatcher intended to take any further action about the KwaNgema community, in the light of reports that the South African Government intends to proceed with their removal. I enclose a draft reply.

You will recall that Mrs Kinnock and others wrote to the Prime Minister on 1 June asking her to intervene on behalf of the KwaNgema community. The Prime Minister replied on 11 June, saying that she had done so with the South African Prime Minister during their talks on 2 June.

Mrs Kinnock's present letter will have been prompted by reports of proceedings in the South African Parliament on 13 June during which a Deputy Minister said that the people of KwaNgema had to be relocated, adding that talks aimed at finding an acceptable solution would continue.

Having consulted our Embassy in Cape Town, the Foreign Secretary advises that we should not commit ourselves now to taking any further action, though we should underline our continuing deep concern about the case. We have made our position crystal clear to the South African Prime Minister. There is little more we can usefully do for the present, other than to monitor the situation. We are ready to make further representations, singly or with our EC partners, if the situation shows signs of deteriorating and the South Africans embark on a policy of coercion. Action now, or a commitment to such (which is likely to become public) could well prove counter-productive.

Our Embassy, whom we have consulted, believe that, while in the long run the SAG will persevere with their intention to remove the KwaNgema 'black spot', they are likely to proceed cautiously and to concentrate on seeking to persuade the inhabitants of KwaNgema to move voluntarily. This

/assessment



assessment broadly accords with the line taken in the paper about population removals from the Charge d'Affaires at the South African Embassy (his letter to you of 20 June) on which I am writing separately.

*Yours  
R B Bone*

(R B Bone)  
Private Secretary

C D Powell Esq  
10 Downing Street



DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM

Reference

Prime Minister  
DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Mrs Glenys Kinnock  
2A Clovelly Road  
Ealing  
LONDON W5

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Thank you for your further letter of 16 June about the KwaNgema community in South Africa.

CAVEAT.....

I too have seen references which suggest that it is still the intention of the South African authorities to relocate the people of KwaNgema. As I indicated in my previous letter, the South African Prime Minister is in no doubt of where we stand on this matter, and of our concern to see justice done.

We have to judge carefully how (and when) best to approach such a situation. You may be sure that, having taken up the case with Mr Botha, we shall watch developments very closely. I have instructed officials to keep me fully informed.

*em*

Enclosures—flag(s).....

CONFIDENTIAL

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FM CAPE TOWN 220615Z JUN 84

TO PRIORITY FCO

TELEGRAM NO 448 OF 21 JUNE

INFO ROUTINE TO GABORONE, HARARE, MBABANE, MASERU.

MS

SOUTH AFRICA'S RELATIONS WITH HER NEIGHBOURS

1. MINISTER HAD LUNCH TODAY WITH MANLEY, PIK BOTHA'S PRIVATE SECRETARY (WHO WAS PRESENT AT THE TALKS AT CHEQUERS). MANLEY COMMENTED AS FOLLOWS ON THE CURRENT SOUTHERN AFRICAN SCENE.

BOTSWANA:

2. MINISTER RAISED PROBLEMS DISCUSSED IN GABORONE TELS NOS MISC 61 TO ME AND 131 TO YOU. MANLEY SAID THAT THE BATSWANA WERE PARANOID. THE SOUTH AFRICANS HAD TRIED TO EXPLAIN TO THE BATSWANA THAT, IF SOUTH AFRICA WERE GOING TO RELY EXCLUSIVELY ON SODA ASH FROM THE SUAPAN PLANT, THEN THEY MUST HAVE GUARANTEES OF SECURITY OF SUPPLY. THIS MEANT ASSURANCES ABOUT CONTROL OVER THE ANC, WHO WOULD SEE THE SUAPAN PLANT AS AN ATTRACTIVE TARGET FOR SABOTAGE IN VIEW OF THE DAMAGE WHICH THIS COULD CAUSE THROUGH THE DISRUPTION OF SUPPLIES. IF THE BATSWANA WERE NOT ABLE TO PROVIDE GUARANTEES, SOUTH AFRICA WOULD WISH TO HELP THEM CONTROL THE ANC. MINISTER SAID THAT IF THIS IMPLIED CROSS-BORDER RAIDS, THEN THIS WOULD BE BOUND TO BE REGARDED AS AN INFRINGEMENT OF BOTSWANA'S SOVEREIGNTY. MANLEY ACKNOWLEDGED THAT THERE WERE DIFFICULTIES, BUT INSISTED THAT IT WAS IMPORTANT FOR THE SAG TO GET A FIRM UNDERSTANDING ON THESE SECURITY ISSUES.

LESOTHO:

3. MANLEY SAID THAT THE SAG WERE UNHAPPY ABOUT THE LACK OF PROGRESS ON THE PROPOSED SECURITY AGREEMENT. THEY WERE VERY SORRY TO LEARN THAT THABANE (PERMANENT SECRETARY AT THE FOREIGN MINISTRY HAD MOVED TO ANOTHER POST. THEY THOUGHT THAT SEKHONYANA'S POSITION HAD BEEN WEAKENED. THEY DID NOT UNDERSTAND WHAT JONATHAN WAS NOW TRYING TO ACHIEVE. LIKE THE BATSWANA, THE BASOTHO WERE PARANOID ABOUT SOUTH AFRICA.

SWAZILAND:

4. MANLEY CONFIRMED THAT THE SOUTH AFRICANS WERE CONCERNED ABOUT RECENT INTERNAL DEVELOPMENTS THERE. THEY WERE WATCHING THE SITUATION CLOSELY. HOWEVER, THE DECISION TO DISSOLVE THE RUMPF COMMISSION (MY TELNO 446) HAD BEEN TAKEN BEFORE THE LATEST EVENTS AND THE DECISION HAD NOT BEEN INFLUENCED BY THEM. HE WOULD NOT BE DRAWN ON THE TIMING OF THE ANNOUNCEMENT. BOTHELEZI (AS PARANOID AS THE BASOTHO AND BATSWANA) HAD DELIBERATELY MISUNDERSTOOD DR KOORNHOF'S CONFIDENTIAL BRIEFING PRIOR TO THE PUBLIC ANNOUNCEMENT AND HAD ISSUED A MISCHIEVOUS STATEMENT TO THE PRESS.

ZIMBABWE:

5. MANLEY SAID THAT THEY WERE BEGINNING TO SEE A CHINK OF LIGHT AT THE END OF THE TUNNEL. THEY WERE MODESTLY OPTIMISTIC ABOUT OPENING A DIALOGUE AT MINISTERIAL LEVEL IN THE NOT TOO DISTANT FUTURE.

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MOZAMBIQUE:

6. MANLEY REPORTED GOOD WORKING PROGRESS AND CONFIRMED THAT THE SAG WERE DOING WHAT THEY COULD TO REASSURE MACHEL OF SOUTH AFRICAN SINCERITY.

ANGOLA:

7. THE SITUATION WAS IN A STATE OF FLUX AND NO EARLY DEVELOPMENTS COULD BE EXPECTED.

FERGUSSON

SOUTHERN AFRICA

[COPIES SENT TO NO 10 DOWNING STREET]

STANDARD(PALACE)

S AF D	WED
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UND	EED
NAD	MR SQUIRE
	CABINET OFFICE

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file. 30



10 DOWNING STREET

From the Private Secretary

20 June 1984

Dear Peter,

Resettlement in Southern Africa:  
the KwaNgema Community

I enclose a letter which I have received from the Southern African Embassy on this subject. I should be grateful for a draft reply.

BF1

Yours sincerely,  
C D Powell

P.S. I recall that  
there is a further letter  
from Mrs. Kinnock on the  
KwaNgema Community  
Peter Ricketts, Esq.,  
Foreign and Commonwealth Office

C D Powell

NR

file SR



10 DOWNING STREET

*From the Private Secretary*

20 June 1984

Thank you for your letter of 20 June,  
enclosing a memorandum. It was good of  
you to have sent this on.

(C.D. Powell)

Mr. L.H. Evans



B8/1/1

CPE

*South African Embassy*

Trafalgar Square  
LONDON WC2N 5DP

20th June 1984

C Powell Esq  
Private Secretary to  
the Rt. Hon. Margaret Thatcher MP  
Prime Minister  
No. 10 Downing Street  
LONDON

*Dear Mr Powell,*

During the talks on 2 June between our respective Prime Ministers, Mrs Margaret Thatcher and Mr P.W. Botha, the subject of resettlement in South Africa was raised. You will recall that Mr Botha explained the South African Government's thinking on this matter, and sketched the background to the subject. He stressed that the government always consulted and sought the co-operation of the people involved.

--- Mr Botha undertook to provide Mrs Thatcher with further information on this topic. In this regard I should be most grateful if you would bring the attached memorandum, which deals with the question, and in particular with the case of the community at KwaNgema, to Prime Minister Thatcher's attention.

During the course of last week (and before Mr P.W. Botha's return from Europe) Government spokesmen gave assurances in Parliament that resettlement projects considered essential for homeland consolidation would be carried out by negotiation. Dr George Morrison, the Deputy Minister of Co-operation and Development, said that a number of resettlement schemes were under consideration, but that decisions about them still had to be taken by the Government. Negotiations would in every case be held with the affected communities.

It is true that in the case of the KwaNgema community, the resettlement of 170 of the families will have to take place, but this is of course because of the new dam being built in the area, which will flood the land

currently occupied by the families.

As you know, the Press in South Africa has given prominence to the KwaNgema story, and to the letter which was addressed to Mrs Thatcher by members of the KwaNgema community. Sources at No 10 have in fact been quoted as having reacted to these reports. I do hope that the information I am providing will help to give a clearer picture of what is happening in South Africa at the moment, and will place the various comments that have been made in perspective.

Yours sincerely,  
Leo Evans.

L H EVANS  
CHARGÉ D'AFFAIRES a.i.

*Opinion*

*100%*

*Page*

*11*

RESETTLEMENT IN SOUTHERN AFRICA :  
THE CONSOLIDATION OF TRIBAL AREAS

The two central aspects of the question of preserving tribal land in South Africa are, first, that Acts of Parliament exist which recognise and set aside traditional tribal areas for the various communities, and second, that where resettlement does take place, the overriding motive is the improvement of the quality of life of the people concerned, economically, socially and politically.

In passing Act No 27 of 1913, the Union Parliament gave legal recognition to traditional tribal areas. In 1936, by the Trust and Land Act, some six million additional hectares were allocated for occupation by black communities. Subsequent governments have gradually implemented this Act, and only 80,000 hectares of the allocated land remains to be purchased.

This settlement process is closely related to the policy of the South African Government to promote decentralisation as far as possible. This will assist political devolution and the protection of ethnic identities, as economic growth points within the various Black States enhance viability and promote self-determination. It should be remembered that South Africa possesses many Third World characteristics, and in a number of senses is still a developing country. The USA Agency for International Development, the World Bank and the UN Development Programme have all strongly recommended decentralisation and the devolution of power in developing countries, and it is this pattern that the South African Government is following in its economic strategy.

To promote regional development, various incentives for the decentralisation of industry are on offer, and a small Business Development Corporation and a Development Bank have been established. Private entrepreneurs and overseas' investors participate actively in the regional development policy and since the inception of new incentives on 1 April 1983, 800 applications for projects, with a capital investment



of nearly R900 million, providing employment for 50 000 people, have been approved.

Sometimes, where communities are fragmented or are far removed from their kinsmen, it is considered to be in the interests of all concerned to resettle them within their greater community. The guiding philosophy behind any reallocation of land or resettlement of people, white or black, is that in the long term the realistic and practical consolidation of local areas into homogeneous units makes the provision of community facilities much easier, and contributes to the economic viability of the various communities.

Much thought and care is given to the planning of each settlement project. Bearing in mind that Black communities traditionally express their views through consensus, the policy is that, after representatives have been shown the new area and the compensatory land, the process of settlement takes place on a voluntary basis and in consultation with the community involved. The process of consultation is conducted unhurriedly, and in many cases extends over a period of years. It is not the policy of the government to bring about forced removals, a point emphasized by the South African Prime Minister.

New settlements have to comply with a number of important standards, and adequate compensation is always a fundamental feature. There must be ample supplies of drinking water, suitable sanitary facilities, adequate schools and clinics, and government-subsidised public transport facilities.

Businessmen are assisted in re-establishing themselves in the new environment. The compensatory land allotted to land-owners, tribes and communities must be of equal or greater agricultural or pastoral value than that to be vacated, and owners are compensated in cash for improvements left behind, according to independent valuation.

Personal effects are transferred free of charge and the Government accepts liability for any losses or damage. While a family is constructing a permanent home, normally with money received as compensation, temporary housing complying with health requirements is provided free of charge.

\* \* \*

#### KWANGEMA

The KwaNgema community is one of the communities which is affected by proposals made by the Government in 1975 to consolidate certain areas of land. However, there are a number of facts and considerations which should be borne in mind concerning the KwaNgema community.

This community was allocated land in 1904 by the Lieutenant-Governor of the Transvaal: however, this allocation did not confer ownership of the land on the community. It is Trust Land, and ownership is vested in the State President.

No member of the KwaNgema Community has yet been "removed" from the area. In fact, the Government cannot move anyone against their will without proper legal authorisation. This has not been applied for.

However, a suitable site for the construction of a storage dam was recently identified on the Assegaai River in the Wakkerstroom district, which is where the KwaNgema community lives. This dam will flood many of the present properties. Southern Africa has suffered from catastrophic droughts in recent years, and water is a very precious commodity. When the present population growth rate is considered, it becomes clear that water has to be stored wherever possible. Even if all potential sources of water are used, South Africa will

probably have to make use of water resources beyond its borders by the year 2000 in order to meet its needs. It is accepted international practice that people living in the basin of a proposed dam which will benefit the wider community should make way for the construction of such a dam.

The KwaNgema Community have known about the proposed dam since April 1981, and consultations between the community and the Government have been in progress since then. No finality was reached on the resettlement of the affected section of the community, however, although negotiations had advanced quite far, when matters were complicated by the death of the community leader. This development delayed the negotiation process.

Election of the new leader for the community takes place according to tribal customs, and this process can be a very lengthy one.

Construction on the dam has in the meantime continued. During the recent cyclone Domoina, the water in the basin area rose to be a dangerous level and it was necessary to move 27 families to higher ground where temporary accommodation was supplied. In fact, to prevent a dangerous situation developing for those people in the basin who still did not wish to move, most of the water in the dam was released while negotiations continued.

The Government would like to preserve the unity of the community, and the idea is thus that the 90-odd families in the community who live outside the basin should move to the same area as the 170 families who will be affected by the dam.

\* \* \*

MAGOPA

The resettlement of 350 families of the Bakwena-ba-magopa tribe who lived in Magopa, was another project which received

wide coverage in the media.

Conditions in Magopa were such that it was found impossible to upgrade the area and improve the quality of life of the people on a permanent basis. There was no planned or proclaimed township, and no streets or sewerage. The water supply was distant and poor and there was no electricity. The two school buildings were condemned by health inspectors and demolished. It was felt that the only solution was to establish a new infrastructure elsewhere.

Negotiations with the tribe to arrange for them to resettle at Pachsdraai, where there were improved living conditions and better prospects, began in 1975. The area was shown to the Bakwena leaders, and agreement on resettlement was reached with the whole community.

Problems arose subsequently because of a power struggle between two cousins, Jacob and Shadrach More, who were vying for the leadership of the tribe. The Government attempted a reconciliation, but the rift was too great. As a result of this dispute, Shadrach More persuaded a faction within the tribe to reject the resettlement plan. He and his followers moved to Bethanie in Bophuthatswana, while the majority of the tribe moved with Jacob More to Pachsdraai.

At Pachsdraai, which is situated in a wooded area in an attractive part of the Transvaal bushveld, 10,600 hectares of land were placed at the disposal of the Bukwena tribe (as compared with the 7 860 they occupied at Magopa). Each family was allocated one half hectare as residential property by the tribal leaders, and temporary housing was provided while permanent houses were built. 45 Boreholes provide water for the residential stands. Three new schools which can accommodate 600 children were erected at a cost of R650 000. There is a fully-fledged clinic run by the Department of Health and Welfare, and medical treatment and health guidance are provided. A Roman Catholic community

centre is under construction. Two daily bus services connect Pachsdraai with Zeerust, Groot Marico and the Witwatersrand.

\* \* \*

20 JUN 1984

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10 DOWNING STREET

*From the Private Secretary*

18 June 1984

I enclose a further letter from Mrs. Glenys Kinnock about the KwaNgema community.

BF | I should be grateful for a draft for the Prime Minister's signature by Monday, 2 July.

(DAVID BARCLAY)

R.B. Bone, Esq.,  
Foreign and Commonwealth Office.

NR

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10 DOWNING STREET

*From the Private Secretary*

8 June 1984

Lancaster University:  
Honorary Degree for Nelson Mandela

Thank you for your letter of 7 June to John Coles. The Prime Minister has noted that the University of Lancaster now intend to proceed with the award of honorary degree to Mr. Mandela.

(David Barclay)

Roger Bone, Esq.,  
Foreign and Commonwealth Office

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file

Brc



10 DOWNING STREET

*From the Private Secretary*

8 June 1984

KwaNgema Community

Thank you for your letter of 7 June to John Coles. The Prime Minister is content with the draft response which was enclosed with your letter, and agrees that it may now be submitted to the Palace.

(David Barclay)

Roger Bone, Esq.,  
Foreign and Commonwealth Office

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NK

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Prime Minister. 6

MR CCLLES ✓ *Mc 76.*

SUPPLY OF FRENCH MILITARY AIRCRAFT TO  
SOUTH AFRICA

*mg*

At her meeting on 1 June the Prime Minister asked about reports of possible supply of French aircraft to South Africa. I attach a minute by the Assessments Staff.

CONFIDENTIAL

*le*

*h.a.  
mg  
/c*

PERCY CRADOCK

5 June 1984

SECRET

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Foreign and Commonwealth Office

London SW1A 2AH

4 June 1984

*Jan 3.84*

South Africa: EC Code

Thank you for your letter of 1 June asking for advice for use by the Prime Minister in Parliament about alleged 'violations' by British companies under the EC Code of Conduct for Companies with interests in South Africa. I attach Supplementaries and background agreed with the Department of Trade.

The EC Code is voluntary; there is accordingly no question of British companies 'violating' its provisions. Our record is, in fact, good; the overwhelming majority of British companies concerned do submit annual reports to the Department of Trade and are seeking to adhere to the terms of the Code.

We do not know why Members of Parliament should wish to focus on the EC Code in the context of Mr Botha's visit. It did not feature in the discussions. It is likely, however, that some MPs may wish to take this opportunity to renew their criticism of the performance of a company of which Mr Thatcher is a director; Quinton Hazell Superrite Holdings Ltd, a subsidiary of the Burmah Oil Company, operating in South Africa. Quinton Hazell is regularly taken to task for paying black workers below the EC Code minimum recommended wage levels, though its record is gradually improving. The Government's consistent position is not to comment on the performance of individual companies.

I am copying this letter and its enclosures to Callum McCarthy at the Department of Trade and Industry.

*Jan 3.84*  
*R B Bone*

(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

RESTRICTED

PARLIAMENTARY QUESTIONS: EUROPEAN CODE OF CONDUCT

British Companies 'violating' Code?

1. No question of this. The Code is voluntary. We encourage companies fully to participate and are pleased to note that the overwhelming majority do. Company Reports show continued progress in meeting the Code's provisions.

Performance of individual companies?

2. It is not the Government's policy to comment on the performance under the Code of individual companies.

If pressed

3. Copies of the annual Reports of Companies submitted to the Department of Trade and Industry are in the Library of the House.

Value of Code?

4. We attach importance to the Code of Conduct as a major plank in our policy of encouraging peaceful change in South Africa by means of contact and dialogue.

If pressed

5. The Code has had a beneficial effect on the growth of black trade unions, wage levels and important fringe benefits.

Revisions of Code?

6. A matter for the European Community as a whole, but the priority must be to implement the Code as it is presently constituted.

## EUROPEAN CODE OF CONDUCT

### Background

1. The European Code of Conduct for Companies with interests in South Africa was adopted in 1977, at British initiative. There are far more British companies than those of other European nations involved. The Code, which is voluntary, lays stress on improving working conditions for black workers, particularly trade union rights, boosting wages, and providing training and fringe benefits.

2. The Department of Trade issue an annual analysis and Summary of Companies' reports on their implementation of the Code. The 1982/3 Report was laid before Parliament in April 1984 (Mr Channon's written answer to Mr Peter Bruinvels of 10 April 1984, col 146).

3. The current report shows that, as in previous years, over 90% of British companies with interests in South Africa are continuing to submit reports. In general the responses reveal continuing improvement in the conditions of employment of black workers. A steadily growing number of companies have recognised black trade unions; there is a progressive replacement of racially segregated work facilities; more attention is being given to training and social benefits. But there has been a small increase in the number earning wages below the recommended levels (but 92% are paid above the higher level and 99% above the lower one).

4. There is some criticism amongst blacks in South Africa and in trade union and other circles in Europe that the Code is outmoded or that it is a fig leaf to permit European Companies to exploit black labour in South Africa. There are tentative moves in the European Community to review the Code. We believe it remains broadly satisfactory as it is; revision would be a complex process.

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*South African Embassy*

Trafalgar Square  
LONDON WC2N5DP

*Mr Cates*

*Leahy 27/6.*

1st June 1984

Sir John Leahy KCMG  
Southern African Department  
Foreign and Commonwealth Office  
King Charles Street  
LONDON SW1A 2AH

*Dear Sir John,*

--- The enclosed article was prepared, on request by the Editor, for publication in the "Sunday Express" on Sunday 3 June 1984. It was approved in its present form by the Prime Minister.

I am sure that you will not disagree or be discomfitted in any way with the article.

*Kind regards,  
Yours sincerely  
L H Evans.*

L H EVANS  
MINISTER

SOUTH AFRICA - EVOLUTIONARY PROGRESS BY P.W. BOTHA (PRIME MINISTER  
OF THE REPUBLIC OF SOUTH AFRICA)

---

When I assumed office as Prime Minister of South Africa more than five years ago, it was clear that my Government should give priority to developing the bonds which link our country to the rest of the African sub-continent. We have done so and are encouraged by the realism of African leaders who have come to appreciate that South Africa does not threaten their nationhood.

Contrary to the suggestion that our neighbouring states are bullied and cowed into entering into cooperative agreements with South Africa, these countries have become disenchanted with the idle promise of their erstwhile allies. They are discovering the real advantages of dialogue and cooperation with South Africa. It is a tribute to the farsightedness of those leaders that they are defying the advice of people who would have them believe that South Africa poses a threat to countries in the region.

It is my earnest hope that the Nkomati accord will initiate a new era in the relationship among states in Southern Africa, an era which will be characterised by mutual respect for the sovereignty of our respective states as enshrined in the accord.

President Samora Machel wisely foresaw "peace generated by progress, economic development and social well-being". I associate myself and my Government with that ideal for all the nations in Southern Africa.

The relations among the self-governing and independent states

within South Africa must also be taken into account. I know that the reality of their emergence and existence is not recognised abroad. We often hear the criticism that the Black majority in South Africa remains disenfranchised. For such an assumption to be made one must necessarily be oblivious of political and constitutional realities in South Africa today. Why is the progress which has been made towards giving form and content to the concept of a confederation of Southern African states ignored? Great progress has been made by the Regional Secretariat in Pretoria whose task it is to coordinate the work of multilateral committees in such areas as agriculture, telecommunications, health, education, transport and economic affairs concerning South Africa, Transkei, Venda, Ciskei and Bophuthatswana. Ironically these African States are demonstrably as viable as Botswana, Lesotho and Swaziland which gained their emancipation from Britain in the post-colonial era. They are as dependent economically on South Africa as the states which South Africa has emancipated yet their sovereign status is not thereby diminished.

It is a fact rarely publicised that South Africa is the largest donor of development aid in the sub-continent of Africa. This is particularly evident if one considers the financial commitment of my Government to the welfare of Namibia, a particularly onerous commitment. <sup>NP</sup> [The British public will no doubt be aware that after several years of consultation and negotiation with community leaders in South Africa, a peaceful process of constitutional reform was initiated by the Government. Before the end of this year the Whites will, for the first time in our history,

share power with the Coloured and Indian peoples of South Africa.

This historical milestone in Southern Africa has been reached through peaceful consultation and evolution. It is in this spirit that, soon after the result of the referendum became known in November 1983, I appointed a senior cabinet committee to begin negotiations with Black leaders in South Africa about their future.

In South Africa we are conscious of the ties of family, history and mutual endeavour that bind our two countries. We are proud of our British heritage. I am reminded of the words of King George V who told those present at the opening of South Africa House in London 50 years ago that "history shows that all development comes of slow, human processes of trial and error, of experiment and adjustment". It is therefore disappointing that there is not more overt recognition in Britain for political and constitutional reform in my country which has gone a long way towards creating a just and peaceful society in South Africa, while the rights of minorities are protected.

The momentum of progress and development in South Africa cannot be checked. During the first half of this century our history was characterised by constitutional evolution adjusted to the needs of the time and initiated by Britian. Similarly the process of consultation between my Government and the leaders of all communities in the Republic will inevitably bring about further innovative changes under stable and secure conditions. We regard a process of evolutionary development as infinitely preferable

to revolutionary cataclysm which is the path espoused, for example, by the African National Congress.

For various reasons the political relationship between our two countries has been relatively restrained in recent times. We are aware of the factors determining Britain's ability to formulate foreign policy towards South Africa. There are domestic political restraints in Britain influencing such policymaking, in particular an acutely critical media which has created an extremely negative public perception of South Africa affairs. Britain's role in the Commonwealth, eloquently emphasized on occasion by Her Majesty the Queen, and the importance Britain naturally attaches to its relations with Africa, also weigh heavily in determining its role in international affairs.

On the other hand the majority of sub-Equatorial African states are members of the British Commonwealth, and Britain plays an important role in regional organisations such as the SADCC. It is in the interests of the West that foreign interference in Southern Africa be checked.

We would welcome a reappraisal by Britain and other Western nations of the various embargoes and sanctions that are applied against my country. They are selective and unjustified and continue to have a debilitating influence on bilateral relations. South Africa is Britain's most important trading partner in Africa and traditionally we have been a stable and reliable supplier of indispensable raw materials on which British industry and thousands of jobs depend.

5.

Our determination and sincerity in bringing about political and social progress and development within South Africa and the creation of a stable and prosperous sub-continent needs to be recognised and understood by our friends. Britain's support to achieve this would be of great value.

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The Prime Minister did not read this minute. I informed her of its contents orally. She discussed the problem with Sir John Leahy on 17 May. I saw L. van der Post on 18 May (see separate minute). A.D.C. 18/5.

PRIME MINISTER

SOUTH AFRICA

Laurens van der Post wanted to see you this morning before he leaves for Cape Town tonight. We explained the difficulties about your programme and he asked to see me instead.

Last night he received a telephone call from the South African Foreign Minister who raised the issue of the four South Africans recently detained in the United Kingdom on charges relating to arms deals. Mr. Botha said that while these people may have acted wrongly in law, they had done nothing against the interests of Britain and nothing of which anyone should be ashamed. They were not common criminals but very decent people.

He went on to say that when Savimbi took the British hostages he had intervened to help John Leahy's mission and to persuade Savimbi not to impose impossible conditions for the release of the hostages. He had later asked John Leahy whether he could do anything in return to ensure that the four South Africans were deported or let off lightly. He had no complaint about John Leahy's actions, but felt that he was being blocked higher up.

He complained that we had let a Libyan murderer go while continuing to detain these people. He added that unless this matter was cleared up, it would put a "sombre cloud" over the forthcoming visit of the South African Prime Minister. He was not even certain that it might not put the whole visit in doubt.

Laurens told Mr. Botha that he had to reckon with the fact that our judiciary were independent and that the Government could not interfere with the legal process.

Laurens also commented to me that he doubts whether the South Africans would call off their visit here as a result of this affair - it was far too important to them. Since Mr. Botha asked Laurens not to mention his latest approach either to the

/ FCO

CONFIDENTIAL



CONFIDENTIAL

-2-

FCO in general or to Sir John Leahy in particular, he has not done so. But he (Laurens) quite accepts that you will need to take advice.

Laurens will be in South Africa until next Tuesday (at the Mount Nelson Hotel, Cape Town). He believes that it might be helpful if we could send him some message which he can use when he sees South African Ministers. I have promised to ring him not later than Monday morning,

John Leahy will be coming over this evening for the call by King Hussein. You might like to have a quick word with him afterwards.

A. J. C.

17 May 1984

CONFIDENTIAL

NOTE

Mr. Geoffrey Robinson

1. We are not aware of a previous interest in this subject by Mr. Geoffrey Robinson. Recent Written Questions have been asked by Mr. Bruinvels MP (12 April), Mr. Robert Hughes MP (13 April) and Mr. Ernie Ross MP (25 April). We assume they all arise from a recent report printed in the Observer newspaper.
2. In November 1980 we agreed to compound proceedings for the total sum of £193,000 against five United Kingdom companies and five individuals for offences in relation to the export to South Africa of arms manufacturing equipment. The settlement was brought to prominence when on 8 April the Observer ran a story about the case. In its story the Observer named one of the companies (Redman Heenan International Ltd) and contrasted the handling of that case with the current one in which eight individuals (including four South African nationals) have been charged with offences. Two of the eight individuals were involved in the earlier case. Furthermore two companies are involved in the present case but have yet to be charged: they were also involved in the 1980 case.
3. Mr. Geoffrey Robinson may be aware of the connection between the two cases and by his Questions attempting to make the information public knowledge. We can only speculate that he hopes this will create sufficient press and public reaction to discourage us from compounding in the current case. Because of the repeated offence however it is extremely unlikely that we would agree to compound now.
4. Many thousands of customs offences large and small are settled annually by compounding. It is to our advantage to do so on grounds of avoidance of legal costs and to save time spent by official witnesses in court. The advantages to the offender lie in a quick settlement with minimum legal costs and the expectation of avoiding publicity. We give no undertaking on publicity but without such expectation it is likely

that many more offenders would elect for costly proceedings.

We take the view therefore that we should not publicise settlements except where we have previously warned the offender of that possibility. In particular cases such as that in 1980 there may be strong arguments against our agreeing to compound but we compounded because we were aware of the serious ill health of one of the offenders and were advised that prosecution could kill him. In fact he died a year later.

5. However, in this particular case our concern goes beyond unspoken understandings. If information about the previous compounding were made public at this stage, it would be claimed by the defence that this prejudiced the current case against the individuals and companies concerned. This might therefore damage our own chance of success.

CONFIDENTIAL



Foreign and Commonwealth Office

London SW1A 2AH

11 May 1984

Prime Minister

A.S.C. 11/5

Joe John

MB

Chief Buthelezi, Chief Minister of KwaZulu, called on Mr Rifkind on 9 May during a short visit to London. Mr Rifkind undertook to ensure that the Prime Minister was made aware of the call.

KwaZulu is one of the "non-independent" homelands in South Africa. Buthelezi has a strong following particularly among the Zulu people as an advocate of peaceful change and as such his views are of particular interest. He made clear his unyielding opposition and that of blacks generally to the new constitution seeing it as a setback for black interests. He expressed disappointment that Western Governments did not give more active support to that part of black opinion dedicated to peaceful change, but had no specific ideas when pressed as to how we might best alter our existing policies to help. He welcomed the Nkomati Accord, while making clear this would eventually be judged by the extent to which it encouraged progress towards peaceful change within the Republic.

Perhaps most interestingly, on P W Botha's impending visit to Britain, Buthelezi was encouragingly positive. He said he quite understood why the visit was appropriate - and that he had made his view to that effect clear. If black leaders such as Presidents Machel and Kaunda were prepared to receive Mr Botha, it was understandable that European leaders should do likewise.

Joe Bone

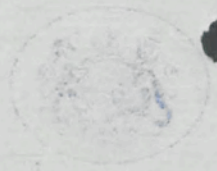
(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

CONFIDENTIAL

Foreign and Commonwealth Office

London SW1A 2/H



11-11-1964



Prime Minister.

Foreign and Commonwealth Office

A warm reply from

London SW1A 2AH

the South African Prime Minister.

9 April, 1984

A.S.C. 2/4.

Dear John,

md

Message to the Prime Minister from the South African Prime Minister

I enclose a letter to the Prime Minister from Mr P W Botha, the Prime Minister of South Africa. The letter is in reply to Mrs Thatcher's message of 15 March (copy enclosed) congratulating Mr Botha on the occasion of the signature of the Nkomati Accord between South Africa and Mozambique. No response is called for.

The Prime Minister's message to the South African Prime Minister was delivered personally on 16 March by the Ambassador. In handing it over he explained that the Prime Minister had asked him to emphasise her appreciation of the importance of the Nkomati Accord, both for South Africa and Mozambique, and for the peace and security of the region as a whole, and to express her admiration for the statesmanship and foresight Mr P W Botha had shown in seeking this agreement. Our Ambassador reported that Mr Botha was clearly pleased, both by the congratulatory message itself and, even more so, by the oral message which accompanied it.

The warmth of Mr Botha's letter is consistent with his reaction to the Prime Minister's message. It is nonetheless welcome, particularly given recent indications from senior private British visitors to South Africa who have been received by Mr Botha, that he is displeased by what he sees as our unsympathetic approach.

More generally, the Prime Minister's message will have served to give substance to the point that our Ministers have often made about South Africa, namely that we stand ready to welcome change in the right direction there.

Although the South African Prime Minister's letter predates the recent arrests here of four South Africans and three Britons for alleged offences under our Arms Embargo legislation, its delivery has, notably, not been held back.

Yours ever,  
Peter Ricketts

A J Coles Esq  
10 Downing Street

(P F Ricketts)  
Private Secretary



TEXT OF MESSAGE FROM PRIME MINISTER TO MR P W BOTHA

'On the occasion of the signature of a security agreement between the Governments of South Africa and Mozambique, I should like to send you my warm congratulations. This is a step of great importance for the security both of South Africa and Mozambique and of the whole region. It is an encouragement to all who believe in the peaceful solution of problems based on the non-use of force and non-interference in the internal affairs of other countries. I hope that this agreement will bring mutual benefit to the people of both countries in their search for peace, prosperity and harmony. I congratulate you on the statesmanship and wisdom you have shown.'

SOUTH AFRICA: New Pts



9 APR 1984

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Term.  
Ref.

**PRIME MINISTER'S  
PERSONAL MESSAGE  
SERIAL No. T 48<sup>o</sup>/84**

**CC MASTER  
OPS**

Kantoor van die Eerste Minister  
Prime Minister's Office

Privaatsak X193  
Private Bag

Kaapstad  
Cape Town

8000

1984-03-27

Dear Prime Minister

I wish to thank you most sincerely for your message of congratulations on the occasion of the signature of the Nkomati Accord between the Governments of South Africa and Mozambique.

As you will know, I have endeavoured for many years to secure Non-Aggression Pacts with South Africa's neighbours in order that the threat of military aggression can be removed from the Southern African region and I concur with you that the Agreement of Nkomati is a step of major significance for the security of the region.

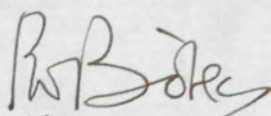
It is my fervent hope that the example which has been set by the signing of this Agreement will serve as an encouragement to other states of Southern Africa to abandon all thoughts of military activity or boycotts against each other and to appreciate that peace, prosperity and harmony can only be secured by working together and co-operating in a spirit of mutual respect.

In the light of the substantial interest which the United Kingdom has in the stability of Southern Africa, I should

like to express the hope that I can always rely on your valuable support in ensuring that the peace which we all desire prevails in Southern Africa.

With deep appreciation for your encouraging message.

Yours sincerely



P W BOTHA  
PRIME MINISTER OF THE REPUBLIC OF SOUTH AFRICA

The Right Honourable Margaret Thatcher MP  
Prime Minister of the United Kingdom  
10 Downing Street  
LONDON  
UNITED KINGDOM

DEPARTMENT/SERIES ..... <i>PREM 19</i> ..... PIECE/ITEM ..... <i>1391</i> ..... (one piece/item number)	Date and sign
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**Instructions for completion of Dummy Card**

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JSS 020/5

Departmental Series  
Southern African Department  
DS No 6/84

## THE SIGNING OF THE ACCORD OF NKOMATI

(Her Majesty's Ambassador at Pretoria to the Secretary of State  
for Foreign and Commonwealth Affairs)Pretoria  
19 March 1984A. J. C. 7  
f

Sir,

1. The Accord of Nkomati between the South African and Mozambican Governments was signed by the South African Prime Minister and the President of Mozambique on Friday 16 March 1984. I enclose a copy of the text.
2. The ceremony was held on a hastily levelled tract of land beside the Komati River, on the South African Mozambican border, near the railway line linking Maputo with South Africa, a few hundred yards from the first railway station in Mozambique. The South African Defence Force (SADF) had gone to great lengths to provide suitable facilities in the short time available: a gravel parade ground with stands for the hundreds of guests, a covered dais for the signature ceremony, a vast tented encampment for banqueting and refreshment facilities and for the numerous press representatives.
3. The initial meeting between President and Prime Minister took place in the 'White Train', originally built for the Royal Visit in 1947 and most recently used in 1975 for the meeting between President Kaunda of Zambia and Mr John Vorster, the then Prime Minister of South Africa. The start of the signature ceremony was delayed by half an hour – according to "a source close to President Machel" because the President and Prime Minister, meeting for the first time, found that they had much in common and talked for longer than expected.
4. The ceremony itself was dignified and efficiently performed, although the sweltering heat made conditions distinctly uncomfortable (I enclose a copy of the programme).\* Contingents of the South African and Mozambican forces marched onto the parade ground, national anthems were played, the treaty was signed with inscribed gold pens, formal speeches were declaimed (copies enclosed),\* white and black children presented posies of flowers, (red and white) 'Peace' balloons were released – floating in the gentle breeze from Mozambique to South Africa – the troops were inspected and President and Prime Minister, in visible good humour with each other, left the parade ground for a banquet and further toasts. From the Mozambican side of the frontier could be heard the beat of bongo drums and the ululation of dancing women.
5. The South African Foreign Minister had claimed to me on the previous day that the pressure to build up the signing into a major ceremonial occasion had come from the Mozambicans. The South Africans, he said, would have been content with a more modest ceremony, and he had counselled the Mozambicans against creating false expectations about the level of attendance from neighbouring black states. The South African press had indeed speculated at length about Mozambican efforts to secure the presence of supporting Heads of State and Government. In the

\*not printed

## RESTRICTED

event, the senior outside visitor was the Prime Minister of Swaziland who, with a few other Swazis in traditional dress, added a touch of colour to an otherwise dark-suited, and then shirt sleeved, occasion. The South Africans were nonetheless very happy to respond to this unexpected Mozambican enthusiasm. They invited three or four hundred guests, including Ministers, the Diplomatic Corps and leaders of the South African business community – many urged to attend by the Prime Minister personally, no doubt as a sign of the importance of the economic aspects of the new relationship.

6. The presence of so many 'notabilities' on both sides in a relatively isolated area, when the Renamo guerrillas remain active within Mozambique, gave rise to some anxiety about security. On the hills across the river (in the Southern extremity of the Kruger National Park) could be seen numerous SADF foot patrols, and helicopters and boats maintained an unceasing surveillance in the river valley.

7. The Accord itself was a South African draft, in the main accepted by the Mozambicans. It consists of eleven articles. The main provisions commit both parties:

Article 1: to respect each others' sovereignty and to refrain from interference in each others' internal affairs;

Article 2: not to resort to force, defined so as to cover attacks from land, air or sea, sabotage, and violations of land, air or sea boundaries;

Article 3: not to allow their territories to be used by states or organisations planning violence, terrorism or aggression, to forbid the recruitment of irregular forces or armed bands, including mercenaries, to eliminate dissident bases, training centres, armaments depots, and command posts, to deny communications facilities to dissidents, not to permit hostile broadcasting by clandestine radio stations, and to deny transit facilities to hostile elements;

Article 4: to ensure that their joint boundaries are effectively patrolled to prevent illegal crossings;

Article 5: to control propaganda

and Article 9: to appoint a Joint Security Commission to supervise and monitor the application of the agreement.

8. The Accord places far-reaching limitations on both sides. It is the more striking because of the well-known attitudes by the two parties, on the one hand the furtherance of the 'liberation struggle' within South Africa, and on the other the barely concealed support for hostile guerrilla activity within Mozambique. Only ten months lie between the signature of the Accord and the last South African bombing raid against an "ANC target" near Maputo. If the Accord is effectively applied it will largely prevent infiltration by the African National Congress (ANC) into South Africa from Mozambique and will bring to an end South African assistance to the Mozambican resistance movement, Renamo. There are major gains to both sides. The Accord and the related economic negotiations confirm that the South Africans are prepared to pay a significant price to secure control over hostile ANC activities. In itself, that is nothing new. During my talk with the Foreign Minister, in early December 1982, he emphasized that, if the Government of Mozambique would satisfactory control 'ANC terrorists', they need fear no threat from Renamo. "I tell you, Mr Ambassador, that with our help their economy would be transformed within six months." South Africa now has the chance to live up to this.



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The South African Government are treating the Accord as an important breakthrough in their relations with their neighbours. The Press have been encouraged to give it the fullest possible coverage. In his speech, the Prime Minister, Mr P W Botha, emphasized that "South Africa has the stability, economic strength and the productive capacity to assist its neighbours in achieving the goal of progress and development". He went on to lay stress on the principle underlying the Accord that "inter-state relations, particularly between neighbours, should not be disturbed by differences in internal policies . . . . . each country has its own set of conditions for which it must seek its own solution in the interests of its citizens". It is this principle which the South Africans are keen to establish with all their neighbours, as a quid pro quo for improved mutual security and closer economic cooperation. Indeed, Mr P W Botha referred specifically to his aspirations for a "constellation of states" in the region, a phrase which has been out of fashion for some years, since Zimbabwe's independence under Mr Mugabe appeared to negate the assumptions on which the idea had been based. I well remember, in April 1977, listening to Mr John Vorster as he talked of building up a ring of "moderate black states", behind the protection of which South Africa might gain a breathing space to follow its own timetable for orderly internal change. Mr P W Botha has taken a significant step towards achieving this aim, though it is no less significant that South African perceptions have shifted so that "moderate" can be interpreted in a way which would have been unthinkable even a year ago.

10. One important consequence of the Accord will no doubt be to increase the pressure from South Africa on its other neighbours to enter into similar formal agreements. The Deputy Minister of Foreign Affairs, Mr Louis Nel, told Lord Jellicoe, Chairman of the British Overseas Trade Board, on 8 March, when they were discussing economic cooperation with Botswana, that there would in future be a direct link between South African economic help and satisfaction over issues of security. It is no doubt because countries like Botswana and Lesotho are nervous that South African pressure on them to make similar agreements will increase that they have so far appeared to take a distinctly reserved attitude towards the Nkomati Accord.

11. It is too soon to assess what the longer term consequences of the new agreement will be; it will first be necessary to study how its implementation and that of the related negotiations on economic subjects (tourism, fisheries, power supply etc) work out in practice. I believe, however, that for both countries, as the Prime Minister said in her messages to President Machel and Mr P W Botha, the Accord is "an encouragement to all who believe in the peaceful solution of problems based on the non-use of force and non-interference in the internal affairs of other countries" and that "this is a step of great importance for the security both of South Africa and Mozambique and of the whole region".

12. I am sending copies of this despatch, without enclosures, to HM Ambassadors in Maputo, Luanda and Washington, to the High Commissions in Gaborone, Harare, Lilongwe, Lusaka, Maseru and Mbabane, and to the United Kingdom Permanent Representative to the United Nations.

I am, Sir,  
Yours faithfully

Ewen A J Fergusson

## RESTRICTED

### AGREEMENT ON NON-AGGRESSION AND GOOD NEIGHBOURLINESS BETWEEN THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF MOZAMBIQUE AND THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

The Government of the People's Republic of Mozambique and the Government of the Republic of South Africa, hereinafter referred to as the High Contracting Parties:

Recognising the principles of strict respect for sovereign and territorial integrity, sovereign equality, political independence and the inviolability of the borders of all States:

Reaffirming the principle of non-interference in the internal affairs of other States:

Considering the internationally recognised principle of the right of peoples to self-determination and independence and the principle of equal rights of all peoples:

Considering the obligation of all States to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any State:

Considering the obligation of States to settle conflicts by peaceful means, and security and justice:

Recognising the responsibility of States not to allow their territory to be used for acts of war, aggression or violence against other States:

Conscious of the need to promote relations of good neighbourliness based on the principles of equality of rights and advantage:

Convinced that relations of good neighbourliness between the High Contracting Parties will contribute to peace, security, stability and progress in Southern Africa, the Continent and the World:

Have solemnly agreed to the following:

#### ARTICLE ONE

The High Contracting Parties undertake to respect each other's sovereignty and independence and, in fulfilment of this fundamental obligation, to refrain from interfering in the internal affairs of the other.

#### ARTICLE TWO

1. The High Contracting Parties shall resolve differences and disputes that may arise between them and that may or are likely to endanger mutual peace and security of peace and security in the Region, by means of negotiation, enquiry, mediation, conciliation, arbitration or other peaceful means, and undertake not to resort, individually or collectively, to the threat of use of force against each other's sovereignty, territorial integrity or political independence.

2. For the purpose of this Article, the use of force shall include inter alia

A Attacks by land, air or sea forces:

B Sabotage:

RESTRICTED

- C Unwarranted concentration of such forces at or near the international boundaries of the High Contracting Parties:
- D Violation of the international land, air or sea boundaries of either of the High Contracting Parties.

3. The High Contracting Parties shall not in any way assist the armed forces of any State or group of States deployed against the territorial sovereignty or political independence of the other.

ARTICLE THREE

1. The High Contracting Parties shall not allow their respective territories, territorial waters air space to be used as a base, thoroughfare, or in any other way by another State, Government, Foreign Military Forces, organisation or individuals which plan or prepare to commit acts of violence, terrorism or aggression against the territorial integrity or political independence of the other or may threaten the security of its inhabitants.

2. The High Contracting Parties, in order to prevent or eliminate the Acts or the preparation of Acts mentioned in paragraph (1) of this Article, undertake in particular to -

- A Forbid and prevent in their respective territories the organisation of irregular forces or armed bands, including mercenaries, whose objective is to carry out the Acts contemplated in paragraph (1) of this Article:
- B Eliminate from their respective territories bases, training centres, places of shelter, accommodation and transit for the Acts contemplated in paragraph (1) of this Article:
- C Eliminate from their respective territories centres or depots containing armaments of whatever nature, destined to be used by the elements contemplated in paragraph (1) of this Article:
- D Eliminate from their respective territories command posts or other places for the command, direction and co-ordination of the elements contemplated in paragraph (1) of this Article:
- E Eliminate from their respective territories communication and telecommunication facilities between the command and the elements contemplated in paragraph (1) of this Article:
- F Eliminate and prohibit the installation in their respective territories of radio broadcasting stations, including unofficial or clandestine broadcasts, for the elements that carry out the Acts contemplated in paragraph (1) of this Article:
- G Exercise strict control, in their respective territories, over elements which intend to carry out or plan the Acts contemplated in paragraph (1) of this Article:
- H Prevent the transit of elements who intend or plan to commit the Acts contemplated in paragraph (1) of this Article, from a place in the territory of either to a place in the territory of the other or to a place in the territory of any Third State which has a common boundary with the High Contracting Party against which such elements intend or plan to commit the said Acts:

## RESTRICTED

- I Take appropriate steps in their respective territories to prevent the recruitment of elements of whatever nationality for the purpose of carrying out the Acts contemplated in paragraph (1) of this Article:
- J Prevent the elements contemplated in paragraph (1) of this Article from carrying out from their respective territories by any means acts of abduction or other acts, aimed at taking citizens of any nationality hostage in the territory of the other High Contracting Party: *and*
- K Prohibit the provision on their respective territories of any logistic facilities for carrying out the Acts contemplated in paragraph (1) of this Article.

3. The High Contracting Parties will not use the territory of Third States to carry out or support the Acts contemplated in paragraphs (1) and (2) of this Article.

### ARTICLE FOUR

The High Contracting Parties shall take steps, individually and collectively, to ensure that the international boundary between their respective territories is effectively patrolled and that the border posts are efficiently administered to prevent illegal crossings from the territory of a High Contracting Party to the territory of the other, and in particular, by elements contemplated in Article Three of this Agreement.

### ARTICLE FIVE

The High Contracting Parties shall prohibit within their territory acts of propaganda that incite a war of aggression against the other High Contracting Party.

### ARTICLE SIX

The High Contracting Parties declare that there is no conflict between their commitments in treaties and international obligations and the commitments undertaken in this Agreement.

### ARTICLE SEVEN

The High Contracting Parties are committed to interpreting this Agreement in good faith and will maintain periodic contact to ensure the effective application of what has been agreed.

### ARTICLE EIGHT

Nothing in this Agreement shall be construed as detracting from the High Contracting Parties' right of self-defence in the event of armed attacks, as provided for in the charter of the United Nations.

### ARTICLE NINE

1. Each of the High Contracting Parties shall appoint high-ranking representatives to serve on a Joint Security Commission with the aim of supervising and monitoring the application of this Agreement.
2. The Commission shall determine its own working procedure.

RESTRICTED

3. The Commission shall meet on a regular basis and may be specially convened whenever circumstances so require.

4. The Commission shall -

A Consider all allegations of infringements of the provisions of this Agreement:

B Advise the High Contracting Parties of its conclusions: *and*

C Make recommendations to the High Contracting Parties concerning measures for the settlement of disputes.

5. The High Contracting Parties shall determine the Mandate of their respective Representatives in order to enable interim measures to be taken in cases of duly recognised emergency.

6. The High Contracting Parties shall make available all the facilities necessary for the effective functioning of the Commission and will jointly consider its conclusions and recommendations.

ARTICLE TEN

This Agreement will also be known as 'The Accord of Nkomati'.

ARTICLE ELEVEN

1. This Agreement shall enter into force on the date of the signature thereof.

2. Any amendment to this Agreement agreed to by the High Contracting Parties shall be effected by the exchange of notes between them.

In witness whereof, the signatories, in the name of their respective Governments, have signed and sealed this Agreement, in quadruplicate in the Portuguese and English languages, both texts being equally authentic.

Thus done and signed at the common border on the banks of the Nkomati River, on this the sixteenth day of March 1984.

Samora Moises Machel  
Marshal of the Republic  
President of the Peoples  
Republic of Mozambique  
President of the Council  
of Ministers

Pieter Willem Botha  
Prime Minister of the  
Republic of South Africa

**RESTRICTED**

*Mr Gles o/v*  
*MR 2/3*

GR 120  
RESTRICTED  
FM PRETORIA 190715Z MAR 84  
TO PRIORITY FCO  
TELEGRAM NUMBER 078 OF 19 MARCH  
INFO ROUTINE TO MAPUTO AND CAPE TOWN

YOUR TELS NOS 135 AND 136 NKOMATI ACCORD:MESSAGE FROM PRIME  
MINISTER.

FROM AMBASSADOR

I WAS TAKEN TO SEE THE PRIME MINISTER BY THE FOREIGN MINISTER  
DURING THE RECEPTION IMMEDIATELY FOLLOWING THE SIGNATURE OF  
THE ACCORD. P.W. BOTHA WAS CLEARLY PLEASED BY THE MESSAGE ITSELF  
AND EVEN MORE SO BY THE ORAL MESSAGE WHICH ACCOMPANIED IT. HE  
ASKED ME TO SEND HIS GRATEFUL THANKS TO MRS THATCHER AND SAID  
THAT HE WOULD WRITE HIMSELF SHORTLY.

2. THE SOUTH AFRICANS HAVE RELEASED THE MESSAGE TO THE PRESS,  
AS ALSO MESSAGES FROM THE PRESIDENT OF THE U.S.A. AND THE  
FEDERAL GERMAN CHANCELLOR.

OWEN

(REPEATED AS REQUESTED)

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PUSD  
PS  
PS/MR RIFKIND  
PS/PUS  
SIR J LEAHY  
MR SQUIRE

THIS TELEGRAM  
WAS NOT  
ADVANCED

PS/MR RAISON, ODA  
MR BUIST, ODA  
MR CAHILL, ODA  
PS/NO 10 D ST.

**RESTRICTED**

Subject

PRIME MINISTER'S

PERSONAL MESSAGE

SERIAL No. T41A/84  
RESTRICTED

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b. 16/7.

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cc Master  
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Also filed on MOZAMBIQUE AUG. 79 Relations

GRS 173

RESTRICTED

FM FCO 151030Z MAR 84

TO FLASH CAPE TOWN

TELEGRAM NUMBER 136 OF 15 MARCH

AND TO FLASH MAPUTO

ROUTINE ACCRA, ADDIS ABABA, PRETORIA, DAKAR, DAR ES SALAAM,

GABORONE, HARARE, KINSHASA, LAGOS, LILONGWE, LUANDA,

LUSAKA, MASERU, MBABANE, NAIROBI, JOHANNESBURG

NKOMATI ACCORD: MIPT AND FCO TELNO 92 TO MAPUTO

TEXT OF MESSAGE BEGINS: (53)

(55)

ON THE OCCASION OF THE SIGNATURE OF A SECURITY AGREEMENT BETWEEN THE GOVERNMENTS OF SOUTH AFRICA AND MOZAMBIQUE

(MOZAMBIQUE AND SOUTH AFRICA), I SHOULD LIKE TO SEND YOU MY

WARM CONGRATULATIONS. THIS IS A STEP OF GREAT IMPORTANCE FOR

THE SECURITY BOTH OF SOUTH AFRICA AND MOZAMBIQUE (MOZAMBIQUE

AND SOUTH AFRICA) AND OF THE WHOLE REGION. IT IS AN

ENCOURAGEMENT TO ALL WHO BELIEVE IN THE PEACEFUL SOLUTION OF

PROBLEMS BASED ON THE NON-USE OF FORCE AND NON-INTERFERENCE

IN THE INTERNAL AFFAIRS OF OTHER COUNTRIES. I HOPE THAT THIS

AGREEMENT WILL BRING MUTUAL BENEFIT TO THE PEOPLE OF BOTH

COUNTRIES IN THEIR SEARCH FOR PEACE, PROSPERITY AND

HARMONY. I CONGRATULATE YOU ON THE STATESMANSHIP AND WISDOM

YOU HAVE SHOWN.

ENDS.

HOWE

Jan 020/R

13 MAR 84

NNNN

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PS

PS/MR RIFKIND

PS/PUS

SIR J LEAHY

MR SQUIRE

COPIES TO

PS/MR RAISON ODA

MR BUIST ODA

MR CAHILL

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ZZ CAPETOWN

PP JOHANNESBURG

PP PRETORIA

GRS 205

RESTRICTED

FM FCO 151100Z MAR 84

TO FLASH CAPE TOWN

TELEGRAM NUMBER 135 OF 15 MARCH

INFO ROUTINE MAPUTO, PRIORITY PRETORIA, JOHANNESBURG

NKOMATI ACCORD: MESSAGE TO P W BOTHA

1. MIFT CONTAINS THE TEXT OF A MESSAGE FROM THE PRIME MINISTER TO P W BOTHA CONGRATULATING HIM ON THE CONCLUSION OF THE ACCORD WITH MOZAMBIQUE. PLEASE ARRANGE TO DELIVER THIS PERSONNALLY TO P W BOTHA AS SOON AS PRACTICABLE, PREFERABLY BEFORE THE ACCORD IS SIGNED, OR AT THE SIGNING. IF YOU ARE UNABLE TO DELIVER IT TO P W BOTHA, OR IF TO DO SO WOULD MEAN DELAYING UNTIL NEXT WEEK, YOU SHOULD DELIVER IT TO THE NEXT APPROPRIATE INDIVIDUAL (PRESUMABLY PIK BOTHA).
2. IN HANDING THE MESSAGE OVER YOU SHOULD SAY THAT THE PRIME MINISTER HAS ASKED YOU TO EMPHASISE HOW MUCH SHE APPRECIATES THE IMPORTANCE OF THE ACCORD, BOTH FOR SOUTH AFRICA AND MOZAMBIQUE, AND FOR THE PEACE AND SECURITY OF THE REGION AS A WHOLE: AND TO EXPRESS PERSONALLY HER ADMIRATION FOR THE STATEMANSHIP AND FORESIGHT SHOWN BY THE SOUTH AFRICAN PRIME MINISTER IN SEEKING THIS AGREEMENT. YOU SHOULD ADD THAT THE ACCORD HAS, OF COURSE, THE SUPPORT OF THE UNITED KINGDOM AND THAT WE PUBLICLY WELCOME IT.
3. THE PRIME MINISTER IS SENDING AN IDENTICAL MESSAGE TO PRESIDENT MACHEL, WITH SIMILAR INSTRUCTIONS ABOUT DELIVERY.

HOWE  
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RESEARCH  
PUSD  
PS  
PS/MR RIFKIND  
PS/PUS  
SIR J LEAHY  
MR SQUIRE

COPIES TO:-

PS/MR RAISON ODA  
MR BUIST ODA  
MR CAHILL ODA

JCM 020/2  
19 MAR 1984  
EN 19/5

RESTRICTED



FROM: THE RT. HON. JULIAN AMERY, M.P.



112, EATON SQUARE,  
SW1W 9AA

TEL: 01-235 1543  
01-235 7409

Prime Minister.

A.S.C. 12/3.

*ms*

9th March, 1984.

*810 PPS*

*Dear Margaret,*

Many thanks for your letter of 24th February replying to mine and the papers enclosed with it about our relations with South Africa.

Since receiving your letter I have paid a short visit to Botswana where I had very full talks with the President and the Vice President as well as with members, black and white, of the business community and with our High Commissioner.

I was very struck by the optimism which prevailed about the change in relations between the Front Line States and South Africa. Botswana has, of course, always been very realistic with its relations with the Republic.

Two points from the talks are perhaps worth reporting to you.

1. When asked how independent was the "homeland" of Bophutetswana, the President replied that it had virtually complete independence but that as its people had access to South African aid they were inhibited from trading with the outside world or sending their students to other countries.

Asked whether he was interested in a possible junction between Botswana and Bophutetswana, he said this would present difficulties as, quite apart from the geographical break-up of Bophutetswana, they were the more populous and prosperous area. Chief Mangope, the paramount chief of the "homeland" is a first cousin of the Vice President of Botswana.

2. The Vice President of Botswana when asked about the negotiations between Mozambique and South Africa said that he thought that Machel could not have held out for many weeks longer if he had not come to the conference table.

In the few talks I had in Johannesburg on the way back I was struck by the extent to which South African based business is already opening up in Mozambique and plans to do the same further north.

This letter needs no reply but I am copying it to Geoffrey Howe for information.

L. Sw.,  
Julian.

Julian Amery

The Rt, Hon, Mrs. Margaret Thatcher, MP

South Africa : Relats Pt 3



CONFIDENTIAL  
S. Africa



10 DOWNING STREET

THE PRIME MINISTER

24 February 1984

*Dear Tuliwa,*

Thank you for your letter of 1 February. I have read it and the enclosures carefully and am grateful to you for setting out your thoughts so fully.

I am concerned that the basis of our policy towards South Africa should be better understood. As I have made clear in the past, we want to have as fruitful a relationship with South Africa and all its people as is compatible with the balance of our interests, our international obligations and the realities of the situation in the region. We have very substantial interests in South Africa and have made clear our determination to maintain our important links with that country and to foster contact in nearly all fields (the military and sporting fields being important exceptions).

Our readiness for political dialogue with South Africa is evident from the Ministerial exchanges we have had recently. Geoffrey Howe had talks with the South African Foreign Minister in December; Malcolm Rifkind, as you say, visited South Africa earlier in the autumn. Several other South African Ministers have called on their counterparts here over the past year. Our readiness to have such exchanges reflects the value we attach to our relations with South Africa. We are sometimes criticised at home and overseas because of these links. But I am sure we are right to maintain our contacts. Indeed a number of Commonwealth and other African Governments value this. So we often argue patiently at international meetings for a more realistic and less bombastic approach to South Africa. We also acknowledge changes

/ in

in South Africa's policies where we believe these to be in the right direction. We are encouraged by recent reports of improved relations between South Africa and Mozambique, and of renewed hope of progress towards a Namibia settlement and we have said so publicly.

Against this background I do not see a need at this stage for the full review of our policy and attitudes which you advocate. Despite many conflicting pressures we have maintained a workmanlike relationship with successive South African governments which reflects our common interests as well as our divergences. This remains the basis of our approach.

It is impossible in a letter of this kind to comment in detail on your two memoranda but Geoffrey Howe will be pleased to discuss with you these and the wider issues which they raise if there are particular points that you wish to pursue.

Y  
Lansdown  
Raymond

---

The Rt. Hon. Julian Amery, M.P.

S E C R E T

2



Foreign and Commonwealth Office

London SW1A 2AH

17 February 1984

*please type letter.*

*AR 2/2.*

*John Selvon,*

South Africa: Letter from the Rt Hon Julian Amery MP

Timothy Flesher's letter of 17 February enclosed a letter to the Prime Minister from the Rt Hon Julian Amery about our policy towards South Africa. I enclose a draft reply for the Prime Minister's signature.

As you know, Mr Amery is a persistent advocate of warmer relations with South Africa. He argues that recent changes in the Republic warrant a more friendly attitude and that this could bring us significant strategic, political and commercial benefits. He is reluctant to accept that our policy towards South Africa cannot be considered in isolation and needs to take account of our wider interests, and he discounts the strength of feeling in this country and beyond against South Africa's racial policies. However, Mr Amery does admit that 'apartheid ... is difficult to defend' and his memorandum shows that black political evolution still has a long way to go.

In his letter Mr Amery hopes that the Prime Minister will call for a full review of our policy and attitude towards South Africa. The Foreign Secretary believes that we need constantly to monitor our approach towards South Africa, in the light not only of recent constitutional changes there, but also of the current delicate negotiations on Namibia. But for the moment he is inclined to doubt whether there is room for any significant change in our carefully balanced approach which is broadly in line with that pursued by our major Western allies. This balance was well demonstrated last November when we and a few others refused to join the rest of the UN General Assembly in condemning the new South African constitutional proposals. We took, and still take the view that we should suspend judgement on such developments. Moreover, all the most sensitive aspects of our relations with the Republic have been reappraised since the election. A conscious decision was taken to

A J Coles Esq  
10 Downing Street

S E C R E T

/re-establish

S E C R E T



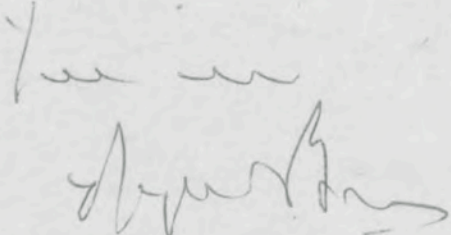
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RETAINED UNDER SECTION 3 (4)  
OF THE PUBLIC RECORDS ACT

re-establish regular Ministerial contact after a long gap, in the hope that we could maintain workmanlike relations with the South African Government whilst trying to influence those aspects of their policies which cause us particular difficulty. Our approach towards the UN Arms Embargo, particularly export applications involving dual-purpose equipment (ie with a civil as well as a military application) has been looked at at official level.

These Guidelines have been endorsed by the Home Secretary as well as the Foreign and Commonwealth Secretary and the Secretary for Defence is expected to give his approval shortly.

In view of the criticism and ill feeling created in South Africa last year by the publication there by Ian Lloyd of his correspondence with the Prime Minister, the Foreign and Commonwealth Secretary recommends that the Prime Minister should on this occasion send a short and general reply. British policy towards South Africa and the region has been publicly explained at length on several recent occasions (including Sir Geoffrey Howe's speech to the Royal Commonwealth Society on 14 November) and it is therefore unnecessary to set out the arguments in detail for Mr Amery. As explained in the draft reply, the Foreign and Commonwealth Secretary is very ready to meet Mr Amery to discuss with him the issues raised in his memoranda should he so wish.

Since Mr Amery copied his letter to the Chancellor and the Defence Secretary, I am copying this letter and the suggested reply to their Private Offices.

  
(R B Bone)  
Private Secretary

S E C R E T

DRAFT: ~~minute~~/letter/teletype/dispatch/note

TYPE: Draft/Final 1+

FROM:  
Prime Minister

Reference

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:  
Rt Hon Julian Amery MP  
House of Commons  
London SW1

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

CAVEAT.....

Thank you for your letter of 1 February. I have read ~~this~~ <sup>it</sup> and ~~its~~ <sup>the</sup> enclosures carefully and am grateful to you for setting out your thoughts ~~and concerns~~ so fully.

I am concerned that the basis of our policy towards South Africa should be better understood. As I have made clear in the past, we ~~wish~~ <sup>want</sup> to have as fruitful a relationship with South Africa and all its people as is compatible with the balance of our interests, our international obligations and the realities of the situation in the region. ~~Implicit~~ <sup>We have</sup> ~~in this~~ <sup>very</sup> is a recognition of the very substantial ~~human and material~~ interests ~~which we have~~ in South Africa ~~itself~~ <sup>and</sup>. We have made clear ~~on many occasions~~ our determination to maintain ~~these~~ <sup>on</sup> important links ~~and indeed~~ <sup>with that country</sup> to foster contact in nearly all fields ~~(military and sport being important exceptions)~~ <sup>as files</sup>.

Enclosures—flag(s).....

Our readiness for political dialogue with South Africa is evident from the Ministerial exchanges we have had recently. Geoffrey Howe had talks with the South African Foreign Minister in December; Malcolm Rifkind, as you

/observe <sup>by</sup>



<sup>say</sup>  
~~observe~~, visited South Africa earlier in the autumn.

Several other South African Ministers have called on their counterparts here over the past year. Our readiness to have such exchanges reflects the value we attach to our relations with South Africa. We are sometimes criticised at home and overseas ~~for our links with South Africa.~~ <sup>because of this</sup> But I am sure we are right to maintain our contacts. Indeed a number of Commonwealth and other African Governments value this. So we often argue patiently at international meetings for a more realistic and less bombastic approach to South Africa. ~~In the same way we are, of course, also ready to~~ <sup>We also</sup> acknowledge changes in South Africa's policies where we believe these to be in the right direction. We are encouraged by recent reports of improved relations between South Africa and Mozambique, and of renewed hope of progress towards a Namibia settlement and we have said so publicly.

*Against this background I do not see a*

~~In the light of this you will understand that I see~~  
no need at this stage for the full review of our policy and attitudes which you advocate. Despite many conflicting pressures we have maintained a workmanlike relationship with successive South African governments which reflects our common interests as well as our divergences. This remains the basis of our approach.

It is impossible in a letter of this kind to comment in detail on your two memoranda but Geoffrey Howe will be pleased to discuss <sup>with you</sup> these and the wider issues which they raise ~~with you~~ if there are particular points that you wish to pursue.

*WJH*  $\frac{22.}{2}$

Julian Amery MP Acked 7/2 1984  
file X6



10 DOWNING STREET

*From the Private Secretary*

7 February 1984

I enclose a copy of a letter which the Prime Minister has received from The Rt. Hon. Julian Amery, M.P.

I should be grateful if you would provide a draft reply for the Prime Minister's signature by Thursday 16 February.

TIMOTHY FLESHER

Roger Bone, Esq.,  
Foreign and Commonwealth Office.

BFC



FROM: THE RT. HON. JULIAN AMERY, M.P.

AM 7/2

RB(Fro)pm

1) Mr ~~Coles~~ <sup>A.J.C. 6/2</sup> to note  
2) Prime Minister:

112, EATON SQUARE,  
SW1W 9AA  
TEL: 01-235 1543  
01-235 7409

We will  
give you  
a date reply  
1st February, 1984.

Dear Margaret, J 6/2

I have been increasingly concerned, as I imagine you have, by the contradiction between our attitudes as a Government towards South Africa and the reality of Britain's relations with the Republic.

South Africa is an important trading partner, a major field of investment, a vital source of strategic raw materials and commands the Cape Route. English is one of its official languages and some 2 million people of British descent live there, many with roots in Britain. It has a capitalist economy, a relatively free press, an independent judiciary and a regime which, however reprehensible in certain respects, is the most stable in Africa and has fully safeguarded our material interests. Its attitude towards the struggle between East and West is very much in line with our own.

All this would seem to call for a cordial and friendly relationship as, indeed, existed until some twenty years ago. Instead we have allowed ourselves to be drawn into a series of manoeuvres designed to ostracise South Africa yet only very indirectly related, if at all, to our national interests. The U.N. arms embargo, the Gleneagles agreement, the cold shoulder at ministerial and international level, the cut off of places in our staff colleges and the constant public criticism of South African internal policy are all examples of attitudes which seem out of place in dealing with a state which by every objective standard should be regarded as a friend. It is ironic, and rather ridiculous, that the latest British Minister to visit South Africa should have chosen to hold up Nigeria to the South African Foreign Minister as a shining example of successful democracy in Africa!

The double standard which we all know has been the hallmark of our policy towards South Africa has been the result of a belief that any other attitude would 1) have cost us votes among liberal opinion at home, 2) lost us friends in the Commonwealth and at the United Nations, and 3) damaged our relations with other African states.

I seriously doubt the validity of this last argument. South Africa is, no doubt, a convenient whipping boy for African rhetoric and for Soviet propaganda but, apart from Nigeria, most of the African states are far more dependent on our goodwill than we are on theirs and the Soviets would seem to lack the resources to turn their political influence to much practical economic effect. Central Africa, moreover, is increasingly aware of its dependence on the South African economy and their mutual trade is increasing all the time.

I would, however, be the first to agree that apartheid, as preached and practised by Dr. Verwoerd and his predecessors, is difficult to defend on the platform at home or in the forum abroad. I recognise too how difficult it is to change gear let alone to go into reverse in foreign policy, especially in a democracy. Nevertheless my latest visit to South Africa, in January of this year (partly on business, partly on politics), convinces me that recent developments there both at home and in external relations, offer ample justification, if adequately explained, for abandoning attitudes we should never have allowed ourselves to adopt and returning to our former good relationship. This proved extremely advantageous to us in war and peace and could well do so again if events in Southern and Central Africa develop along lines which already seem possible and perhaps probable.

I attach two notes one on recent developments inside the Republic; the other on the Republic's relations with its Northern neighbours. These summarise my own conclusions but <sup>are</sup> drawn from talks with Foreign Minister "Pik" Botha, with Harry Oppenheimer and other leaders of the mining industry, with a leader of the Indian Community and with one of Chief Buthelezi's principal white advisers.

I am copying this letter and its enclosures to Geoffrey Howe, Nigel Lawson, Michael Heseltine and Norman Tebbit in the hope that you may consider calling for a full review of our policy and attitudes towards South Africa.

*Yours ever,*

*Julian*

Julian Amery

The Rt.Hon. Mrs. Margaret Thatcher, MP

## SOUTH AFRICA - RECENT POLITICAL DEVELOPMENTS

The constitutional reforms proposed by the South African Government and the referendum endorsing them by an overwhelming majority of white votes has broken the mould of South African politics.

Around 35% of the English-speaking voters seem to have voted for the Government and about 30% of the Afrikaaner-speaking population seem to have voted against. (This last group, so the humourists say, was split between those who wanted to throw the Blacks into the sea and those who wanted to keep them off the beaches!) These figures suggest that the Government is now dependent on a very different constituency from the mainly Afrikaaner vote on which it was elected. This new constituency includes most of the relatively liberal English speaking business interests. Henceforth, therefore, the Government will have to pay more attention to their views than it has hitherto.

Nor is that the end of the matter. Despite some hesitations the Coloureds and Indians seem almost certain to participate in the new arrangements. They too will now become part of the Government's constituency. They will need to show practical results to their own electors if they are to justify joining the new system. It will be the Government's interest to make sure that they can.

Altogether, nearly eight million South Africans will now be involved in the political process with the right to vote in what have hitherto been free and fair elections.

What then about the Blacks? The Government could not have carried the referendum if it had presented the enfranchisement of the Coloureds and the Indians as a first step towards enfranchising the Blacks. Nor indeed is that what Ministers want at this stage. Their immediate objective is to bring the Coloureds and Indians on to their side of the racial barricade; and they made this very clear. As a result Blacks of all persuasions called on the Whites to vote "No".

The African National Congress naturally hoped for a "No" vote. They could then have said that the South African establishment was so inflexible that it was a waste of time to negotiate with them. Violence offered the only way forward. More moderate leaders, like Chief Buthelezi, had to express anger and disappointment that their own readiness to negotiate had produced no result. No doubt they expected this but have some difficulty in explaining the outcome to their supporters.

There is, nevertheless, much serious discussion in Government as well as Opposition circles as to how to deal with the twenty or more million Blacks not affected by the reforms.

About half of these live in the "homelands", four of which are fully independent and the rest autonomous. Our own disapproval of the "homelands" concept and the absurdity of the official concept that Urban Blacks belong to the "homelands" has tended to blind us to the extent to which they genuinely provide an outlet for able and ambitious Blacks. Many of these have gone to them to find positions of prestige and influence as Ministers, officials or businessmen. In the four "homelands" now declared independent they are involved in the political process very much as are their neighbours in Lesotho and Swaziland. In the others, particularly Kwazulu, they are well on the way to doing so. But for the "homelands" many of these young men might otherwise have joined extremist movements.

The ten million or so Urban Blacks remain outside the political process. Black Trade Unions, however, have been legal since 1979. They have had several unofficial strikes and recently held their first legal strike, though unsuccessfully. Job reservation has been virtually eliminated except in the mining industry. Several companies employ Blacks in managerial capacities and a few have Black directors on their boards. There are, of course, also a large number of Blacks in the medical, academic, legal and journalistic professions. The Government seem determined to give much greater autonomy to the Black townships where Blacks can and do secure ninety-nine year leases of their homes - a virtual admission by the

Government that they are there to stay and not migrant workers from the "homelands" as they were earlier regarded.

Most observers would agree that, at the present time, the Urban Blacks do not have a sufficient power base to enforce their claim to political representation at national level. But over the next decade this is likely to change. The spread of education, the rise of an organised labour movement and the ending of job reservation are bound to give them a much greater influence on national policies. Quite how the Whites will accommodate the political aspirations of the Blacks remains to be seen. But there is no reason why an executive President should not co-opt able Blacks into his administration even before they have a vote.

Meanwhile the process of Black political evolution is likely to be advanced by the increasingly close relations which South Africa seems bound to develop with its neighbours to the North - the subject of the following note.

The conclusion I would draw from the above is that the former rigid pattern of South African society has become far more fluid with cross-voting between English and Afrikaaner electors, the enfranchisement of the Coloureds and the Indians and the economic progress of the Blacks. This much more hopeful picture would seem to justify a more optimistic and hence a more cordial approach to our relations with the Republic.



## SOUTH AFRICA - RELATIONS WITH ITS NEIGHBOURS

In the euphoria engendered by Independence, Zambia, Angola and Mozambique saw themselves as the liberators of Rhodesia, South West Africa and even South Africa itself. They hoped that in this they could count on the active support of the Soviet Union and of liberal opinion in the West.

Experience, however, has not confirmed their hopes. The Soviet Union, though ready enough to supply arms and some limited expertise and keen to obtain military facilities, has been apparently unable or unwilling to invest in serious development. As for ~~as~~ the West; private enterprise has been scared off by Socialist policies; Governments have been reluctant to give aid to administrations which are inefficient and sometimes politically unfriendly. Zimbabwe, the latest to join the ranks of the so-called Front Line States, has met with much the same experience.

Disappointment with both the Soviets and the West has brought home to South Africa's northern neighbours the extent of their economic dependence on the South African market, South African finance, South African railways and ports and South African technicians. Even today a large number of <sup>the</sup>white technicians working in Zambia, Zimbabwe, Mali and the port of Maputo are South African and many of the companies operating in Mali and Zimbabwe are South African based. This dependence seems likely to grow <sup>the</sup>as South African economy grows and that of its neighbours continues to decline.

If South Africa's neighbours have learned that they have much to gain by cooperation with the Republic they have also been taught that they have much to fear from confrontation with it.

Until recently SWAPO guerillas based in Angola were raiding regularly into Namibia. Today the boot is on the other foot. The South African army occupies a strip of Angola. UNITA, thanks to South African support, controls much of the country including the whole border with Zambia. The Marxist regime has been driven back to the defence of Luanda and the oilfields of Cabinda.

Mozambique which previously supplied bases for the ANC has suffered raids by South African regular Forces against Maputo itself and has found its entire economy disrupted by the South African supported RENAMA resistance movement.

Zimbabwe has been careful to avoid confrontation for fear of South African support for the rebels in Matabeleland and for other discontented elements among both Blacks and Whites. In short the freedom fighters are now moving from South to North instead of from North to South. The West has turned a blind eye and Soviets seem hesitant to do much more than strengthen the defences of Luanda.

All this is having predictable and favourable results.

South African, Angolan and US representations have met and opened negotiations on a cease-fire.

South African and Mozambique Ministers have begun negotiations over a whole range of subjects on which they might cooperate - electricity supplies, fishing, tourism, the restoration of confiscated properties and security.

Zimbabwe, though still avoiding Ministerial contacts has multiplied its contacts at official level.

It is early days to say how far South Africa will succeed in extracting Mozambique from the Soviet sphere, expelling the Cubans from Angola and bringing Dr. Savimbi into the political process, or stopping Zimbabwe from sliding into the Marxist Camp. But given Western support they should stand a good chance of doing so. Central and Southern Africa is a long way from the Soviet Union and indeed from Cuba.

Should Soviet influence be withdrawn from Central Africa there will be an urgent need to undertake its economic reconstruction. This is a task beyond the resources of South Africa alone but one in which the West could join to great advantage. Government aid will no doubt play its part. But the major role is likely to fall on

private enterprise. I doubt, however, whether European or American companies will run the risks involved except in cooperation with South African and Portuguese enterprises which have operated until recently or in some cases still operate in different parts of Central Africa. There are nearly half a million Portuguese refugees in South Africa.

There could be big prizes here for Britain, but the winning of them will require a quite new approach in our relations with South Africa.

Our ostracism of the Republic has not cost us much, as yet, except in military contracts.\* But a more positive approach will be needed if we are to be in on the next phase of the exploitation of Central African wealth as well as South Africa's own home development.

I conclude that we need to recognise that new times call for new tunes. These should not be too difficult to sell to our own public opinion if presented as an opportunity to liberalise and develop what are now hungry and oppressive one party states.

\* Lord Weinstock to whom I said this the other night tells me that I am quite wrong and that we have lost a number of contracts largely because of South African resentment at British attitudes towards them.

STAFF IN CONFIDENCE



Foreign and Commonwealth Office

London SW1A 2AH

27 January 1984

A.J.C. <sup>27</sup>/<sub>T</sub>  
h.a.

*Dear John,*

Thank you for your letter of 25 January about Colin Brant's helpfulness to Mr Denis Thatcher during the latter's recent visit.

We were naturally pleased to hear this and we shall be passing on Mr Thatcher's thanks.

*Yours ever,*

(B J P Fall)  
Private Secretary

A J Coles Esq  
10 Downing Street

STAFF IN CONFIDENCE



716 JP

10 DOWNING STREET

*From the Private Secretary*

25 January 1984

STAFF IN CONFIDENCE

COLIN BRANT

You may like to know that on his return from South Africa Mr. Denis Thatcher told me that Colin Brant (Consul-General in Johannesburg) was most kind to him personally and very helpful commercially. Mr. Thatcher also found, in discussion with South Africans, that Brant was very popular and regarded as most effective in his representation of UK interests.

gjc

Brian Fall, Esq.,  
Foreign and Commonwealth Office.

CT

Lester & F/CO.

10 DOWNING STREET

AD 25  
1

f.a.

John,

I was naturally dis-  
appointed not to see  
H. M. A. while I was  
in South Africa

However I think I  
should report that  
COLIN BRANT and  
Lieut. General in  
Johannesburg was most  
kind to me personally

and very helpful  
commercially.

I took the trouble  
to "enquire around" of  
the locals and ascer-  
tained that Brent is  
very popular and is  
regarded as most  
effective in his  
representation of our  
UK. interests.

I hope the above

10 DOWNING STREET

is of some interest  
to you and to the  
advantage of Brand;  
possibly.

Dear Mr. Lee

25 Jan



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*file* *BoP*

10 DOWNING STREET

*From the Private Secretary*

9 January 1984

Visit by Mr. Denis Thatcher to South Africa

In the light of the advice of the Foreign and Commonwealth Secretary contained in your letter of 6 February, Mr. Thatcher has decided not to attend the cricket matches involving a West Indian team to which he has been invited.

Roger Bone, Esq.,  
Foreign and Commonwealth Office

CONFIDENTIAL

FILE SH

PRIME MINISTER

I am awfully sorry to raise this point, but I think it would be better if Mr. Thatcher did not attend the cricket matches between South Africa and the West Indian touring team which are included in his itinerary.

You may like to discuss this with Mr. Thatcher over the weekend.

The arguments against attendance are set out in the attached letter - and you will see that Geoffrey Howe thinks that the invitations from the Transvaal Cricket Council should be declined. I can well see some British newspapers and the Opposition in Parliament setting out to embarrass you if Mr. Thatcher does go to these events.

The last part of the letter deals with the line we should take with the press about the visit. If this is acceptable to Mr. Thatcher, I shall brief Bernard accordingly.

6 January, 1984



*File 16*

10 DOWNING STREET

*From the Private Secretary*

3 January 1984

VISIT BY MR. DENIS THATCHER TO SOUTH AFRICA

In my letter of 14 December, I promised a further letter about Mr. Thatcher's proposed visit to South Africa.

X I can now confirm that he will be in South Africa from 12-21 January. His engagements while there are partly personal and partly business - in the latter case they are connected with Mr. Thatcher's firm Quinton Hazell.

On 13 January he has been invited by the Transvaal Cricket Council to attend the first day of a four-day international cricket match between South Africa and a West Indies touring team.

On 16 January he will visit the Ford Motor Company in Port Elizabeth. On 17 January he will visit Volkswagen and General Motors. On 18 January he will be in Durban where he will visit Toyota. On 19 January he will arrive in Johannesburg for further business visits.

On 21 January, he will again be a guest of the Transvaal Cricket Council at a one-day international match between South Africa and a West Indies touring team.

I have explained to Mr. Thatcher that Ewen Fergusson will be in Cape Town throughout the period 12-21 January and he quite accepts that in that case they will be unable to meet.

Mr. Thatcher has told me that he is conscious that, if the press show interest in his visit, he is likely to be questioned about the wages paid to black employees of his company in South Africa - he is therefore setting in hand some research on this matter.

We shall need to agree a general press line for use by all concerned. I suggest that this should be to the effect that the visit is entirely private and is connected with Mr. Thatcher's business interests. I should be grateful for your comments on this and on any other points which occur to you.

*BF*

*AJC*

Brian Fall, Esq.,  
Foreign and Commonwealth Office.

*NR*



FILE

HL

10 DOWNING STREET

*From the Private Secretary*

14 December 1983

Visit by Mr. Denis Thatcher to South Africa

Mr. Thatcher will be visiting South Africa from 12-21 January. The visit is an entirely private one and connected with Mr. Thatcher's business affairs.

ST  
I hope to let you have shortly a detailed itinerary. I should then like to agree with you a draft press line for use by all concerned.

Mr. Thatcher would like to meet Ewen Fergusson at some point during his visit. It would be helpful if you could establish now whether Ewen will be available during the period mentioned.

VC

Brian Fall, Esq.,  
Foreign and Commonwealth Office.

*Office - month ago, Prime Minister.*  
*Answers to Dean*

From: Sir J Leahy  
Date: 27 November 1983  
cc(with enclosures):

Mr Coles *AD 27/a*

Sir R Armstrong  
PUS  
Mr Ingham  
Mr Goldsmith

*Δ US*

*Melbourn with Dryden  
J. Moran*

CHOGM: SOUTHERN AFRICAN ITEM

1. The attached notes are written without my knowing whether, and if so how, the Namibia question came up in Goa. Nor do I know who will introduce the item on Monday morning.
2. The Melbourne communique dealt with Southern Africa at inordinate length (12 paragraphs). Apart from Zimbabwe, it covered: apartheid; the Gleneagles statement (in a one-sentence paragraph); Namibia; the establishment of a Commonwealth education and training programme for young refugees from South Africa in neighbouring countries; and the need to support the Southern African Development Co-ordination Conference (SADCC).
3. To judge by Mrs Gandhi's opening speech and the performance of the Indian representative in the communique-drafting group we shall be faced by another long draft passage this time. It will undoubtedly contain much stronger criticism of the Contact Group than last time - and in Mr Trudeau's absence in Peking we can expect no help at all from the Canadians. It may also be "action-oriented" (a phrase much used by the Indians at this Conference) in the sense of telling the Contact Group either to get on or give up. I think it less likely, though not impossible, that some sort of intervention by yet another core-group of Commonwealth countries will be suggested, since there is already a Standing Committee on Southern Africa which meets three or four times a year in London (basically the African High Commissioners - plus

*Sub-  
grpd*

/one



- one or two others and chaired by the Guyanan - together with the Secretary-General and Foreign and Commonwealth Office representatives). The Committee's report to
- A CHOGM is attached. We managed to get some of the worst excesses removed (such as a call for an extension of the arms boycott into other areas) at the drafting stage, but it remains an unbalanced document couched in sometimes extravagant language. I have marked the more important passages for the Prime Minister to look at if she has time.
- B 4. I also attach a copy of Sir Geoffrey Howe's recent speech to the Royal Commonwealth Society. (I have marked the Southern African section.)

John Leahy

John Leahy

Mr. Gandhi. Colonial questions of primary importance to India. African nations finding their soul. FREEDOM like PEACE is INDIVISIBLE. Deeply concerned about S. Africa.

Reject linkage between Namibia's South about construction of contact group

B

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Nyuni

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Tini

N.2





## NAMIBIA

1. Since preparing these notes I have exchanged notes with my Canadian colleague (Michael Shenstone). Like me he has not been able to discover what the Africans have in mind. We have jointly asked the Secretariat to let us have advance copies of the draft passage already being prepared for the communique.
  
2. Mr Trudeau (who will not be there tomorrow morning) is apparently fed to the teeth with Canada's continued involvement in the Contact Group, but reluctantly recognizes that to get out abruptly and bring on the demise of the Group would leave things in a worse state than they are already.
  
3. Shenstone says the Canadians agree broadly with the point in paragraph 7 below, though they think it is a delicate matter which needs to be carefully broached.
  
4. The Canadians believe that the UN Secretary-General has the right idea in suggesting (though he has not said it publicly and should not be quoted) that it would make it easier for the Angolan Government to contemplate Cuban

/withdrawal



withdrawal if the South Africans would first get out of Southern Angola. Sir Geoffrey Howe also referred to South African withdrawal as a "vital step" in his RCS speech (he did not say a first step). It is hard to see the South Africans agreeing to go first without some clear Angolan commitment to Cuban withdrawal, but there is no reason for us to object to a suitable mention of the idea in the communique.

5. Shenstone says that like us the Canadians will resist any attempts to drive a wedge between the two Commonwealth members of the Contact Group and the Americans, suggestions that we should try to bring pressure on them to drop linkage or critical references to them by name. I hope they will live up to this.

*Deaky*

Disputes - not entirely internal problem.

No internal organized sanctions, experts, etc  
can bring about change within.

Bi. - Conde - are members of that group.

Resolution 435,

Angola's decision that it needs Cuban troops  
to defend itself.

Traffic, arms, finances.

Nigeria

- S. Africa remains power  
continued cold looks on

③ Prepared to assist  
blackened  
countries

- Resol = 435 supported

1) S. Africa

doesn't withdraw - it can't talk  
about Cuban withdrawal

|| UNTA - Trans

U.S.  
U.K.  
France  
Germany  
Canada

Contribution  
Namibia - CC  
U.S. Contans must withdraw.  
- Apartheid in S. Africa

NAMIBIA

Contact Group

Alternatives

Economic Sanctions

1. The Contact Group has made a major, perhaps the major, contribution to the progress already achieved. We are prepared to continue our efforts, despite the difficulties and frustrations (which we feel too).

2. What are the alternatives? Continuation of the armed struggle? A logical answer but not a realistic one. The military imbalance is too great. We mislead ourselves if we imagine that the South Africans will be evicted from Namibia by force.

3. Economic sanctions? These would not bring South Africa to its knees either. Indeed South Africa would be in a strong position to retaliate against its neighbours. Make no mistake about that. So what would sanctions achieve? They would bring the negotiating process to an abrupt halt.

4. What then is left if we cannot simply impose a settlement? We have to persuade, cajole and badger the South Africans to come round to our way of thinking. We take every opportunity we can to do just that: we talk to their Ministers [the Prime Minister could mention, if she wished, that Foreign Minister, Pik Botha, will be in London at the end of the week on a visit to Europe]; their members of parliament, their journalists, academics, businessmen, people in all walks of life. Always with the same message: "a settlement will not get easier for you the longer you wait, on the contrary experience elsewhere shows that the terms will

/become

Problem How  
S. Africa } removed all foreign  
hasn't

become harder and harder". Perhaps like Chinese torture the drip, drip, drip will eventually get through.

5. Much is said about "linkage" these days. The report of the Commonwealth Committee on Southern Africa is eloquent on the subject. We for our part have made it clear that Cuban withdrawal from Angola has never been for us a condition for Namibia independence and we stick by that.

linkage

linkage

Diplomacy  
Intelligence  
Freedom

6. But we all know that the issue has been raised. We have not imagined it. None of us can just wish it away

or pretend that simply by denouncing linkage we can somehow remove it. That is why I have been particularly interested to read recently of certain ideas that have been mooted for replacing the Cuban soldiers in Angola with troops drawn from other African countries. I should like to hear more about that, because it seems to me at least to have the merit of trying to deal with the obstacle instead of closing the eyes to it. Of course I have no idea whether it is a practical proposition and I understand the Angolans themselves have already turned it down. Perhaps someone can come up with a better idea?

←

←

Cuba + S. Africa

7. I sometimes wonder for my own part whether there is anything that Angola's friends in the region could do to help terminate the internecine conflict between the Government and UNITA. For I cannot help thinking that if the opposing forces inside Angola could in some way be reconciled, it too would enhance the chances of getting an early Namibia settlement. Some people might argue that in saying that I am delving into an internal Angolan matter

(((

and other countries should keep out of it. But is it not the case that in one way or another a number of foreign countries are already deeply involved in Angola? That indeed is one of the underlying factors in the present situation. In any event all I am suggesting is that it would be a signal service to the cause of peace in the whole region if some way could be found to bring peace to Angola itself.

First duty of  
 Africans to assist  
 beleaguered Africans to  
 defend themselves

h  
 Angolans sought assistance from  
 Cuba

APARTHEID

1. As Sir Geoffrey Howe said recently in a speech to the Royal Commonwealth Society in London which some of you may have read, apartheid and the absence of a form of Government in South Africa which has the consent of all the people cast a long shadow over Britain's relations with South Africa. Our rejection of apartheid reflects the firm view of a wide spectrum of British public opinion.

2. Some forces for change in South Africa. Economic forces, ie the demand for black workers, the increase in their purchasing power, the development of black trade unions. Impetus of their own.

3. Of course political reform also needed. There was strong white support for the new constitutional proposals concerning the coloured and Indian population in the referendum on 2 November and the South African Prime Minister called it afterwards a mandate for evolutionary reform. We must see what that means in practice. Meanwhile it is hardly to be wondered at that so much dissatisfaction is felt everywhere with a system of Government that excludes the majority of the population from participating directly in it.



GLENEAGLES STATEMENT ON APARTHEID IN SPORT

- /
1. Please see the attached special brief.
  2. If asked about the possible English rugby tour of South Africa next year the Prime Minister could say that we shall continue to advise the Rugby Football Union strongly against it.

COMMONWEALTH HEADS OF GOVERNMENT MEETING: NEW DELHI,  
23-29 NOVEMBER 1983

SPORTING CONTACTS

UK OBJECTIVE

1. To maintain the 1977 Commonwealth Statement on Apartheid in Sport ('Gleneagles Agreement') in its present form, and to avoid endorsement or approval of the Commonwealth Games Federation's (CGF) Code of Conduct, and discussion of its merits.
2. We reaffirm our support for the Commonwealth Statement.
3. We take all practical steps in accordance with UK law and tradition to discourage sporting contacts with South Africa. We advise and persuade, generally in private. The response of sport is normally favourable, eg the MCC vote. But we cannot prevent individuals entering or leaving the UK in pursuit of lawful activities.
4. The objective of the Commonwealth Statement is supported in practice by the majority of UK sportsmen and their governing bodies. We ca-not dictate to them. The obligation of the Statement to discourage is rightly placed on governments.

Proposal to discuss or endorse the Commonwealth Games Federation's Code of Conduct

5. The code is the responsibility of the CGF and applies to National Commonwealth Games Associations and to the

/governing





governing bodies of sport: these are autonomous. Discussion here would be inappropriate.

6. The Statement and Code share a common purpose. Responsibility for the implementation of the former falls to governments, and of the latter to sport. We must respect this distinction.

27 November 1983



SOUTH AFRICAN "DESTABILISATION" OF ITS NEIGHBOURS

1. In Southern Africa, as elsewhere, relations between states must be conducted without the use or threat of force. The use of force across frontiers, whether by Governments or by armed groups who employ violence in the name of politics, leads inevitably to ever-increasing tension and bitterness. Unless checked it will polarise opposing attitudes even further, weaken the authority of Governments, seriously harm the economies of the countries concerned and cause the introduction of yet more alien forces into the region.
2. The British Government never cease putting this message across to all concerned, not least of course to the South African Government.
3. We also stand ready to encourage and support in any way we can the direct cross-border contacts and cooperation which we believe are indispensable to the peace and stability of Southern Africa.



DISTANCE EDUCATION PROGRAMME FOR SOUTH AFRICAN REFUGEES

/SUMMARY ATTACHED/

1. Support principle of humanitarian assistance to South African refugees and accept concept of Distance Education Programme.
  
2. Have some reservations about the programme as proposed.
  
3. Cannot yet make any commitments on a financial contribution.
  
4. Will watch pilot programme carefully and look forward to seeing consultant's views on educational needs and any other comments.



DISTANCE EDUCATION PROGRAMME FOR SOUTHERN AFRICA - SUMMARY

1. The Melbourne CHOGM in 1981 endorsed a proposal for a Commonwealth educational programme for South African refugees, and instructed the Secretary General to prepare detailed proposals. Mr Ramphal will seek the endorsement of Heads of Government for these.

2. For various reasons, including financial ones, the Commonwealth Secretariat has abandoned its original idea of a scholarship scheme for refugees. Instead it has now proposed a 'distance learning programme' ie education in the countries where South African refugees are located. The main features of the Secretariat's proposals are as follows:

(a) The project will start by catering for the basic educational needs of about 2000 refugees in Tanzania, located at 4 centres (one UNHCR, 2 ANC settlements, and one PAC settlement).

(b) While the programme should be seen as a Commonwealth initiative, responsibility for it will rest with an Extension Unit headed by a director, to be located in close association with Tanzania's Institute of Adult Education. The director will be responsible to an independent board of trustees

/including



including representatives of the government of Tanzania (3), the Commonwealth Secretariat (1), UNHCR (1) and of major donors to the programme (1 or 2).

(c) Consultants will be employed, particularly to assess education needs at the settlements.

(d) The programme will cost £125,000 in the first year, and £175,000 in the second (including 50% increase in enrolment). CFTC will meet some costs, but additional funds of the order of £85,000 are required for year one, and £135,00 for year two. The Secretariat is seeking donors.

The project is scheduled to begin in 1984.

3. In discussing the project with the Secretariat and in the Commonwealth Committee on Southern Africa, we have reiterated our support in principle, providing the educational assistance is for individuals and not for organisations. We have avoided any commitment of funds and have not signified agreement to the project as how defined, because:

(a) We have lingering concerns about the provision of assistance, even indirectly, to ANC and PAC camps.

/(b)...



(b) We have doubts about the management of the system proposed (both about the Tanzanian Institute of Adult Education, and the system of trustees which would leave donors in a minority).

(c) We would like to see the consultant's report on educational needs before taking any further decisions. The Secretary General has made clear that the consultant will have a free reign to make recommendations on educational needs and the substantive nature of the programme.

4. We are in touch with the Commonwealth Secretariat about our concerns.

Foreign and Commonwealth Office

November 1983

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A.

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COMMONWEALTH HEADS OF GOVERNMENT MEETING  
NEW DELHI 1983

Mr Goldsmith

PL with the last paragraph of III and para 10 of the annex.  
This <sup>subject</sup> may figure in the final communique. I do not think we have a  
separate brief, but I assume we should make it clear, once again, that  
we cannot commit HMG to give financial support?

REPORT OF THE COMMONWEALTH COMMITTEE  
ON SOUTHERN AFRICA

OCTOBER 1981 - OCTOBER 1983

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1919

S. Afr. - Hand

Commonwealth Secretariat  
Marlborough House  
London SW1

November 1983

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REPORT OF THE COMMONWEALTH COMMITTEE ON SOUTHERN AFRICA

OCTOBER 1981 - OCTOBER 1983

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## CONFIDENTIAL

### I. INTRODUCTION

With the accession to independent statehood by Zimbabwe in 1980, Commonwealth Heads of Government at their Melbourne Meeting in October 1981 enjoined the Committee to pay particular attention to developments on Namibia in discharging its renewed mandate. While destabilisation of neighbouring countries by South Africa was quite serious at that time, it has since assumed alarming proportions. The Committee has naturally been acutely concerned with these twin problems of South African intransigence over the question of Namibia and the apartheid regime's all-out attempt to subjugate Lesotho and its other neighbours.

2. In the wake of the stalemate over the Namibian question which followed United States and South Africa's insistence that settlement of the Namibian problem would be conditional on the withdrawal of Cuban troops from Angola, the Committee has held fewer meetings than in the previous two years while remaining alert to developments, especially within the United Nations framework.

3. Our Report has avoided traversing the same ground as that covered by the Secretary-General's Report on political developments in Southern Africa. However, we have had the opportunity to reflect on the latest developments which took place after the Secretary-General's Report went to print.

4. We have kept in close consultation with the Secretary-General in his preparation of detailed proposals for establishing a programme of education and training for South African refugees scattered among the Front-Line States (attached at Annex). We are glad to commend them to Heads of Government.

### II. SIGNIFICANT POLITICAL DEVELOPMENTS

#### Namibia

5. In renewing the Committee's mandate at their Melbourne Meeting in 1981, Heads of Government enjoined us "to pay particular attention to the developments on Namibia" in our work. The emphasis on Namibia was in recognition of the urgency which the Namibian question had assumed in the aftermath of Zimbabwe's independence.

6. The intensive negotiations which resumed in October 1981 between the Contact Group and all the parties concerned after the collapse of the Geneva pre-implementation talks earlier in the year culminated in June in a wide measure of agreement on the principles which would govern the Constituent Assembly and the main elements which would underpin an independence constitution. Such was the willingness of all the parties to proceed with the negotiations that the Contact Group in its Summary of Points of May 1982 said that the possibility existed "for the implementation of Resolution 435 to begin within a few months and elections to be held by March or April 1983".

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7. That Namibia's independence settlement remains problematic is due to United States and South Africa's insistence on the withdrawal of Cuban troops from Angola as a pre-condition for a Namibian settlement. In an attempt to break the stalemate, the United Nations Security Council met from 23 May to 1 June 1983 and passed its Resolution 532 of 31 May which inter alia mandated the UN Secretary-General "to undertake consultations with the parties to the proposed cease-fire, with a view to securing the speedy implementation of Security Council Resolution 435 (1978)". The Secretary-General's consultations with the parties concerned led to agreement on the electoral system to be adopted for the elections to the Constituent Assembly as well as on the composition of UNTAG; but further progress towards an early implementation of the Settlement Plan itself remains blocked.

8. Virtually the entire international community is at one in its resolute rejection of linking Namibia's independence to the withdrawal of Cuban troops from Angola. The UN Secretary-General, in his recent consultations pursuant to Security Council Resolution 532(1983), reiterated this position. The Front-Line States have equally expressed themselves strongly against the linkage issue. For its part, the Commonwealth including the countries which are members of the Contact Group remains unanimously and unalterably of the view that Namibia's independence is far too long overdue and that the linkage issue further delays implementation of UN Security Council Resolution 435.

9. The Committee is also disturbed that while Namibian independence remains blocked the apartheid regime has continued to consolidate its illegal occupation of the territory and its repression of the population. We are also disturbed by the continued use of the international territory of Namibia as a springboard for attacks against Angola. The Committee recommends that the Commonwealth reiterate its stand at Melbourne against these acts of repression, invasion and subversion, including its call for the unconditional withdrawal of South African troops from Angolan territory and for the cessation of all forms of assistance to Angolan dissidents.

10. We believe that New Delhi will provide Commonwealth leaders with a unique opportunity to consult together and agree on a possible Commonwealth contribution to the resolution of this intractable international problem and responsibility.

#### South Africa's aggression against its neighbours

11. Since the Melbourne Meeting the security situation in Southern Africa has deteriorated. There is widespread concern about increasing South African destabilisation of neighbouring countries. Such destabilisation has taken the form of ground and air-strikes and the use of armed bandit groups, as well as economic blackmail and sabotage, directed particularly at the economic infrastructure of these countries. Armed attacks have also been directed at refugees. We believe that the main objective of this harassment and intimidation is to frighten these countries away from supporting opposition to South Africa's apartheid policy.

12. In addition to its invasion and occupation of Southern Angola and frequent air strikes against Mozambique, South Africa attacked civilian residential areas

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in Maseru, Lesotho, on 9 December 1982 murdering twelve Lesotho citizens and thirty South African refugees. Since then South Africa has stepped up economic pressure on Lesotho by withholding essential supplies including medical drugs and dressings and arms needed for the maintenance of law and order, and heavily restricting movement of goods and people across their common borders contrary to existing agreements between the two countries. For a landlocked country which is dependent on South Africa for almost all her essential needs and for her entire transit trade the effects of South African action have been and continue to be disastrous.

13. At the request of the Government of Lesotho, the Security Council met from 14 to 16 December 1982, to consider South Africa's attack on that country. In its Resolution 527 of 15 December, the Security Council condemned the attack as an act of premeditated aggression and a flagrant violation of Lesotho's sovereignty and territorial integrity. It called upon South Africa to desist from future attacks on Lesotho and to pay adequate compensation for the damage to life and property. South Africa's response to this call has been an intensification of pressures on Lesotho by way of economic blockade and arms embargo.

14. As Heads of Government pointed out at their London summit in 1977, Lesotho's difficulties are a direct result of that country's refusal to recognise the so-called "independence" of the apartheid inspired Bantustans. Furthermore, Lesotho has resisted the pressure to abandon its international responsibilities towards bona fide South African refugees.

15. We commend the response of the Commonwealth Secretary-General, supported by the Committee, to the crisis by keeping in close consultation with Lesotho and other Commonwealth governments and, especially by sending a mission to advise Lesotho on an appropriate policy and strategy designed to minimise the disruptive effects of South African incursions and pressures on Lesotho's economic development. We urge Commonwealth governments to respond favourably to the Lesotho Government's bilateral approaches on this matter. In so doing they will be keeping faith with the Commonwealth's unremitting stand against apartheid, a philosophy and policy that is in direct contradiction to the very *raison d'être* of our association.

16. We consider that the time has come for Heads of Government to review and where necessary reaffirm their collective stand on the central problem of apartheid in South Africa itself and its appalling consequences for the peoples of Southern Africa as a whole. South Africa's continued affront to the norms of civilised international behaviour, to say nothing of the values which it defies, has reached a stage where a more effective collective response by the international community cannot be put off for much longer without highly damaging consequences. An effective strategy is urgently needed for ensuring that South Africa lives peacefully with her neighbours and grants internal political birthrights to all her citizens.

The economic dimension

17. South Africa's aggression against her neighbours and its support of dissident movements against independent African countries in the area is clearly

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aimed at frustrating the objectives of the Southern African Development Co-ordination Conference (SADCC) in order to retain and, if possible, strengthen its economic domination over the whole region.

18. We commend the efforts of the Front-Line States "to reduce as far as possible the vulnerability of the countries of the region to economic blackmail and reprisals" by South Africa. We urge the Secretariat and individual Commonwealth countries to continue their commendable efforts to assist the member states of SADCC in realising their objectives. To strengthen SADCC is to frustrate the dangerous and hegemonic ambitions of the South African regime and to weaken its capacity to destabilise its neighbours and to erode its ability to perpetuate racism and apartheid.

19. Many members of the Committee welcome the initiatives taken by certain Western countries to restrict and prohibit new investments in South Africa and they urge Commonwealth governments to consider taking similar measures.

#### Sporting contacts with South Africa

20. In the six years since the Gleneagles Agreement came into force committing all Commonwealth governments vigorously to combat the evil of apartheid by taking every practical step to discourage contact or competition by their nationals with sporting organisations, teams or sportsmen from South Africa, it has made a major contribution to the international campaign to isolate apartheid South Africa from international sport. As the foundation of Commonwealth policy on a vital moral issue, the Agreement has, by helping to checkmate South Africa's persistent attempts to break out of its international isolation via sport, also strengthened Commonwealth sport. More importantly, however, Gleneagles has given expression to and upheld the Commonwealth's cherished principles embodied in both the Singapore Declaration of 1971 and the Lusaka Declaration on Racism and Racial Prejudice of 1979.

21. In drawing up the Agreement, Heads of Government acknowledged that the full realisation of its objectives "involved the understanding, support and active participation of the nationals of their countries and of their national sporting organisations and authorities". The Code of Conduct and the constitutional amendment agreed by the Commonwealth Games Federation in Brisbane in 1982 was a welcome reinforcement of the Gleneagles Agreement.

22. Faced however with the increasing success of the international boycott, the apartheid regime has now resorted to huge financial blandishments in a major effort to entice sportsmen to play in South Africa. That the apartheid regime should resort to such a stratagem is a measure of the success scored by the international sporting boycott; but it is also a reflection of the strength of its determination to undermine the resolve of the international community in general and the Commonwealth in particular on this issue.

23. In the face of the determined challenge now issued by South Africa, it is the view of the Committee that there is need for a reiteration by Commonwealth governments of their continuing commitment to the Gleneagles Agreement. So far, the vast majority of Commonwealth sportsmen and women have stood firm by Gleneagles and the Code of Conduct often rejecting substan-

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tial financial enticement in the process. We are grateful to them for their unswerving support of vital Commonwealth values. But if they are to continue to hold their own in the face of South African material blandishments, they will need the unstinted and sustained support of their own governments. In this connection, it is particularly noteworthy that proposals are currently before West Indian Heads of Government for the establishment of a comprehensive, regional 'regime' on sporting contacts with South Africa, one element of which will be a special fund to help offset the financially disadvantaged position of some West Indian sportsmen, and thus to blunt the financial overtures of South Africa. The Committee fervently hope that other Commonwealth governments will take the West Indian governments' initiative into account in considering their own approach to problems arising from South Africa's offers of financial inducements to Commonwealth sportspeople.

24. Many members of the Committee note that because of the effectiveness of the sports boycott of South Africa the regime has turned increasingly to the promotion of cultural links as a new way of breaking out of its isolation. They believe this to be damaging and wish to draw the attention of Commonwealth governments to this new danger.

### III. COMMONWEALTH HUMANITARIAN ASSISTANCE TO SOUTHERN AFRICA

#### Existing programmes

25. Heads of Government requested the Secretary-General through the Committee to prepare detailed proposals for establishing a programme of education and training for the increasing number of mainly young refugees from South Africa who are scattered among the Front-Line States. The Committee has considered and approved those proposals. It has also kept a continuing interest in the administration of the Zimbabwe and Namibian schemes.

#### (i) Zimbabwe

Under the special Commonwealth Programme for Zimbabweans, the provision of new scholarships ceased following the conclusion of the Lancaster House Agreement. As students have finished their courses and returned to Zimbabwe, there has been a steady fall in the numbers supported by the Commonwealth Secretariat. In 1981/82, there were 413 Zimbabwean beneficiaries of such awards. In the current year, this has been reduced to 97 and it is anticipated that fewer than 10 will continue during 1984/85, which is the final year of the Programme. As the Programme draws to a close, the Committee wishes to record its deep appreciation to Commonwealth governments for their generous provision of study places, employment opportunities and financial support under the scheme to a total of over 4,500 Zimbabweans in more than 30 Commonwealth countries.

#### (ii) Namibia

In its Report to Heads of Government at Melbourne, the

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Committee stressed the importance of increasing the number of Namibians in full-time training, and stated that "study places and suitable candidates are available in significant numbers; lack of finance is the only constraint on the Programme's development". Regrettably, that situation has not changed. In the absence of any special contributions to the Programme from Commonwealth governments during the last two years, all the funds available to the award scheme have been provided by or through the CFTC, with almost half of these resources being made available by the Swedish Government. A total of 148 full-time students have been assisted since 1981; 70 of them through a contribution to the CFTC by the Swedish International Development Authority (SIDA). The Committee is very grateful to SIDA for this generous provision of scholarship support.

A notable development since the Melbourne Meeting was the establishment of the Namibian Extension Unit (NEU) at the end of 1981. The purpose of the NEU is to provide basic education opportunities, using distance learning techniques, to Namibian refugees in Angola and Zambia. The CFTC played a significant role in planning this project, and continues to support it through funding two experts at the NEU's Lusaka Headquarters and through making available consultancy services. The bulk of the NEU's finance comes from Nordic sources and from the Commission of the European Communities.

The NEU's pilot programme, involving basic English and mathematics instruction for almost 2,000 Namibian refugees, is approaching completion. All the indications suggest that it has been successful. There are plans to increase significantly the numbers assisted by the NEU, and to offer basic courses under the scheme in such practical skills as agriculture, community health and child care.

(iii) **South Africa**

At the request of Heads of Government, expressed in paragraph 19 of their Melbourne Communique, the Secretariat drew up detailed plans for a Commonwealth education and training programme for South African refugees. It is envisaged that the programme will initially take the form of instruction in English, mathematics and agriculture for exiles who are in refugee camps in Front-Line States. This instruction will be provided using distance learning techniques, in a manner broadly similar to the procedures adopted by the Namibian Extension Unit. It has been agreed that, subject to the availability of the necessary financial resources, a special unit will be established in Dar es Salaam to plan and co-ordinate arrangements for the scheme.

At its meeting on 27 October 1983, the Committee considered and approved the Secretary-General's proposals for this significant new initiative which, through the generosity of the Tanzanian Government, will make maximum use of the extensive

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expertise available within the Tanzanian Institute of Adult Education. We wish to draw attention to the budget which has been prepared for the scheme; this envisages expenditure of less than £125,000 to assist 2,000 students in the first year of operations. This sum represents a unit cost of less than £65 per student. It is hoped that funds will be made available so that this project can be launched as early as practicable in 1984.

## DISTANCE EDUCATION PROGRAMME FOR SOUTH AFRICAN REFUGEES

## I. INTRODUCTION

At its meeting on 6 June 1983, the Committee received a report from the Secretary-General on the steps that had been taken to prepare a proposal for the establishment of a distance education project for the benefit of South African refugees, as requested by Heads of Government at their Meeting in Melbourne. The Committee noted that detailed discussions had been held with a number of governments, with the OAU, the UNHCR and other agencies which assist South African refugees and with South African nationalist movements. These discussions had revealed a high level of interest and enthusiasm for the proposal which, it was felt, would fulfil a specific and urgent need which other agencies had not hitherto attempted to meet.

2. The Secretary-General reported that the possibility of locating the Programme in Dar es Salaam was under discussion with the Government of Tanzania. Tanzania was already host to a significant number of South African refugees and had long and valuable experience of providing distance learning for its own citizens.

3. Detailed discussions took place in Dar es Salaam in July between officials of the Government of Tanzania and the Secretariat. These resulted in an agreement, subsequently confirmed in an exchange of letters between the Foreign Minister of Tanzania and the Secretary-General, to submit a proposal to the Committee. The proposal, details of which are set out below, envisages that, while the Programme should be seen as a Commonwealth initiative, responsibility for organising and running it will rest with an Extension Unit, headed by a Director, to be located in close association with Tanzania's Institute of Adult Education. Association with the Institute will enable the Programme to make the fullest practicable use of Tanzania's extensive facilities and experience in distance education and will materially assist in keeping down costs.

## II. OBJECTIVES OF THE PROGRAMME

4. The Programme is aimed at providing distance education opportunities, using a combination of workbooks, audio-cassettes, group learning sessions and tutorial support, for South African refugees. Initially, basic courses will be made available in English, mathematics and agriculture. Consultants will be employed to assess in detail the educational requirements in these subjects which exist within the camps, and which can be met by distance teaching. Suitable materials will then be prepared and tutors and group leaders trained in their use.

## III. TARGET GROUPS

5. The project will start modestly by catering for the basic needs of about



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2,000 South Africans in Tanzania, who are located at four centres, namely the UNHCR settlement at Kigwa, the ANC settlements at Mazimbu and Dakawa and the PAC settlement at Bagamoyo. When the Programme has succeeded in its initial aim of providing distance learning opportunities in English, mathematics and agriculture at these four settlements, the experience gained will constitute a useful basis on which the Extension Unit's work could be expanded to assist South African refugees in other Front-Line States, including the possible provision of "O" level and "A" level courses by correspondence. It is stressed, however, that the project will develop pragmatically on the basis of firmly identified needs which are matched by the financial and other resources required to meet those needs.

### IV. MANAGEMENT

6. The Director of the Extension Unit will be responsible to an independent Board of Trustees including representatives of the Government of Tanzania (3), the Commonwealth Secretariat (1), the United Nations High Commissioner for Refugees (UNHCR) (1), and of major donors to the Programme (1 or 2). The Board will provide policy guidance and will act as trustees for the funds of the Unit.

7. The respective responsibilities of the Tanzanian Government and the Commonwealth Secretariat acting on behalf of Commonwealth governments, concerning the Programme will include the following:

#### (i) Responsibilities of the Tanzanian Government

(a) To provide facilities for giving education opportunities to South African refugees in Tanzania, and subsequently in other Front-Line States, using distance learning methods. This will involve support for the establishment and management of an Extension Unit which, in accordance with policy guidance provided by the Board of Trustees, will co-ordinate the Programme's work, supervise the preparation of materials, organise the training of course tutors and group leaders, arrange instruction and evaluate students' progress.

(b) It will be necessary to identify 3-5 rooms initially for the Unit in Dar es Salaam city, bearing in mind the possible necessity for future expansion. It is understood that rent will be payable for this accommodation. It will be necessary also to recruit staff probably one professional officer, one secretary, one driver and one messenger/cleaner in the first instance, who will all be paid at local rates and to provide such equipment, materials and facilities as the Unit requires to perform its work efficiently. With such a small staff, the Unit will clearly rely very heavily on the professional, administrative, technical and other support of the Institute of Adult Education.

(c) To provide duty-free facilities for the importation of a vehicle, most probably a Landrover, a mimeograph machine, a

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photocopier, a typewriter, stationery and all other items which the Tanzanian Government may feel are necessary to import for the Unit.

(d) To provide tax-free conditions and accommodation for the CFTC expert who will be assigned to the project, should the Tanzanian Government so wish.

(e) To make available classrooms, during school holidays, for short training courses for the Programme's tutors and group leaders. It is anticipated that each such course will involve no more than 30 trainees for up to 3 weeks' duration.

(f) To allocate storage space for the Unit's printed materials.

(ii) **Responsibilities of the Commonwealth Secretariat**

(a) To collect contributions for the Programme from Commonwealth governments and to make these funds available to the Extension Unit in a manner which ensures that the costs of the Programme are not a charge against Tanzanian Government resources, even on a temporary basis. To encourage other donors to make contributions to the Programme, either through the Commonwealth Secretariat or directly to the Board of Trustees.

(b) To hire a consultant to assess education needs at the four settlements and the levels at which the materials will aim, and to make proposals concerning the operational aspects of the project.

(c) To hire consultants to:

(i) assist the Institute of Adult Education in training group leaders and course tutors for the Programme;

(ii) provide such international support services as the Unit may require.

(d) To purchase and despatch to the Unit a vehicle together with items of equipment and materials which are not readily available locally.

(e) To arrange the printing of materials outside Tanzania, should this be considered desirable, and their despatch to the Unit.

(f) To provide a CFTC expert for the project, if asked to do so.

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V. COST OF THE PROGRAMME

8. During the first year of operations, it is envisaged that up to 2,000 students will be assisted at a total cost of approximately £125,000. Should the student enrolment expand in subsequent years, Unit costs could be expected to fall. While detailed costings have not been obtained to date regarding each item in the provisional budget, the following figures represent preliminary estimates in that respect:

Cost in Year 1	T.Shs.	£
(a) Salaries (local staff)		
1 professional officer	60,000	
1 secretary	36,000	
1 driver	18,000	
1 messenger	12,000	
	<hr/>	
	126,000	6,300
(b) Office accommodation	120,000	6,000
(c) Office expenses (including telephone, postage, electricity, water and vehicle upkeep)		6,000
(d) Printing and despatch of education materials		50,000
(e) Purchase of equipment including transport to Dar es Salaam (including a landrover, photocopier, mimeograph machine, typewriter, cassette players and stationery)		17,000
		<hr/>
	Total A	85,300
(f) CFTC expert		27,500
(g) Consultancy services		12,000
		<hr/>
	Total B	39,500
		<hr/>
	Grand Total A & B	£124,800
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9. In the second year, it is envisaged that there will be a modest expansion of the Programme to cater for the educational needs of some South African refugees in other Front-Line States. As student numbers rise, there will be a corresponding reduction in Unit costs; a budget of £175,000 in year 2 should be sufficient to increase enrolment by approximately 50 per cent and to meet inevitable price rises due to inflation. Further development of the Programme will be dependent on an evaluation of its effectiveness and an assessment of the education needs of the South Africans at that time.

10. The CFTC would be prepared to meet the costs itemised under (f) and (g) above, through the General Technical Assistance Programme. The Distance Education Programme could, therefore, be launched in 1984 if additional funds of the order of £85,000 were made available for that purpose and if pledges totalling £135,000 were made for 1985.

11. In launching this Commonwealth scheme, it is clearly important that all initial financial support should be provided from Commonwealth sources. When the Programme has proved successful, approaches can then be made to other appropriate agencies, such as Nordic aid organisations and the Commission of the European Communities, which have already expressed interest in the proposed scheme.

12. It is hoped that Commonwealth governments will feel able to commit themselves wholeheartedly to the Distance Education Programme, which is a concrete manifestation of Commonwealth support for the victims of apartheid. A Commonwealth South Africa Education Fund, similar to the Commonwealth Zimbabwe Scholarship fund, will be established for the convenience of those governments which wish to make their contributions to the Programme through the Secretariat. Other governments may decide to support the Programme direct through the Board of Trustees in Dar es Salaam, when it is established. The early payment of contributions by either means will enable this significant new Commonwealth initiative to be launched early in 1984.

September 1983.



# Verbatim Service

B.

VERBATIM SERVICE 102/83 TUESDAY 15 NOVEMBER 1983  
(PRODUCED BY CENTRAL OFFICE OF INFORMATION, PRESS SERVICE)

## BRITAIN AND THE COMMONWEALTH TODAY

MAJOR EXTRACTS FROM A SPEECH DELIVERED BY SIR GEOFFREY HOWE, THE FOREIGN AND COMMONWEALTH SECRETARY, TO THE ROYAL COMMONWEALTH SOCIETY 14 NOVEMBER:

I KNOW THAT I AM PREACHING TO THE CONVERTED HERE ABOUT THE VALUE OF THE COMMONWEALTH. BUT WE DO HAVE TO ACKNOWLEDGE THAT NOT ALL IN BRITAIN ARE NOW AUTOMATICALLY CONVINCED OF THIS: I CONFIDENTLY PREDICT THAT BETWEEN NOW AND THE DELHI MEETING SOME BRITISH NEWSPAPERS WILL CARRY SCEPTICAL PIECES ABOUT THE COMMONWEALTH. THEY WILL DECRY THE SUPPOSED INGRATITUDE OF THE THIRD WORLD MEMBERS, SUGGEST THAT THE COMMONWEALTH SHOULD BE WOUND UP, THAT IT NO LONGER HAS RELEVANCE FOR BRITAIN AND SO ON. VERY SIMILAR ARTICLES APPEAR BEFORE EVERY CHOGM...

COMMONWEALTH MEMBERSHIP HAS BEEN OF DIRECT POLITICAL BENEFIT TO BRITAIN. I REGARD THE LANCASTER HOUSE SETTLEMENT WHICH ENDED A CIVIL WAR AND BROUGHT INDEPENDENCE TO ZIMBABWE AS ONE OF THE VERY IMPORTANT ACHIEVEMENTS OF MRS THATCHER'S FIRST GOVERNMENT. I VERY MUCH DOUBT WHETHER BRITAIN WOULD HAVE ACHIEVED THAT SETTLEMENT IF IT HAD NOT BEEN FOR THE AGREEMENT REACHED AT THE CHOGM IN LUSAKA IN 1979. AND THE ROLE OF THE COMMONWEALTH OF COURSE DID NOT STOP THERE. THE COMMONWEALTH MONITORING FORCE AND THE COMMONWEALTH OBSERVER GROUP PLAYED AN IMPORTANT ROLE IN THE RUN-UP TO INDEPENDENCE IN ZIMBABWE. THEY HELPED TO ENSURE THAT POWER WAS TRANSFERRED PEACEFULLY AND SMOOTHLY. BRITAIN'S REPUTATION WAS ENHANCED AS A CONSEQUENCE. AND SO WAS THAT OF THE COMMONWEALTH. AND WIDER WESTERN INTERESTS WERE SERVED BECAUSE OPPORTUNITIES FOR MEDDLING OUTSIDE WERE REDUCED.

THE COMMONWEALTH SAW IT AS THEIR DUTY IN ZIMBABWE TO HELP US TO DISCHARGE A BRITISH COMMITMENT. IT WAS THE SAME WITH THE FALKLANDS. MANY OF YOU WILL REMEMBER MR RAMPHAL'S SPEECH AT THE HEIGHT OF THE FALKLANDS' CONFLICT. ITS TITLE WAS 'NOT BRITAIN'S CAUSE ALONE'. ANOTHER CLEAR EXAMPLE OF A SITUATION IN WHICH THE COMMONWEALTH CAME TO THE AID OF BRITAIN IN DEALING WITH WHAT WAS TECHNICALLY A NATIONAL RESPONSIBILITY. THE GREAT MAJORITY OF COMMONWEALTH STATES GAVE US STRONG SUPPORT AFTER THE ARGENTINIAN INVASION. NEW ZEALAND LENT US A FRIGATE, OTHERS TOOK ECONOMIC SANCTIONS, SOME GAVE US QUIET SUPPORT FOR MILITARY LOGISTICS OR OPEN POLITICAL SUPPORT IN THE UN. I AM CONVINCED THAT COMMONWEALTH SUPPORT FOR BRITAIN AMONG NON-ALIGNED COUNTRIES WAS A SIGNIFICANT FACTOR IN DETERRING THE SOVIET UNION FROM VETOING SC RESOLUTION 502.

AND I CAN CITE OTHER EXAMPLES WHERE THE COMMONWEALTH HAS HELPED TO PROMOTE STABILITY, THEREBY SERVING OUR POLITICAL AND SECURITY INTERESTS DIRECTLY OR INDIRECTLY. THE ACHIEVEMENT OF INDEPENDENCE FOR BELIZE WAS DUE IN NO SMALL WAY TO THE SUPPORT WHICH THE COMMONWEALTH DRUMMED UP IN THE UN. AND THE COMMONWEALTH DECLARATION ON BELIZE GAVE REASSURANCE TO THE PEOPLE IN THEIR DISPUTE WITH GUATEMALA. THE COMMONWEALTH ALSO HELPED TO PROMOTE STABILITY IN AFRICA WHEN IT SENT OBSERVERS TO MONITOR THE UGANDAN ELECTIONS IN 1980 AND LATER A MILITARY TRAINING TEAM.

AND IN GENERAL THE EXISTENCE OF THE COMMONWEALTH PROVIDES A HIGHLY EFFECTIVE MEANS FOR BRITAIN TO PLAY A RESPONSIBLE PART ALONGSIDE OTHER WESTERN NATIONS IN AIDING THE DEVELOPMENT AND STABILITY OF THE THIRD WORLD. CERTAINLY MANY OF THE SMALLER STATES FEEL THAT THEIR MEMBERSHIP OF THE COMMONWEALTH AND ITS REGIONAL BODIES MAKES THEM MUCH LESS EXPOSED IN A HOSTILE INTERNATIONAL CLIMATE. AS I SAID IN THE FOREIGN AFFAIRS DEBATE ON 3 NOVEMBER, WE SHALL BE EXAMINING WITH OUR COMMONWEALTH PARTNERS WHAT WE CAN DO TO HELP THESE AND OTHER SMALL STATES EVEN FURTHER, IN PARTICULAR SO THAT THEY ARE NOT EXPOSED TO TAKE-OVER BY TINY GROUPS OF EVIL MEN...

TO SPEAK OF SHARED VALUES IN THE CONTEXT OF THE COMMONWEALTH IS TO USE A TRUISM. BUT THE FUNDAMENTAL CHARACTERISTIC OF TRUISMS IS THAT THEY ARE TRUE. THE DECLARATION OF COMMONWEALTH PRINCIPLES ADOPTED IN 1971 IS PERHAPS THE CLEARER EXPRESSION OF THE VALUES WHICH WE HOLD IN COMMON. ONE HAS TO ACKNOWLEDGE THAT NOT ALL MEMBERS ARE SUCCESSFUL IN PRACTISING THESE PRINCIPLES. BUT THEY DO PROVIDE AN IDEAL, A BENCHMARK, TOWARDS WHICH ALL THE MEMBER STATES CAN STRIVE. AND THE COMMONWEALTH COUNTRIES GENERALLY COMPARE FAVOURABLY WITH THEIR COUNTERPARTS ELSEWHERE IN PRESERVING AND PRACTISING THE INDEPENDENCE OF THE JUDICIARY, A KEY FOUNDATION STONE FOR A FAIR SOCIETY. IN THE POLITICAL SPHERE NIGERIA HAS JUST DEMONSTRATED ANEW THAT PARLIAMENTARY DEMOCRACY CAN WORK IN AFRICA. IN A SUBTLE WAY, ALL THESE SHARED VALUES WORK IN OUR NATIONAL INTERESTS BECAUSE THEY HELP TO SPREAD A WAY OF LIFE WHICH HAS WORKED FOR US AND WHICH CAN ENHANCE STABILITY.

#### UNIQUE CHANNEL

I ALSO SEE THE COMMONWEALTH AS A UNIQUE CHANNEL FOR DEVELOPING CONTACTS AND UNDERSTANDING BETWEEN THE INDUSTRIALISED AND DEVELOPING WORLD. THIS TOO SERVES OUR INTERESTS. IN PARTICULAR OUR COMMONWEALTH EXPERIENCE PUTS US IN A GOOD POSITION, ALONG WITH CANADA, AUSTRALIA AND NEW ZEALAND, TO ACT AS A FULCRUM IN INTERNATIONAL FINANCIAL NEGOTIATIONS. AND THE COMMONWEALTH IN GENERAL PROVIDES A VALUABLE, POSSIBLY A UNIQUE FORUM, FREE OF POLEMIC AND BITTERNESS, IN WHICH THE DEVELOPING AND THE INDUSTRIALISED COUNTRIES CAN GAIN A BETTER UNDERSTANDING OF THE CONSTRAINTS AND NEEDS OF THE OTHER. WE SHALL BE ABLE TO DISCUSS THESE ISSUES FURTHER AT CHOGM WHERE ECONOMIC AND FINANCIAL QUESTIONS WILL BE AMONG THE KEY ITEMS ON THE AGENDA...

BUT THERE IS NO FREE LUNCH IN FOREIGN POLICY...IF WE GET BENEFITS OF THIS ORDER OUT OF THE COMMONWEALTH THEN WE HAVE TO PUT SOMETHING IN. WE HAVE TO BEAR COSTS, MAKE COMMITMENTS. AND WE HAVE TO RECOGNISE THAT THE OTHER MEMBERS OF THE COMMONWEALTH MAY SEE IT AS A LEGITIMATE WAY OF FURTHERING THEIR OWN INTERESTS. FOR THE LONG-TERM VALUE AND HEALTH OF THE COMMONWEALTH I HOPE THEY DO.

I HOPE TOO THAT NO ONE HERE HAS DOUBTS ABOUT THE COMMITMENT OF THIS BRITISH GOVERNMENT TO THE COMMONWEALTH. ITS CENTRAL ROLE IN OUR FOREIGN POLICY OUTSIDE EUROPE IS REFLECTED FOR EXAMPLE IN THE DISBURSEMENT OF OUR BILATERAL AID. IN RECENT YEARS ABOUT 75 PERCENT HAS GONE TO SUPPORT DEVELOPMENT PROGRAMMES IN COMMONWEALTH COUNTRIES. AND THAT IS HOW IT SHOULD BE. NOT ONLY DOES OUR MONEY THEN SERVE BRITISH NATIONAL INTERESTS, BUT OUR KNOWLEDGE AND EXPERIENCE IN THOSE COUNTRIES HELPS TO MAKE THEM EFFECTIVE RECIPIENTS. AND THIS IS NOT THE WHOLE STORY. MUCH OF OUR AID REACHES COMMONWEALTH COUNTRIES THROUGH MULTILATERAL CHANNELS, INCLUDING THE EC. THIS MAY HAVE REDUCED BILATERAL PROGRAMMES IN SOME CASES. BUT LET ME EMPHASISE ONE POINT FOR YOU CLEARLY. THE BENEFIT TO THE RECIPIENTS IS GENERALLY THE SAME - OR EVEN GREATER. AND SOME COMMONWEALTH COUNTRIES HAVE DEFINITELY BENEFITTED IN AID TERMS FROM OUR MEMBERSHIP OF THE COMMUNITY. INDIA FOR EXAMPLE IS THE LARGEST RECIPIENT OF COMMUNITY AID. MORE THAN HALF THE COUNTRIES IN THE LOME CONVENTION ARE MEMBERS OF THE COMMONWEALTH AND BENEFIT FROM ITS IMPORTANT AID AND TRADE PROVISIONS. LET ME PUT IT ANOTHER WAY:

THREE-QUARTERS OF THE COMMONWEALTH ARE MEMBERS OF LOME, A MARK OF THE IMPORTANCE THAT WE ATTACH TO COMMONWEALTH LINKS WHEN WE WERE NEGOTIATING OUR ACCESSION TO THE COMMUNITY. ONE OF THE FIRST ACTS OF ST KITTS NEVIS ON ATTAINING INDEPENDENCE WAS TO APPLY FOR MEMBERSHIP OF THE LOME CONVENTION. AND FINALLY, AS YOU KNOW, WE PLAY A MAJOR ROLE IN SUPPORTING THE COMMONWEALTH'S OWN INSTITUTIONS AND AID PROGRAMMES.

FOREIGN POLICY IS NOT OF COURSE SUSCEPTIBLE TO ACCURATE COST/BENEFIT ANALYSIS. BUT IN TERMS OF THE COMMONWEALTH THE VISIBLE AND INVISIBLE BALANCES OF COSTS AND ADVANTAGES DO APPEAR TO LEAVE US IN SUBSTANTIAL POLITICAL SURPLUS.

#### COMMONWEALTH SENTIMENT

THE COMMONWEALTH HOWEVER MEANS MUCH MORE THAN THAT TO US. WE CANNOT AND DO NOT IGNORE THE MORE HUMAN AND EMOTIONAL FACTORS. THAT IS WHAT DISTINGUISHES OUR SOCIETY FROM THAT OF THE COMMUNISTS. THERE IS DEEP SENTIMENT IN THIS COUNTRY IN FAVOUR OF THE COMMONWEALTH. THE TIES OF KINSHIP AND BLOOD TO THE OLD COMMONWEALTH ARE NOW STRENGTHENED AND ENRICHED BY THE LINKS BETWEEN THE ETHNIC MINORITIES HERE AND THEIR FAMILIES IN THE CARIBBEAN, THE SUB-CONTINENT AND WEST AFRICA. AND THEN THERE IS THE UNOFFICIAL COMMONWEALTH, THAT BENIGN MAFIA OF EVERYBODY FROM COMMONWEALTH ARCHITECTS TO ATHLETES...

BUT IT IS NOT ALWAYS GOING TO BE 'SWEETNESS AND LIGHT' INSIDE THE COMMONWEALTH. IN SUCH A DIVERSE BODY THERE WILL BE OCCASIONAL DIFFERENCES OF PERCEPTION AND INTEREST. THE GRENADAN INTERVENTION SHOWED THAT EVEN WITHIN A SMALL REGION OF APPARENTLY SIMILAR STATES, COMMONWEALTH MEMBERS CAN DIFFER SHARPLY ON WHAT NEEDS TO BE DONE. BUT ANY DIFFERENCES ARE TEMPORARY AND SOLUBLE. THEY WILL NOT DETRACT FROM THE UNDERLYING VALUE OF THE COMMONWEALTH FOR MULTINATIONAL COOPERATION AND MUTUAL HELP. NOR SHOULD THE WELCOME TREND TOWARDS REGIONAL COOPERATION WITH FELLOW COMMONWEALTH MEMBERS AS WELL AS OTHER STATES.

THE COMMONWEALTH IS IN SHORT A BODY OF WHICH BRITAIN IS PROUD TO HAVE BEEN THE MIDWIFE. AND IT IS CLEAR THAT THE ATTRACTIONS OF THE COMMONWEALTH ENDURE FOR OTHERS. SINCE THE LAST CHOGM, ANTIGUA, BARBUDA, THE MALDIVES AND ST KITTS NEVIS HAVE ALL JOINED. BRUNEI IS PLANNING TO DO SO WHEN IT GAINS FULL INDEPENDENCE NEXT YEAR.

THE CONTINUED GROWTH IN MEMBERSHIP IS WELCOME IN ITSELF. BUT IT ALSO MEANS THAT THE COMMONWEALTH HAS A BETTER CHANCE OF SHARING ITS EXPERIENCE WITH THE WIDER WORLD. AND IN PARTICULAR FOR DEMONSTRATING THAT COOPERATION BETWEEN PEOPLES OF DIFFERENT RACES AND BACKGROUNDS CAN HELP TO SOLVE WORLD PROBLEMS. I HAVE ALREADY REFERRED TO THE COMMONWEALTH'S ROLE IN BRINGING A PEACEFUL SETTLEMENT IN ZIMBABWE AND IN HELPING UGANDA. THE COMMONWEALTH EXPERIENCE COULD ALSO BE OF PARTICULAR RELEVANCE TO THE PROBLEMS OF SOUTHERN AFRICA WHERE NATIONS OF VERY DIFFERENT CULTURES AND HISTORIES SEEM TO BE SLIDING TOWARDS INCREASED VIOLENCE.

WE IN BRITAIN ARE COMMITTED TO PREVENTING THIS, AND TO HELPING TO ENSURE STABILITY THROUGHOUT AFRICA. THIS GOVERNMENT'S COMMITMENT TO AFRICA WAS CLEARLY SHOWN BY THE HARD WORK PUT IN TO THE LUSAKA CHOGM AND TO THE SUBSEQUENT AND SUCCESSFUL LANCASTER HOUSE CONFERENCE... AND IT HAS ENABLED US TO ESTABLISH STRONG RELATIONSHIPS THROUGHOUT THE CONTINENT: IN THE PAST WE HAVE CONCENTRATED - AND RIGHTLY SO - ON THE THIRTEEN AFRICAN COMMONWEALTH MEMBERS. WE SHALL CONTINUE TO BUILD ON THESE TIES. BUT WE HAVE ALSO STARTED TO SUPPLEMENT THEM BY IMPROVING OUR LINKS WITH SOME OF THE FRENCH AND PORTUGUESE SPEAKING COUNTRIES. THE RECENT SUCCESSFUL VISIT TO BRITAIN BY THE PRESIDENT OF THE IVORY COAST WAS JUST ONE OUTWARD AND VISIBLE SIGN OF OUR DEVELOPING RELATIONS WITH FRANCOPHONE WEST AFRICA. AND WE HAVE JUST OPENED UP A SMALL POST IN THE CONGO. PRESIDENT MACHEL'S VISIT TO BRITAIN AND MALCOLM RIFKIND'S TO ANGOLA SHOWS THAT WE ARE EQUALLY SERIOUS ABOUT COOPERATING WITH THE LUSOPHONE STATES.

OUR COMMITMENT TO AFRICA REFLECTS OUR EXTENSIVE INTERESTS THERE. THE CONTINENT HAS A MAJOR PLACE IN BRITISH FOREIGN POLICY... TAKEN TOGETHER THE COUNTRIES OF SUB-SAHARAN AFRICA ARE THE LARGEST RECIPIENTS OF BRITISH BILATERAL AID OUTSIDE INDIA AND THE SUB-CONTINENT. AND MUCH MORE HELP FROM BRITAIN REACHES AFRICA THROUGH MULTILATERAL AGENCIES, NON-GOVERNMENTAL FLOWS AND PRIVATE INVESTMENT. THE GOVERNMENT'S ABOLITION OF EXCHANGE CONTROLS HAS HELPED SIGNIFICANTLY. CONTRAST THAT TO THE ABYSMAL SOVIET RECORD IN PROVIDING ECONOMIC AID TO AFRICA. IN 1981 ONLY 6 PERCENT OF SOVIET CIVILIAN AID WENT TO SUB-SAHARAN AFRICA. EVEN WORSE, THAT WAS WORTH ONLY 2 PERCENT OF WESTERN AID TO THOSE COUNTRIES.

#### DONOR-RECIPIENT PARTNERSHIP

BUT TO BE EFFECTIVE, AID FROM WHEREVER IT COMES CANNOT BE A ONE-WAY PROCESS. IT REQUIRES PARTNERSHIP BETWEEN DONORS AND RECIPIENTS. THIS IS WHY THE COMMUNITY ATTACHES SUCH IMPORTANCE TO DEVELOPING A GENUINE DIALOGUE WITHIN THE LOME PARTNERSHIP WITH THE ACP STATES: WE NEED TO IDENTIFY THE MOST EFFECTIVE USE OF THE SUBSTANTIVE RESOURCES AND TRADE OPPORTUNITIES WE PROVIDE. AS I SAID AT CHATHAM HOUSE ON 4 NOVEMBER, IN THE PRESENT SITUATION, WHERE MONEY IS BOUND TO BE TIGHT, IT IS MORE THAN EVER IMPORTANT THAT AID SHOULD BE SEEN TO BE WELL USED. EFFECTIVE AID REQUIRES TOO A SENSE OF ECONOMIC REALITY AMONG THE RECIPIENTS, A RECOGNITION THAT LONG-TERM DEVELOPMENT COULD REQUIRE PAINFUL SHORT TERM ADJUSTMENTS. I AM PLEASED BY THE COURAGEOUS STEPS IN THIS DIRECTION. AND I AM ENCOURAGED THAT A NUMBER OF AFRICAN COUNTRIES ARE NOW BEGINNING TO ADOPT THE RIGHT APPROACH IN COOPERATING WITH THE IMF. I KNOW THAT THE FUND'S CONDITIONS WILL OFTEN BE TOUGH BUT THEY ARE SYMPATHETICALLY APPLIED AGAINST THE BACKGROUND OF THE POLITICAL AND SOCIAL REALITIES OF THE COUNTRIES CONCERNED. WE IN BRITAIN STAND READY TO PROVIDE MORE HIGH-LEVEL EXPERTISE TO HELP WITH THE PROCESS OF ADJUSTMENT AND TO HELP TOWARDS THE GOAL WE ALL SHARE, SUSTAINABLE NON-INFLATIONARY GROWTH.

I SEE OTHER ENCOURAGING TRENDS IN AFRICA... THEY SHOW WHAT CAN BE DONE WHEN SENSIBLE POLICIES ARE PURSUED, WHEN FOREIGN INTERFERENCE IN INTERNAL AFFAIRS IS REJECTED. AND ABOVE ALL WHEN THE PEACEFUL ROUTE TO CHANGE IS FOLLOWED.

EDMUND BURKE, REFLECTING ON THE FRENCH REVOLUTION, SAID THAT "A STATE WITHOUT THE MEANS OF SOME CHANGE IS WITHOUT THE MEANS OF ITS CONSERVATION". THAT MESSAGE NEEDS TO RING MOST LOUDLY IN SOUTHERN AFRICA, AND IN PARTICULAR IN SOUTH AFRICA ITSELF. CHANGE THERE IS INEVITABLE AND DESIRABLE. I FIND IT UNTHINKABLE THAT A MINORITY WILL BE ABLE INDEFINITELY TO DEPRIVE THE MAJORITY OF ITS RIGHTFUL SAY IN RUNNING THE COUNTRY. AND APARTHEID IS NOT ONLY MORALLY ABHORRENT, IT IS IN PRACTICAL TERMS UNTENABLE AND INCOMPATIBLE WITH DYNAMIC ECONOMIC POLICIES.

DEVELOPMENTS IN THE SOUTHERN TIP OF AFRICA ARE OF FUNDAMENTAL IMPORTANCE TO BRITAIN. NOT ONLY ARE A NUMBER OF COMMONWEALTH COUNTRIES DIRECTLY INVOLVED BUT OUR POLITICAL, ECONOMIC AND STRATEGIC INTERESTS THROUGHOUT THE CONTINENT ARE AFFECTED BY THE WAY THINGS GO THERE. I THEREFORE INTEND TO DEVOTE THE REST OF MY SPEECH TODAY TO SOUTHERN AFRICA.

THE QUESTION THAT WE MUST FACE AND THAT ABOVE ALL THE PEOPLE OF THE REGION MUST FACE IS HOW CHANGE IS TO COME ABOUT. WHETHER IT IS TO OCCUR PEACEFULLY AND IN A WAY WHICH PRESERVES ECONOMIC AND SOCIAL DEVELOPMENT. OR WHETHER THE EVOLUTIONARY PROCESS FALLS PREY TO THE FORCES OF REVOLUTION, AND TO THE COUNSELS OF DESPAIR, EXACTING A DREADFUL PRICE FROM ALL SOUTHERN AFRICANS.



THE TREND I FEAR AT THE MOMENT IS A TREND TOWARDS GREATER VIOLENCE, TERRORIST ATTACKS AND DESTABILISATION. THE BRITISH GOVERNMENT DEPLORES THAT TREND. IN PARTICULAR ALL PARTIES SHOULD STRICTLY RESPECT THE SANCTITY OF NATIONAL BORDERS. CROSS BORDER VIOLENCE IS IN ANY CASE COUNTER PRODUCTIVE. THE BLACK GUERRILLAS SHOULD UNDERSTAND THAT ATTACKS ON SOUTH AFRICA MERELY STRENGTHEN INTRANSIGENCE, JUST AS PLO ATTACKS DID ON ISRAEL. THEY WILL MAKE THE WHITES EVEN MORE FEARFUL OF MAKING CONCESSIONS. AND THE SOUTH AFRICANS FOR THEIR PART HAVE TO SEE THAT DESTABILISATION OF THEIR NEIGHBOURS RISKS PRECIPITATING THE SITUATION THEY FEAR MOST: MAKING THE RUSSIANS AND THEIR SURROGATES A MORE POWERFUL FACTOR IN THE EQUATION. PUNITIVE RAIDS MAY BUY A LITTLE TIME, PROVIDE A BREATHING SPACE. BUT THE LONG TERM COSTS ARE THOSE OF FEAR, BITTERNESS AND HATRED. THESE COSTS WILL BE PAID BY ALL CONCERNED, IN THE REGION AND OUTSIDE. AND WILL MAKE PEACEFUL CHANGE MUCH MORE DIFFICULT.

THEY KEY TO PEACE IS MAINLY IN THE HANDS OF THE SOUTH AFRICAN GOVERNMENT AND PEOPLE. NOBODY CAN FORCE THEM TO USE IT. BUT USE IT THEY MUST IF THEY ARE TO SECURE THEIR LONG-TERM STABILITY AND PROSPERITY. I HAVE BEEN ENCOURAGED BY THE INTERNAL ECONOMIC FORCES WHICH HAVE ALREADY BROUGHT ABOUT A DEGREE OF CHANGE IN SOUTH AFRICA. THE DEMAND FOR BLACK WORKERS, THE INCREASE IN THEIR PURCHASING POWER, THE DEVELOPMENT OF BLACK TRADE UNIONS - ALL GIVE IMPETUS TO A POWERFUL DYNAMO FOR CHANGE INSIDE SOUTH AFRICAN SOCIETY. THESE ARE TRENDS WHICH I WELCOME. AND THEY SHOULD BE WELCOMED BY ALL SOUTH AFRICANS. TO ALLOW THE DOGMA OF APARTHEID TO BLOCK THE BENIGN FORCES OF THE MARKET PLACE WOULD BE TO THE BENEFIT OF NO ONE. IN THE END, THE RESULT MIGHT BY SOME STANDARDS IN SOUTH AFRICA BE IDEOLOGICALLY SOUND BUT IN AN ECONOMIC WASTE LAND.

#### POLITICAL REFORM NEEDED

IN MY VIEW THEREFORE ECONOMIC FORCES OFFER SOME HOPE THAT THE EVILS OF APARTHEID CAN BE MODERATED. BUT POLITICAL REFORM IS ALSO NECESSARY. I AM NOT GOING TO SUGGEST FORMULAE FOR REFORM OR TRY TO PRESCRIBE PRECISE REMEDIES. WE HAVE NEVER DEVIATED FROM OUR VIEW THAT IT IS FOR THOSE IN SOUTH AFRICA TO JUDGE WHAT IS BEST FOR THEM, BUT WE HAVE MADE CLEAR ON A NUMBER OF OCCASIONS THAT WE ARE LOOKING FOR PROGRESS TOWARDS CONSTITUTIONAL ARRANGEMENTS ACCEPTABLE TO THE PEOPLE OF SOUTH AFRICA AS A WHOLE. THERE WAS STRONG WHITE SUPPORT FOR THE NEW CONSTITUTIONAL PROPOSALS IN THE REFERENDUM ON 2 NOVEMBER. BUT ONLY PART OF THE POPULATION HAS BEEN CONSULTED ABOUT THESE PROPOSALS, AND THEY HAVE BEEN SERIOUSLY CRITICISED BY THE MAJORITY OF SOUTH AFRICANS BECAUSE THEY MAKE NO PROVISIONS FOR THEM. I SEE THAT THE SOUTH AFRICAN PRIME MINISTER SAID THAT THE VOTE WAS A MANDATE FOR 'EVOLUTIONARY REFORM' IT WOULD I THINK BE INAPPROPRIATE FOR ME TO COMMENT ON THE OUTCOME OF THE REFERENDUM OR ON THAT STATEMENT. BUT WE DO HOPE THAT THE REFERENDUM WILL FACILITATE THE PROCESS OF CHANGE WHICH WE WOULD LIKE TO SEE. WE SHALL OF COURSE CONTINUE TO TAKE A KEEN INTEREST IN DEVELOPMENTS.

FOR APARTHEID AND THE ABSENCE OF A FORM OF GOVERNMENT WHICH HAS THE CONSENT OF ALL THE PEOPLE CAST A LONG SHADOW OVER BRITAIN'S RELATIONS WITH SOUTH AFRICA. OUR REJECTION OF APARTHEID AND OF THE OPPRESSION LINKED WITH IT REFLECTS THE FIRM VIEW OF A WIDE SPECTRUM OF BRITISH PUBLIC OPINION. IT ALSO REPRESENTS THE CLEAR CONSENSUS WITHIN THE COMMONWEALTH. THE PRIME MINISTER AND I WILL IN NEW DELHI BE REAFFIRMING THE GOVERNMENT'S COMMITMENT TO THE GLENEAGLES AGREEMENT ON APARTHEID IN SPORT. I HOPE OUR SPORTS BODIES WILL TAKE ACCOUNT OF THIS AND REFLECT TOO ON THE WIDER IMPLICATIONS OF THEIR DECISIONS ABOUT SOUTH AFRICA, NOT LEAST FOR OTHER COMMONWEALTH SPORTSMEN. IN PARTICULAR, WE SHALL CONTINUE TO ADVISE THE RUGBY FOOTBALL UNION AGAINST AN ENGLAND TOUR OF SOUTH AFRICA NEXT YEAR. AS FOR OTHER ISSUES THIS GOVERNMENT WILL UPHOLD THE UNITED NATIONS ARMS EMBARGO. WE SHALL ESCHUE ANY MILITARY COLLABORATION WITH SOUTH AFRICA. AND WE SHALL NOT HELP WITH SOUTH AFRICA'S NUCLEAR PROGRAMME.

"DESTABILISATION"

INTERNAL / APARTHEID

GLENEAGLES

BU WE ARE NOT GOING TO CUT OFF CONTACT WITH SOUTH AFRICA. ONE OF THE MESSAGES I WANT TO LEAVE WITH YOU TODAY IS THAT YOU CAN ONLY INFLUENCE SOMEONE IF YOU ARE READY TO TALK TO HIM. THAT APPLIES TO THE WESTERN GOVERNMENTS IN THEIR APPROACH TO RELATIONS WITH THE SOVIET BLOC. AND IT APPLIES WITH EQUAL FORCE TO THE WESTERN GOVERNMENTS AND TO THE OTHER STATES OF SOUTHERN AFRICA IN THEIR RELATIONS WITH SOUTH AFRICA.

CONTACT / SANCTIONS

YOU CANNOT GET YOUR POINT ACROSS BY REFUSING EVEN TO DISCUSS YOUR DIFFERENCES. EQUALLY WE DO NOT THINK THAT THE CASE HAS BEEN MADE FOR ECONOMIC SANCTIONS AGAINST SOUTH AFRICA. I HAVE A GENERAL OBJECTION TO INTERFERENCE IN COMMERCIAL RELATIONS FOR POLITICAL PURPOSES., NOT LEAST BECAUSE SUCH INTERFERENCE HAS NORMALLY PROVED INEFFECTIVE. I MUST BE FRANK AND ADMIT THAT SANCTIONS WOULD OF COURSE DAMAGE IMPORTANT BRITISH COMMERCIAL AND ECONOMIC INTERESTS. BUT I ALSO BELIEVE WE SHOULD NOT INTERFERE WITH THE ECONOMIC FORCES THAT ARE AT WORK FOR CHANGE IN SOUTH AFRICA. NOR IS IT IN OUR INTERESTS, OR THAT OF SOUTH AFRICANS TO PROVOKE THROUGH DRASTIC ACTION A VIOLENT ECONOMIC COLLAPSE THERE. RATHER POSITIVE CHANGE IN SOUTH AFRICA IS LIKELY TO COME ABOUT THROUGH A GROWTH IN CONTACT WITH THE REST OF THE WORLD, NOT BY TREATING IT AS A PARIAH. AND THROUGH DEVELOPMENT OF ITS ECONOMY, NOT BY THE IMPOSITION OF A COMMERCIAL SIEGE. THAT IS WHY WE SUPPORT THE EUROPEAN CODE OF CONDUCT FOR COMPANIES WITH INTERESTS IN SOUTH AFRICA. NOT AS A PUNITIVE MEASURE BUT AS A POSITIVE WAY FOR IMPROVING THE SITUATION OF BLACK WORKERS.

NAMIBIA

THERE ARE NO QUICK OR EASY SOLUTIONS TO THE PROBLEMS OF SOUTHERN AFRICA. THOSE WHO SAY THERE ARE HAVE BEEN BADLY BRIEFED OR ARE NAIVE. BUT OUR POLICY FOR THE REGION IS CONSISTENT AND AIMED AT THE LONG-TERM. IT IS A POLICY OF CONTACT AND INVOLVEMENT, OF WORKING WITH ALL THE PARTIES IN AND AROUND SOUTH AFRICA TO PRODUCE FASTER CHANGE BY PEACEFUL MEANS. THIS IS NOTHING NEW. WE HAVE BEEN WORKING WITH OTHER WESTERN NATIONS IN THE CONTACT GROUP OF FIVE - INCLUDING CANADA, ANOTHER LEADING COMMONWEALTH MEMBER - TO BRING ABOUT A FAIR AND LASTING SETTLEMENT IN NAMIBIA. THE UN SECRETARY-GENERAL'S RECENT SUCCESSFUL VISIT TO THE REGION RESULTED IN THE RESOLUTION OF VIRTUALLY ALL THE OUTSTANDING PROBLEMS ON NAMIBIA. I UNDERSTAND THE IMPATIENCE FELT BY SOME AFRICAN STATES. BUT THE WORK OF THE CONTACT GROUP HAS CONTRIBUTED IN NO SMALL WAY TO THE PROGRESS ALREADY ACHIEVED.

IT IS OF COURSE EASIER TO STATE THE OBJECTIVE THAN TO ACHIEVE IT. THE MAIN OBSTACLE IS THE DEMAND FOR AN AGREEMENT ON THE WITHDRAWAL OF CUBAN TROOPS FROM ANGOLA AS A PRECONDITION FOR A NAMIBIA SETTLEMENT. WE HAVE MADE CLEAR THAT FOR US THE ONLY CONDITIONS FOR NAMIBIAN INDEPENDENCE ARE THOSE IN SECURITY COUNCIL RESOLUTION 435. BUT AS A MATTER OF PRACTICAL POLITICS WE HAVE TO RECOGNISE THAT THE MAIN PARTIES EACH HAVE THEIR OWN SECURITY PROBLEMS. THESE HAVE TO BE SATISFACTORILY RESOLVED IF THERE IS TO BE AN ENDURING AGREEMENT. I BELIEVE THAT MILITARY DISENGAGEMENT AND THE ESTABLISHMENT OF GREATER TRUST IN THE AREA HOLD THE KEY TO THIS. THAT IS WHY WE WANT TO SEE THE WITHDRAWAL OF ALL FOREIGN FORCES FROM ANGOLA. BUT OF COURSE THE CONTINUED PRESENCE OF SOUTH AFRICAN TROOPS IN ANGOLA AND CONTINUING ARMED CONFLICT THERE MAKE THE WITHDRAWAL OF CUBAN TROOPS MORE DIFFICULT. I THEREFORE URGE THE SOUTH AFRICANS TO PULL BACK THEIR FORCES FROM SOUTHERN ANGOLA AS A VITAL STEP. I DO NOT BELIEVE THIS WOULD PREJUDICE THEIR POSITION. INDEED IT WOULD BE A VALUABLE STEP IN THE PROCESS LEADING TO A NAMIBIAN SETTLEMENT AND GREATER REGIONAL STABILITY. CONVERSELY, I FIND IT HARD TO SEE HOW THEIR CONTINUED PRESENCE IN ANGOLA CAN SERVE SOUTH AFRICA'S LONG TERM INTERESTS.

## ACCEPTABLE NAMIBIAN SETTLEMENT

THE BRITISH GOVERNMENT AND ITS PARTNERS IN THE CONTACT GROUP ARE COMMITTED TO CONTINUING THEIR EFFORTS TO ACHIEVING A NAMIBIAN SETTLEMENT ACCEPTABLE TO ALL. THERE ARE SOME IN THIS COUNTRY WHO WOULD ARGUE THAT IT IS BETTER FOR THE WEST THAT SOUTH AFRICA RETAIN CONTROL OF NAMIBIA, THAT AN INDEPENDENT NAMIBIA WOULD FALL UNDER SOVIET DOMINATION. I REJECT THESE NOTIONS. INDEED I BELIEVE THE REVERSE TO BE TRUE. A SETTLEMENT WHICH ENABLES THE PEOPLE OF NAMIBIA FREELY AND WITHOUT ANY KIND OF EXTERNAL INTERFERENCE TO DETERMINE THEIR OWN FUTURE WOULD BE CLEARLY IN WESTERN INTERESTS. IT WOULD REDUCE, NOT INCREASE, THE OPPORTUNITIES FOR EXTERNAL MEDDLING AND FOR FURTHER VIOLENCE. AND IT COULD HELP TO PROMOTE THE REMOVAL OF THE CUBANS FROM ANGOLA. BUT PERHAPS EVEN MORE IMPORTANT, A NAMIBIA BROUGHT PEACEFULLY TO INDEPENDENCE AND IN A WAY WHICH SAFEGUARDED THE HUMAN RIGHTS AND POLITICAL FREEDOMS OF THE MINORITY COMMUNITIES WOULD MAKE AN IMPORTANT PSYCHOLOGICAL, POLITICAL AND ECONOMIC CONTRIBUTION TO THE REGION'S FUTURE. INDEED IN THAT SENSE, NAMIBIA COULD BE THE KEY TO THE FUTURE OF SOUTHERN AFRICA. IF THAT KEY CAN BE TURNED, THEN THE PROSPECTS FOR THE REGION ACHIEVING PEACEFUL CHANGE, FOR AVOIDING KALASHNIKOV DIPLOMACY WILL BE MUCH BETTER.

IN PARTICULAR THE DOOR WOULD OPEN TO FAR GREATER CROSS-BORDER COOPERATION. THE BLACK STATES IN THE AREA ALREADY UNDERSTAND THE IMPORTANCE OF WORKING TOGETHER. THE SOUTHERN AFRICAN DEVELOPMENT COORDINATION CONFERENCE IS JUST ONE OF THE WAYS IN WHICH THEY ARE HELPING ONE ANOTHER WITH THEIR MUTUAL PROBLEMS. WE WELCOME THIS. MORE TO THE POINT, WE ARE OFFERING CONCRETE SUPPORT EG FOR THE LIMPOPO RAILWAY PROJECT. THIS SORT OF COOPERATION MAKES SENSE FOR THE FUTURES OF THESE COUNTRIES. THE INESCAPABLE FACTS OF GEOGRAPHY AND ECONOMICS HAVE ALSO WILLY-NILLY RESULTED IN A MEASURE OF PRACTICAL COOPERATION BETWEEN SOUTH AFRICA AND ITS BLACK NEIGHBOURS.

THAT COOPERATION MUST BE DEVELOPED AND EXPANDED. THE FUTURE FOR THE REGION AS A WHOLE AND IN ALL SENSES - POLITICAL AS WELL AS ECONOMIC - IS LIKELY TO DEPEND ON IT. IF THE BLACK STATES AND SOUTH AFRICA WANT TO INFLUENCE ONE ANOTHER, THEY MUST TALK TO EACH OTHER, EXPRESS THEIR CONCERNS AND EXPLAIN THE CONSTRAINTS UNDER WHICH THEY WORK. NOTHING CAN OR WILL BE SOLVED IN AN ATMOSPHERE OF ISOLATION AND MUTUAL SUSPICION.

A PEACEFUL FUTURE FOR SOUTHERN AFRICA WILL ALSO REQUIRE THE RECOGNITION OF THE RESPONSIBILITIES OF STATEHOOD AND OF THE MEANING OF SOVEREIGNTY. THOSE CONCEPTS ARE INCOMPATIBLE WITH SUPPORT FOR OR TOLERATION OF THE WORK OF ORGANISATIONS USING VIOLENCE IN THE NAME OF POLITICS. THEY ARE INCOMPATIBLE WITH PUNITIVE MILITARY RAIDS, RETALIATORY OR NOT. AND THEY ARE INCOMPATIBLE WITH POLICIES DESIGNED TO KEEP YOUR NEIGHBOURS OFF BALANCE, TO CHOKE THEIR ECONOMIC DEVELOPMENT OR TO DESTABILISE THEIR GOVERNMENTS. THESE CONCEPTS MUST BE RECOGNISED AND ACTED UPON ON BOTH SIDES OF SOUTH AFRICA'S BORDERS. IF THEY ARE NOT, THE SLIDE TO MILITARY CONFRONTATION, TO VIOLENCE AND INSTABILITY, FROM WHICH THERE CAN BE NO REAL WINNERS WILL CONTINUE. IN SHORT, SOUTH AFRICANS MUST USE THE TELESCOPE, NOT THE MICROSCOPE. THEY NEED A WIDE-ANGLE LENS, NOT A NARROW FOCUS, IF THEY ARE TO ACQUIRE THE BREADTH OF VISION NECESSARY TO ALLOW LONG-TERM CHANGE THROUGH MUTUAL CONFIDENCE AND UNDERSTANDING RATHER THAN THROUGH CONFRONTATION AND SUBVERSION.

COOPERATION BETWEEN STATES IN SOUTHERN AFRICA.

THE BRITISH GOVERNMENT STANDS READY TO ENCOURAGE AND SUPPORT CROSS-BORDER CONTACT AND COOPERATION IN SOUTHERN AFRICA. THE US ADMINISTRATION HAVE DEMONSTRATED THE SAME ATTITUDE. WE ARE WILLING TO DO WHAT WE CAN WITH OUR OTHER ALLIES, INSIDE AND OUTSIDE THE NAMIBIA CONTACT GROUP, TO HELP REMOVE THE MUTUAL SUSPICION AND DISTRUST WHICH IMPEDE PROGRESS. FOR THE WESTERN COUNTRIES SHARE WITH ALL THE AFRICANS OF THE REGION - INCLUDING THOSE OF EVERY COMMUNITY IN SOUTH AFRICA - AN OVERRIDING INTEREST IN PEACEFUL CHANGE AND THE AVOIDANCE OF BLOODSHED. MANY COMMONWEALTH STATES HOLD STRONG AND UNCOMPROMISING VIEWS ABOUT SOUTH AFRICA. I UNDERSTAND THOSE VIEWS. I SYMPATHISE WITH THEIR TOTAL REJECTION OF APARTHEID. I BELIEVE THAT THE COMMONWEALTH MODEL FOR SUCCESSFUL INTERNATIONAL COOPERATION ACROSS CULTURES AND RACES IN SOLVING POLITICAL PROBLEMS HAS RELEVANCE FOR SOUTHERN AFRICA. BUT THAT MODEL IS UNLIKELY TO BE TAKEN UP AND USED FOR THE BENEFIT OF ALL THE PEOPLE THERE UNLESS THE COMMONWEALTH DEMONSTRATES RECOGNITION OF THE POLITICAL REALITIES OF THE REGION.

WE IN BRITAIN ARE USING OUR BEST EFFORTS TO PROMOTE AND ENCOURAGE THE CHANGES NECESSARY IN SOUTH AFRICA ITSELF FOR THE FUTURE PEACE AND STABILITY OF THE REGION. AND WE ARE ENCOURAGING THE BLACK AFRICAN STATES TO PLAY THEIR PART, REALISTICALLY BUT WITHOUT ANY SACRIFICE OF PRINCIPLE. BUT THIS CANNOT BE THE SOLE RESPONSIBILITY OF THE WEST. IN THE END THE PROBLEMS ARE AFRICAN ONES. THE FIRST STEPS HAVE TO BE TAKEN BY AFRICANS - WHITE AFRICANS AND BLACK AFRICANS.

ENDS VS/102/83

BRITAIN / COMMONWEALTH

*South A*

GRS 280  
UNCLASSIFIED  
FM PRETORIA 051000Z OCT 83  
TO PRIORITY FCO  
TELEGRAM NUMBER 375 OF 05 OCTOBER  
INFO ROUTINE JOHANNESBURG, CAPE TOWN, DURBAN.

MY TELNO 374: ANGLO/SOUTH AFRICAN RELATIONS

1. SABC'S LEAD STORY THIS MORNING WAS PIK BOTHA'S REACTION, IN A SPEECH LAST NIGHT, TO MRS THATCHER'S SECOND LETTER.

2. PIK BOTHA WAS REPORTED AS SAYING THAT AN IMPORTANT ASPECT THAT EMERGED FROM THE COMMENTS ON SOUTH AFRICA BY MRS THATCHER WAS THAT SOUTH AFRICA COULDN'T SEEK SOLUTIONS TO ITS PROBLEMS OUTSIDE ITS BORDERS. HE DESCRIBED AS UNACCEPTABLY RACIALISTIC THE REMARK BY MRS THATCHER THAT SOUTH AFRICA SHOULD EXPECT TO BE JUDGED BY EUROPEAN LEADERS ACCORDING TO WESTERN STANDARDS IF IT CLAIMED TO BE PART OF THE WEST. HE SAID THAT THE BLACK PEOPLE OF AFRICA AND OTHER FORMER BRITISH COLONIES WERE GIVEN TOTAL FREEDOM TO CONDUCT THEIR AFFAIRS AT THEIR OWN DISCRETION. ON THE OTHER HAND SOUTH AFRICA WAS EXPECTED TO BEHAVE BETTER AND SUBJECT ITSELF TO EXAMINATION. PIK BOTHA SAID THAT NOBODY BENEFITTED FROM THIS KIND OF OPINION FROM EUROPEAN LEADERS. SUCH AN APPROACH HARDENED THE ATTITUDE OF WHITES AND MADE THEM REFUSE TO ACCEPT CRITICISM THAT MIGHT POSSIBLY BE CONSTRUCTIVE. THIS TYPE OF APPROACH ALSO CREATED EXPECTATIONS AMONG BLACKS THAT GOVERNMENTS THAT CRITICISED WHITES WOULD STAND BY THEM, AS HAD HAPPENED IN ZIMBABWE. MR BOTHA SAID THAT WEST EUROPEAN GOVERNMENTS INCLUDING THE BRITISH GOVERNMENT WANTED TO DICTATE SOLUTIONS IN AFRICA BUT THEY WERE NOT PREPARED TO ACCEPT THE CONSEQUENCES OF THESE SOLUTIONS. *MS*

3. YOU WILL ALSO HAVE NOTED THAT AT HIS LONDON PRESS CONFERENCE YESTERDAY, GWEN HORWOOD TOOK UP MRS THATCHER'S REFERENCE TO SOUTH AFRICAN ECONOMIC PRESSURES ON NEIGHBOURING COUNTRIES, SAYING THAT QUOTE IT IS VERY REGRETTABLE THAT THAT SHOULD HAVE BEEN SAID. WE CAN ARGUE VERY STRONGLY THAT THIS IS NOT HAPPENING. THE FACTS ARE STRONGLY TO THE CONTRARY. UNQUOTE.

FERGUSON

SOUTHERN AFRICA

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THIS TELEGRAM  
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FM PRETORIA 300940Z SEPT 83

TO IMMEDIATE FCO

TELNO 359 OF 30 SEPTEMBER 1983

AND TO IMMEDIATE JOHANNESBURG CAPE TOWN AND DURBAN

INFO HARARE LUANDA MAPUTO MASERU MBABANE AND GABORONE

YOUR TELNO 210: ANGLO-SOUTH AFRICAN RELATIONS

1. HEADLINES IN THIS MORNING'S AFRIKAANS PRESS READ QUOTE MAGGIE, KEEP YOUR NOSE OUT OF SOUTH AFRICA'S AFFAIRS EXCLAIM UNQUOTE AND QUOTE P W BOTHA TACKLES THATCHER UNQUOTE.

2. IN A SPEECH TO THE CAPE NATIONAL PARTY YOUTH CONFERENCE LAST NIGHT, P W BOTHA HAS REPORTED TO HAVE REACTED SHARPLY TO MRS THATCHER'S LETTER OF 28 JULY TO IAN LLOYD MP.

3. P W BOTHA REPORTEDLY SAID THAT HE WAS DISAPPOINTED THAT MRS THATCHER SHOULD HAVE SAID SUCH QUOTE UNSAVOURY UNQUOTE THINGS ABOUT SOUTH AFRICA'S INTERNAL AFFAIRS. HE WAS SURPRISED THAT MRS THATCHER SHOULD HAVE ACTED IN THIS WAY BECAUSE HE DID NOT MAKE PUBLIC STATEMENTS ABOUT BRITAIN'S INTERNAL AFFAIRS AND ISSUES SUCH AS, AMONG OTHER THINGS, THE PROBLEMS WITH IRELAND. HE WOULD APPRECIATE IT IF MRS THATCHER WOULD KEEP HER NOSE OUT OF SOUTH AFRICA'S INTERNAL AFFAIRS.

4. P W BOTHA SAID THAT SOUTH AFRICA WAS GOOD ENOUGH WHEN TRADE WAS BEING CONDUCTED WITH THE COUNTRY. IF SOUTH AFRICA WERE NOT TO BE GOVERNED IN THE WAY IT WAS TODAY, THERE WOULD BE NO TRADE. THE SALVATION OF SOUTH AFRICA AND ITS NEIGHBOURS COULD NOT COME FROM ABROAD. SOLUTIONS MUST BE SOUGHT BY PEOPLE HERE WHO COULD SEE WITH THEIR OWN EYES THE REALITIES OF THE SUB-CONTINENT. HE WAS NOT ADVOCATING ISOLATION. TRADE MUST CONTINUE. WHAT SURPRISED HIM, HOWEVER, WAS THAT CERTAIN WESTERN COUNTRIES EAGERLY TRADED WITH COMMUNIST DICTATORSHIPS. IF THEY TRADED WITH SOUTH AFRICA, HOWEVER, THEY SUDDENLY DEVELOPED MORAL RESERVATIONS. THEY SAT IN THE UN WITH PEOPLE WHO HAVE MURDERED MILLIONS OF INNOCENT PEOPLE, WHEREAS SOUTH AFRICA, WHICH LOOKED AFTER ALL ITS PEOPLE, WAS EXCLUDED. HE ASKED IF THIS WAS THE RESULT OF DOUBLE STANDARDS OR RATHER ECONOMIC SELF-INTEREST.

5. ALSO ON THE FRONT PAGES IS A REPORT OF A SPEECH MADE BY PIK BOTHA AT A PUBLIC MEETING IN RUSTENBURG LAST NIGHT. HE IS QUOTED AS SAYING THAT SOUTH AFRICA WOULD SOLVE ITS OWN PROBLEMS, SINCE THE DEMANDS MADE BY FOREIGN GOVERNMENTS COULD NOT BE MET BY ANY POLITICAL PARTY IN SOUTH AFRICA. PIK BOTHA SAID THAT IN A LETTER TO A BRITISH MP MRS THATCHER HAD DESCRIBED SOUTH AFRICAN POLICY AS TOTALLY UNACCEPTABLE AND DIABOLIC AND SHE HAD SAID THAT THE BRITISH GOVERNMENT WOULD CONTINUE ITS OPPOSITION TO SOUTH AFRICA UNTIL THIS POLICY WAS DISCONTINUED.

6. PIK BOTHA SAID THAT IT WAS IRONIC THAT THE SAME WESTERN COUNTRIES WHICH DEMANDED CHANGES WERE NOT PREPARED TO ACCEPT THE CONSEQUENCES OF THOSE CHANGES WHEN THEY TOOK PLACE. RHODESIA WAS FORCED TO ACCEPT A SETTLEMENT AND NOW THAT THAT COUNTRY WAS IN ECONOMIC MISERY AND CHAOS, THE SAME WESTERN COUNTRIES DID NOT COME FORWARD WITH HELP. HE HAD WARNED LORD CARRINGTON AT THE TIME THAT THE RHODESIA SETTLEMENT WOULD LEAD TO ENDLESS MISERY, BECAUSE THE BRITISH DID NOT UNDERSTAND AFRICA, BUT LORD CARRINGTON WOULD NOT BELIEVE HIM. QUOTE WHO IS PAYING THE PRICE TODAY? UNQUOTE SAID PIK BOTHA. QUOTE NOT JUST THE WHITES. MANY BLACKS TOO ARE HAVING TO PAY THE HIGH PRICE OF FAMINE AND ECONOMIC DECLINE UNQUOTE. THE RHODESIANS COULD HAVE MADE CHANGES ON THEIR OWN TERMS, BUT HAD ALWAYS SAID QUOTE NO UNQUOTE. THEN CAME THE TIME WHEN THEY WERE ON THEIR KNEES ECONOMICALLY AND COULD NO LONGER DECIDE THEIR OWN FUTURE, SO THEY WERE OBLIGED TO ACCEPT WHAT WAS FORCED UPON THEM. IN SOUTH AFRICA THE REFERENDUM HAD TO BE USED AS AN OPPORTUNITY TO STAND TOGETHER TO SHOW THE WORLD THAT SOUTH AFRICANS WERE READY TO CHANGE, BUT ON THEIR OWN TERMS.

7. MRS THATCHER'S 28 JULY LETTER ALSO GAVE RISE TO CRITICAL LEADERS IN THREE AFRIKAANS PAPERS ON 29 SEPT. TRANSLATIONS FOLLOW BY BAG.

FERGUSSON

[COPIES SENT TO NO 10 DOWNING STREET]

SOUTHERN AFRICA

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MJ

8 September 1983

This is just to record that the Prime Minister has seen and noted your letter of 6 September about South African concern about the activities of the African National Congress in London.

TIM FLESHER

R.B. Bone, Esq.,  
Foreign and Commonwealth Office.

*RF*



Foreign and Commonwealth Office

Prime Minister

London SW1A 2AH

To note.

A.J.C.  $\frac{6}{9}$ 

6 September, 1983

Jaw Shun

ms

South African Concern about the ANC in London

The Prime Minister may wish to be aware that the South African Ambassador called on the Foreign and Commonwealth Secretary on 1 September to make representations about the presence and activities of the African National Congress (ANC) in London.

The Ambassador asked specifically for the closure of the ANC London office, the exclusion from this country of the organisation's officers whom the South African authorities allege are involved with terrorist operations, and the banning of inflammatory ANC journals published here. He explained that he was acting on the instructions of Mr P W Botha and that his approach should be seen in the light of recent terrorist incidents in South Africa and the British government's wish for dialogue and a constructive relationship with his government. He also alluded to the Prime Minister's speech on terrorism to the British Jewish community on 21 July.

In reply the Foreign and Commonwealth Secretary referred to our tradition of admitting political exiles to this country and the legal constraints on action against political organisations operating here. He promised to study the supporting material which the Ambassador passed over to see whether this revealed legal grounds for any action against the ANC or its officers.

As a first step, officials in relevant Whitehall departments are being asked to scrutinise the documents handed over by the Ambassador as evidence of ANC activities in this country to see whether they disclose any basis for possible prosecutions or administrative measures against the organisation or its members. This could include the exclusion from the UK of specific individuals. The Foreign and Commonwealth Secretary will keep the Prime Minister informed as to the outcome of these enquiries and his recommendations on what action, if any, should be taken. Meanwhile, I attach a note on the ANC which you may find helpful by way of background.

I am copying this letter to Tony Rawsthorne (Home Office) and to J Nursaw (Attorney General's office).

A J Coles Esq  
10 Downing St

CONFIDENTIAL COVERING SECRET

(R B Bone) *Roger Bone*  
Private Secretary

## THE AFRICAN NATIONAL CONGRESS

## BACKGROUND

1. The banning of the African National Congress (ANC) in 1960 led to the creation of an exiled organisation, headed by Oliver Tambo, and a military wing which embarked on sabotage operations in South Africa in 1961. In the late 1970s the ANC gained many new recruits when thousands of black youths fled from South Africa following the Soweto riots (1976). In the past six years the ANC's guerrilla and sabotage campaign from bases in neighbouring states has intensified.

## AIMS

2. The ANC's ultimate goal, as set out in the Freedom Charter (1955), is a one-man, one, vote unitary state based on socialist principles. Since 1960 the ANC has believed that this goal can only be achieved by violent, revolutionary means. Its 'Strategy and Tactics of the South African Revolution' (1969) outlined the general principles and strategy of its 'armed struggle'. Urban guerrilla warfare seems now to be the main element in this strategy.

## GUERRILLA ACTION

3. The ANC has concentrated on guerrilla operations against economic and military targets in South Africa, infiltrating small groups of trained cadres from neighbouring states. Since 1977 nearly 200 instances of sabotage, clashes between police and guerrillas and assassinations have been recorded, most incidents being attributed to the ANC. Economic targets have included fuel depots, power supplies, railway lines, the SASOL oil-from-coal plants and the Koeberg nuclear power station near Cape Town. Government buildings, police stations and an SADF base near Pretoria have also been attacked. Most targets have been in or near urban centres, including Johannesburg, Soweto, Pretoria, Durban, Pietermaritzburg, Bloemfontein, Port Elizabeth and Cape Town. While the geographical distribution of these attacks has been wide, most have occurred in the Transvaal and Natal.

4. It seems unlikely that the car bomb outrage in Pretoria in May, when 19 people died, represented a change of ANC tactics following the SADF's Maseru raid (December 1982) which resulted in 42 deaths. Hitherto the ANC had not deliberately attacked white people, although it has assassinated several blacks in South Africa. In this case the South African authorities have claimed the bomb exploded prematurely, and ANC leader Oliver Tambo has denied any change of tactics. But there is undoubtedly pressure from some factions inside the ANC to take the gloves off.

## FACILITIES IN SOUTH AFRICA'S NEIGHBOURS

5. The vast majority of ANC guerrillas have infiltrated from Mozambique, often via Swaziland, but some have entered from Botswana, Zimbabwe or Lesotho. Although none of these countries permits operational ANC bases, ANC personnel are present in each state, particularly in those such as Lesotho and Mozambique where there are substantial refugee populations. Botswana, Swaziland and Zimbabwe

/seek to

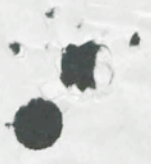
- 2 -

seek to neutralize this ANC presence by applying tight controls, or in Swaziland's case by expelling ANC members. Lesotho has been reluctant to change its policy towards South African refugees since the Maseru raid though it is now apparently ready to agree to expel named activists. Mozambique, although keeping ANC personnel well away from South African borders, trains ANC recruits with FRELIMO units. However, military training of ANC cadres occurs mostly in camps in Angola (run by Cuban, East German and Soviet advisers) and Tanzania where an educational centre is also located. About 1000 ANC members are located in a camp in north-west Zambia. ANC offices in Maputo and Lusaka direct the guerrilla operations.

#### CAPABILITIES IN SOUTH AFRICA

6. Since 1976 infiltrating guerrillas have established a number of arms caches inside South Africa. The ANC have probably also created cells in several black townships. However, the South African Police has an effective system of informers, and it has successfully infiltrated the ANC. Arms caches have therefore been discovered and saboteurs quickly detected and arrested. Although the ANC does not pose a direct threat to the survival of white South Africa, it has the capacity to erode white self-confidence by stretching manpower resources in the security forces, causing significant economic damage and undermining a complacent life-style. The South Africans expect sabotage and other attacks to occur with increasing frequency if neighbouring states continue to provide sanctuary and facilities for ANC activists. They believe the ANC now has 2000 trained guerrillas, although only a small percentage is active in South Africa at any one time.

FCO  
August 1983



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2 3 4  
5 6 7 8 9 10

- 6 SEP 1993

CONFIDENTIAL

TWP



file

10 DOWNING STREET

From the Private Secretary

1 August 1983

Dear Richard,

ROYAL NAVAL FUEL STOCKS IN SOUTH AFRICA

The Prime Minister has seen your Secretary of State's minute of 26 July about Royal Naval fuel stocks in South Africa. Mrs. Thatcher has agreed that your Secretary of State should dispose of these stocks as quickly as possible through local sale.

I am copying this to the Private Secretaries to Members of OD and to Richard Hatfield (Cabinet Office).

Yours ever  
TFL

TIMOTHY FLESHER

Richard Mottram, Esq.,  
Ministry of Defence.

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TWP



Prime Minister

Agree that the Navy should  
sell off its South African fuel  
stocks?

MO 6/1

PRIME MINISTER

Yes *ms* LM  
29/7

ROYAL NAVAL FUEL STOCKS IN SOUTH AFRICA

Although it is now eight years since the termination of the Simonstown agreement, a quantity of fuel oil has been maintained, both at Simonstown itself and Ysterplaat, as a contingency reserve against an operational emergency in the area. The storage facilities at Simonstown are leased from the South African Navy under an arrangement formalised in December 1979, although there have been fuel stocks there since well before the Second World War. Those at Ysterplaat are managed on the Royal Navy's behalf by Shell (South Africa) who lease the tankage from the South African Railways and Harbour Board (SARHB) on terms negotiated in 1937. In total, the fuel holdings are worth around £2.5M.

2. My officials have recently reviewed the need to retain these stocks. Because our policy, like that of our predecessors, is to have no defence relations with South Africa, no warship has visited South Africa since 1975, although a Royal Fleet Auxiliary took the opportunity to call in to pick up fuel (and so help reduce the stocks) in 1979. No use was thus made of the South African holdings during last year's Falklands operation: not only would this have been inconsistent with our policy on defence relations but it could also have jeopardised the valuable assistance being provided by Sierra Leone and Senegal; and there must also be some doubt whether the South Africans themselves would have agreed.

3. As for future emergencies, it would always be open to South Africa to refuse to admit RN vessels if she felt this to be in her interests;





and if, in time of tension or in the event of hostilities between NATO and the Warsaw Pact, she were to throw in her lot with the West, any RN ships that might be operating in the area should have no difficulty in bunkering from local commercial sources. There is therefore little operational case for retaining the present fuel holdings.

4. The case for relinquishing them has been strengthened by the recent news that the facilities at Ysterplaat are in a poor material state and that it will cost over £2M to put them into proper working order. The SARHB lease expires in 1987, with scant prospect of renewal, and the SARHB has recently notified an increase in the rental. All of this points to terminating the agreement with Shell and disposing of the Ysterplaat holdings as soon as possible, thereby saving ourselves the annual rental and management fee. It would make sense to dispose of the stocks at Simonstown at the same time.

5. Rather than go to the expense of sending tankers out specially to pick up the remaining stocks, it is proposed to sell off the fuel locally. That at Ysterplaat would be sold commercially by Shell (South Africa) on the RN's behalf. The fuel at Simonstown would, under the terms of the lease, have to be sold to the South African Navy. This latter arrangement may not be ideal but there is no reason why the South African Government should seek to create political embarrassment for us.

6. The decision could, however, leak through Shell, or any other commercial company involved in the sale of the Ysterplaat stocks. This could draw public and Parliamentary attention to this facility, the existence of which, although not kept secret as a matter of policy, is not widely known. (The last Parliamentary statement on the subject was by Fred Mulley as Defence Secretary in March 1979. / The Hansard extract is attached.) Should this happen, it could be



pointed out that these facilities existed under the last Labour Government and that they date from before the last war. The reason for the sale would not be difficult to explain.

7. I therefore propose that we should dispose of the residual naval fuel stocks in South Africa as quickly as possible, given the slight operational case for their retention and in particular the political inhibitions on making us of them, and the financial arguments for ending the present arrangements. I also believe it sensible to dispose of the stocks through local sale; I do not envisage this giving rise to significant political embarrassment.

8. I should be grateful for your agreement to this course of action.

9. I am copying this minute to members of OD and to Sir Robert Armstrong.

Ministry of Defence  
26th July 1983

Extracted from: HOUSE OF COMMONS / ~~HOUSE~~ HANSARD

Dated: 9.3.79 No. 68 Vol. 963

written / ~~Oral~~ Answers Column No(~~s~~) 868

E6A

#### DEFENCE

##### South Africa (Service Installations)

**Mr. Sproat** asked the Secretary of State for Defence whether the United Kingdom retains any military or naval installations in South Africa.

**Mr. Mulley** : No, although there remain limited stocks of oil for naval use on a contingency basis.

##### Simonstown

**Mr. Sproat** asked the Secretary of State for Defence how many Royal Navy vessels have used the Simonstown base since the ending of the Simonstown Agreement in June 1975, in each calendar year, respectively ; what has been the cost in each year, respectively, of paying for the commercial facilities ; and what facilities for what vessels have been used on each occasion.

**Mr. Mulley** : None of Her Majesty's ships has visited Simonstown since the termination of the Simonstown Agreement in 1975.

DEPARTMENT/SERIES ..... <i>PRM 19</i> ..... PIECE/ITEM ..... <i>1391</i> ..... (one piece/item number)	Date and sign
Extract/Item details:  <i>Coles to Bone dated 27 June 1983</i>	
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RWJ

MR COLES

Laurens van der Post rang. He is anxious that the Prime Minister see a Dr. Koornhos, Minister for Native Affairs in the South African Government, when he is over here at the end of July. Laurens has suggested a quiet dinner in his flat on Sunday, 24 July. Laurens leaves for an overseas visit on Friday and would like some sort of a reply before then.

Could I have FCO advise as soon as possible and then I will put it to the Prime Minister.

CAROLINE STEPHENS

22 June, 1983



DEPARTMENT/SERIES ..... <i>PREM 19</i> ..... PIECE/ITEM ..... <i>1391</i> ..... (one piece/item number)	Date and sign
Extract/Item details:  <i>York to Armstrong/loles dated 20 June 1983</i>	
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Foreign and Commonwealth Office

London SW1A 2AH

23 May 1983

A.S.C.  $\frac{24}{5}$

Dear Sir,

South African Attacks on Mozambique

I enclose the text of the statement which Mr Pym issued at midday on the attacks by South African forces on targets in Mozambique.

The South African authorities have made clear that these attacks were in direct retaliation for the car bomb which exploded in Pretoria on 20 May, killing 17 people and injuring at least a further 170. The South Africans attribute this incident to the banned African National Congress (though the latter has stopped short of claiming responsibility for it). Their air attacks in Mozambique were, according to them, directed against ANC targets. Preliminary reports suggest that most or all the targets as well as the casualties were Mozambicans.

*[Handwritten signature]*  
*[Handwritten signature]*

(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

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A handwritten signature in blue ink, appearing to be 'M. S.', is located in the upper right corner of the page.

STATEMENT BY FOREIGN AND COMMONWEALTH SECRETARY

I was shocked to hear of the incidents this morning involving attacks by South African forces on targets in Mozambique. I deeply regret the human suffering these will have caused, and I deplore this violation of Mozambique's sovereignty. I have repeatedly made clear my view that the problems of southern Africa cannot be solved by violence. I condemn these actions, just as I condemn the violence in Pretoria on Friday, when a car bomb caused loss of life and injury. There is a desperate need to break the vicious circle where violence begets violence and to seek peaceful solutions to the region's problems.



3 MAY 1969



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*mf*

GRS 350

CONFIDENTIAL

FM FCO 191004Z APR 83

TO IMMEDIATE JOHANNESBURG

TELEGRAM NUMBER 49 OF 19 APRIL

AND TO IMMEDIATE CAPE TOWN EMBASSY

INFO ROUTINE TO PRETORIA

YOUR TEL NO.39: GANDHI

1. AS FORESHADOWED IN FCO TELEGRAM NO.47, SIR RICHARD ATTENBOROUGH CALLED ON LEAHY YESTERDAY AT HIS OWN REQUEST. HE SAID THAT HE HAD BEEN TAKEN ABACK BY THE VEHEMENCE OF THE REACTION OF THOSE PEOPLE BOTH HERE AND IN SOUTH AFRICA OPPOSED TO HIS VISIT. THE ANC, FOR EXAMPLE, HAD THREATENED WHAT HE TERMED QUOTE GHASTLY REPRISALS UNQUOTE IF HE WENT AHEAD WITH IT.
2. ATTENBOROUGH SAID THAT HE HAD CONSULTED HELEN SUZMAN, BISHOP TUTU, CHRISTOOPER NEWTON THOMPSON AND THROUGH HIM BEYERS NAUDE, AS WELL AS ATHOL FUGARD. THE GENERAL BURDEN OF THEIR ADVICE WAS THAT WHILE IN MANY WAYS THEY WOULD LIKE HIM TO MAKE HIS VISIT, THEY THOUGHT THAT PASSIONS WERE NOW SO AROUSED THAT THERE WAS A SERIOUS RISK OF VIOLENT DISTURBANCES IF HE WENT AHEAD WITH IT. ATTENBOROUGH SAID HE ACCEPTED THIS ADVICE BUT FOLLOWING A SUGGESTION PUT TO HIM BY NAUDE HIS TACTIC WOULD BE TO STATE PUBLICLY THAT HE WOULD NOT GO TO SEE THE FILM IN SOUTH AFRICA UNLESS ALL SHOWINGS OF IT, NOT MERELY THE CHARITY PREMIERES, WERE OPEN TO ALL RACES. THE GOVERNMENT COULD NOT POSSIBLY ACCEPT THIS, SO HIS VISIT WOULD BE OFF.
3. ATTENBOROUGH ASKED LEAHY WHETHER HE AGREED WITH THIS. LEAHY REPLIED THAT HE SEEMED TO HAVE TAKEN THE DECISION ALREADY (ATTENBOROUGH CONFIRMED THIS) AND HE WOULD NOT THEREFORE OFFER ANY ADVICE. IN ANY CASE HE ASSUMED THAT ATTENBOROUGH WOULD NOT WANT IT TO BE THOUGHT HE HAD ACTED AT THE BEHEST OF THE FOREIGN

OFFICE.

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2717 - 1

OFFICE. ATTENBOROUGH AGREED. LEAHY ADDED THAT IF SUZMAN, TUTU AND NAUDE WERE AGAINST HIS GOING THAT WAS WEIGHTY ADVICE FROM HIGHLY RESPECTED QUARTERS.

4. ATTENBOROUGH SAID THAT THE ANC WERE ALSO TRYING TO PERSUADE HIM TO HAVE THE FILM WITHDRAWN ALTOGETHER. HE WAS AGAINST THIS. LEAHY SAID THAT HE THOUGHT THERE WAS A GOOD ARGUMENT FOR SAYING THAT THE FILM SHOULD BE WIDELY SEEN IN SOUTH AFRICA. IN GENERAL HE BELIEVED SOUTH AFRICAN SOCIETY NEEDED TO BE PERMEATED BY FRESH IDEAS FROM OUTSIDE.

PYM

LIMITED  
SAFD  
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CCD  
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NEWS D

PS  
PS/MR ONSLOW  
PS/PUS  
SIR J LEAHY  
MR SQUIRE  
LORD N GORDON-LENNOX

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No. 10 DOWNING STREET

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Extract/Item details:  <i>Letter</i> <i>Minute Cole to Fall dated 18 April 1983,</i> <i>with enclosures</i>	
CLOSED FOR ..... <i>66</i> ..... YEARS UNDER FOI EXEMPTION	<i>12/9/2013</i> <i>S. Gray</i>
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FIVE SW

SOUTH AFRICA

10 DOWNING STREET

*From the Private Secretary*

28 March, 1983

Sir Laurens Van der Post

The Prime Minister has noted the contents  
of your letter of 24 March.

A. J. COLES

R. B. Bone, Esq.,  
Foreign and Commonwealth Office

NA



Prime Minister

Foreign and Commonwealth Office

London SW1A 2AH

A.J.C. 25.  
3

24 March 1983

John Taylor

ms

Sir Laurens Van der Post

You told me that Sir Laurens Van der Post had been in touch with the Prime Minister last week following his recent visit to South Africa.

Our Ambassador in South Africa, Ewen Fergusson, had two conversations with Sir Laurens during his visit. On both occasions discussion focussed largely on internal issues, which both he and Sir Laurens had recently discussed with Mr Koornhof, the Minister for Co-operation and Development. Sir Laurens told Mr Fergusson that he had been much struck by Mr Koornhof's optimism about internal South African developments.

Mr Fergusson has commented to us that South African Ministers may well have wanted to transmit through Sir Laurens a signal of their goodwill for the UK, knowing that it would be passed on at a high level. He is inclined, however, to suggest that any account Sir Laurens may have had from Mr Koornhof of South African policies would need at least a degree of qualification. Mr Koornhof tends to be panglossian, and in Mr Fergusson's experience there is usually a gap between what he says and the reality on the ground.

So far as South African external policies are concerned, you will recall that a recent JIC assessment provided good evidence to suggest that any South African disclaimers of policies of destabilisation would need to be treated with caution.

Yours  
R B Bone

(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

MR. COLES

JIC BUSINESS

Top Copy on  
Iraq, Internal  
Situation, Pt 3

There was a heavy agenda at today's JIC. The following are subjects of particular interest:-

i. Zimbabwe

The paper in front of the JIC was overtaken by the news of Nkomo's flight to Botswana. A fresh paper is being prepared which will be circulated separately from the Red Book on 11 March. It will reveal amongst other things that the 5th Brigade has been more or less out of control in Matabeleland and that civilian casualties have been higher than originally estimated. However, Mugabe is now making efforts to restrain 5th Brigade. The paper will also deal with the probable effect of Nkomo's departure from the country on the internal political situation. The general feeling of the Committee was that it would make things easier for Mugabe; that a number of Nkomo's followers might now try to do a deal with ZANU; and that his departure would probably accelerate Zimbabwe's slide towards being a one party African state on the classical model.

ii. Iraq

I do not suggest that the Prime Minister need read in full the longish and quite useful piece about the internal situation in Iraq. What struck me most forcibly was the Ministry of Defence estimate that the Iraqis have suffered about 200,000 casualties (killed, wounded and taken prisoner) in the war with Iran. This represents about 10% of the adult male population - the equivalent of well over a million casualties in Britain. It is remarkable that this has not already had a greater effect on civilian and military morale in Iraq.

\* iii. South Africa

The Red Book will contain a brief and watered-down summary of a paper which is being circulated separately about South African destabilisation of neighbouring African countries. This is stark evidence of the divergence

/between

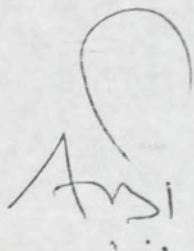
between South African and Western interests. As the South Africans see it, if your neighbours are implacably opposed to your system of government and cannot be won round, it is better to render them economically weak and politically helpless. As I see it, this policy simply leads to opening the door to extremism and eventual Russian/Cuban penetration.

iv. Belize/Guatemala

The JIC have done a useful piece on warning time for Guatemalan incursions or even a Guatemalan invasion of Belize. There is no need to study the paper in detail, but the Prime Minister should be aware that this piece of contingency planning has been done.

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A.D. PARSONS  
10 March 1983

South Africa

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GRS 310  
CONFIDENTIAL  
FM CAPE TOWN 041215Z FEB 83  
TO PRIORITY FCO  
TELEGRAM NUMBER 38 OF 4 FEBRUARY  
AND TO ROUTINE LUANDA WASHINGTON UKMIS NEW YORK JOHANNESBURG  
PRETORIA

*me*

NEW DIRECTOR-GENERAL OF THE SABC

1. THE CHAIRMAN OF THE SOUTH AFRICAN BROADCASTING CORPORATION ANNOUNCED ON 2 FEBRUARY THAT RIAN EKSTEEN WILL TAKE OVER FROM THE CURRENT DIRECTOR-GENERAL OF THE SABC WHO RETIRES AT THE END OF THIS YEAR. EKSTEEN'S APPOINTMENT IS A SURPRISE. HE IS A CAREER DIPLOMAT AND A FORMER SOUTH AFRICAN AMBASSADOR AT THE UN. HE HAS BEEN THE SENIOR OFFICIAL IN PRETORIA RESPONSIBLE FOR NAMIBIAN POLICY AND A KEY FIGURE SINCE BRAND FOURIE LEFT THE DFAI LAST YEAR ON APPOINTMENT AS SOUTH AFRICAN AMBASSADOR IN WASHINGTON (ALTHOUGH FOURIE IS STILL CONSULTED ON ALL POLICY DECISIONS).
2. PIK BOTHA TOLD ME LAST NIGHT THAT IT HAD BEEN EKSTEEN'S PERSONAL DECISION TO ACCEPT THE JOB AND THAT HE REGRETTED EKSTEEN'S DEPARTURE. THE TIMING OF THE ANNOUNCEMENT, WHILE EKSTEEN IS STILL ENGAGED IN TRYING TO SET UP THE NEXT ROUND OF SOUTH AFRICA/ANGOLA TALKS, IS DUE TO PRESS SPECULATION ABOUT THE NEW APPOINTMENT. PARLIAMENTARY QUESTIONS HAVE BEEN PUT DOWN ABOUT SKELETONS IN THE SABC CUPBOARD. THE GOVERNMENT AND THE BOARD OF SABC DECIDED THAT IT WOULD BE EASIER TO MAKE THE ANNOUNCEMENT NOW RATHER THAN TO FACE MOUNTING PRESSURE ABOUT THE APPOINTMENT. IT IS NOT CLEAR WHEN EKSTEEN WILL MOVE FROM HIS PRESENT DUTIES. HOWEVER, HIS SUCCESSOR IS TO BE DAVID STEWART, EKSTEEN'S SUCCESSOR IN NEW YORK, WHO HAS JUST RETURNED TO SOUTH AFRICA AND IS NOW UNDERSTUDYING EKSTEEN AT THE DFAI.
3. EKSTEEN'S MOVE WILL DEPRIVE THE DFAI NAMIBIA TEAM OF A VERY EXPERIENCED NEGOTIATOR. STEWART'S RECORD IN NEW YORK DOES NOT SUGGEST THAT THE CHANGE WILL BE FOR THE BETTER.
4. PIK BOTHA ADDED THAT WE SHOULD NOT EXAGGERATE THE EFFECTS OF EKSTEEN'S DEPARTURE. HE WAS ABLE BUT HE DID NOT HAVE THE INFLUENCE OVER POLICY DECISIONS WHICH BRAND FOURIE STILL VERY CLEARLY RETAINED.

FERGUSSON

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SOUTHERN AFRICA  
STANDARD  
S AF D  
OADS  
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UND  
NAD  
WED  
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ES & SD  
CABINET OFFICE  
MRSQUAE

( Repetition to LUANDA  
referred for departmental decision,  
repeated as requested to other posts. )

CONFIDENTIAL

South Africa

GRS 280  
UNCLASSIFIED  
FM CAPE TOWN EMBASSY 271110Z JAN 83  
TO IMMEDIATE F C O  
TELEGRAM NUMBER 18 OF 27 JANUARY  
AND TO IMMEDIATE MODUK (DI 4) AND PRETORIA

ESPIONAGE IN SOUTH AFRICA

1. AT A SPECIALLY CONVENED NEWS CONFERENCE ON 26 JANUARY THE SOUTH AFRICAN PRIME MINISTER ANNOUNCED THAT THE COMMANDER OF THE SIMONSTOWN NAVAL BASE, COMMODORE DIETER GERHARDT, AND HIS WIFE HAD BEEN ARRESTED IN CONNECTION WITH ALLEGED ESPIONAGE ACTIVITIES. MR BOTHA CONFIRMED IN ANSWER TO QUESTIONS THAT GERHARDT HAD BEEN WORKING ON BEHALF OF THE SOVIET UNION BUT DECLINED TO GO INTO FURTHER DETAILS. HE SAID THAT INVESTIGATIONS WERE CONTINUING AND ALL THE EVIDENCE AND FACTS WOULD BE SUBMITTED TO THE ATTORNEY GENERAL AS SOON AS POSSIBLE.

positive  
velty?

2. GERHARDT IS 47 AND WAS BORN IN BERLIN. HE CAME TO SOUTH AFRICA AS A CHILD WITH HIS PARENTS AFTER THE SECOND WORLD WAR. ACCORDING TO PRESS REPORTS HIS CAREER INCLUDED FOUR YEARS AT THE ROYAL COLLEGE OF MARINE ENGINEERING AT MANADON NEAR PLYMOUTH.

3. THE ANNOUNCEMENT PROMPTED DIE BURGER TODAY (27 JANUARY) TO COMMENT THAT THE DETENTION OF GERHARDT WAS ANOTHER QUOTE FEATHER IN THE CAP OF THE SOUTH AFRICAN INTELLIGENCE COMMUNITY UNQUOTE FOLLOWING THE UNCOVERING OF DR DE CRESPIGNY. THE DIE BURGER ARTICLE ALSO SPECULATED THAT THE ARREST OF GERHARDT WAS THE POSSIBLE ENDING OF A QUOTE RUSSIAN COMMUNICATION LINE PRESUMABLY INSIDE SENIOR PLANNING SECTORS OF THE SADF UNQUOTE. SOME OBSERVERS HAD THOUGHT FOR A CONSIDERABLE TIME THAT SWAPO HAD DEVELOPED THE ABILITY TO GET ADVANCE INFORMATION ABOUT SADF ACTIONS IN SOUTH ANGOLA, FOR EXAMPLE THE ARTICLE CLAIMED THAT SWAPO UNITS HAD ESCAPED OPERATION DAISY IN NOVEMBER 1981 AS A RESULT OF INFORMATION RECEIVED SHORTLY BEFORE THE OPERATION TOOK PLACE.

FERGUSSON

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SOUTHERN AFRICA

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RR BONN  
GRS 584  
CONFIDENTIAL  
FM FCO 231600Z DEC 82  
TO ROUTINE CERTAIN MISSIONS AND DEPENDENT TERRITORIES  
GUIDANCE TELEGRAM NUMBER 239 OF 23 DECEMBER 1982

SOUTH AFRICAN INTELLIGENCE ACTIVITIES IN THE UK: WARRANT  
OFFICER KLUE

1. THE FCO CONFIRMED TO THE PRESS ON 15 DECEMBER THAT W/O KLUE, A MEMBER OF THE TECHNICAL AND ADMINISTRATIVE STAFF OF THE SOUTH AFRICAN EMBASSY HAD BEEN WITHDRAWN FOLLOWING AN APPROACH TO THE SOUTH AFRICAN AMBASSADOR. THE PRESS HAS SINCE REPORTED THE CONVICTION OF TWO MEN FOR OFFENCES AGAINST THE LONDON OFFICES OF SWAPO AND THE ANC, IN WHICH KLUE WAS IMPLICATED.

LINE TO TAKE

2. WE CAN CONFIRM THAT THE SOUTH AFRICANS WITHDREW W/O KLUE IN NOVEMBER FOLLOWING AN APPROACH BY THE FCO TO THE SOUTH AFRICAN AMBASSADOR. WE HAD GOOD REASON TO BELIEVE THAT W/O KLUE HAD BEEN ENGAGED IN ACTIVITIES INCOMPATIBLE WITH HIS OFFICIAL STATUS IN THIS COUNTRY. HE WILL NOT BE ALLOWED TO RETURN.
3. LEGAL PROCEEDINGS CONNECTED WITH THIS EVENT ARE STILL PENDING. WE CANNOT THEREFORE COMMENT FURTHER.
4. W/O KLUE WAS NOT ENGAGED IN ESPIONAGE ACTIVITIES AGAINST THE UK. UK NATIONAL SECURITY HAS NOT IN ANY WAY BEEN PREJUDICED.
5. HMG'S POLICY HAS ALWAYS BEEN THAT WHERE THERE ARE SPECIFIC ALLEGATIONS SUPPORTED BY FIRM EVIDENCE OF UNLAWFUL OR OTHERWISE UNACCEPTABLE ACTIVITIES BY MEMBERS OF THE STAFFS OF FOREIGN MISSIONS IN LONDON (INCLUDING THE SOUTH AFRICAN EMBASSY) THESE WILL BE FULLY INVESTIGATED. WHERE SUCH ALLEGATIONS ARE SUBSTANTIATED WE WILL TAKE APPROPRIATE ACTION. THE KLUE CASE BEARS THIS OUT. THIS WILL CONTINUE TO BE OUR APPROACH.

ADDITIONAL POINTS



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ADDITIONAL POINTS

6. (I) YOU SHOULD FIRMLY REBUT SUGGESTIONS THAT THE UK KNOWINGLY PERMITS SOUTH AFRICAN INTELLIGENCE ACTIVITIES IN THE UK. THE KLUE CASE SHOWS OUR DETERMINATION ON THIS.
- (II) YOU SHOULD ALSO STRESS THAT EVERYONE IN THE UK ENJOYS THE FULL PROTECTION OF THE LAW. WE HAVE JUST ACTED THROUGH THE COURTS TO PROSECUTE THREE MEN FOR OFFENCES AGAINST SWAPO AND THE ANC. TWO WERE CONVICTED, A THIRD AWAITS TRIAL.

BACKGROUND (NOT FOR USE)

7. EARLIER THIS YEAR INCONTROVERTIBLE EVIDENCE WAS OBTAINED THAT W/O KLUE, A MEMBER OF THE ADMINISTRATIVE AND TECHNICAL STAFF OF THE SOUTH AFRICAN EMBASSY, WAS INVOLVED IN UNACCEPTABLE ACTIVITIES, CONCERNED WITH OFFENCES AGAINST THE LONDON OFFICES OF SOUTH AFRICAN LIBERATION MOVEMENTS. ON 17 DECEMBER TWO MEN (ASPINALL AND CASELTON) PLEADED GUILTY TO THESE OFFENCES AND WERE CONVICTED: A THIRD MAN, WEDIN, PLEADED NOT GUILTY AND IS TO BE TRIED LATER. DURING THE HEARINGS, THE PROSECUTION REVEALED THE EXTENT OF KLUE'S INVOLVEMENT IN THE OFFENCES CONCERNED.
8. WE WARNED THE SOUTH AFRICAN AMBASSADOR IN SEPTEMBER ABOUT KLUE'S ACTIVITIES. WE DID NOT, HOWEVER, SEEK HIS WITHDRAWAL BECAUSE OF THE POSSIBILITY THAT TO DO SO WOULD PREJUDICE THE LEGAL PROCEEDINGS THEN PENDING BY THE REMOVAL OF A POTENTIAL WITNESS. INSTEAD, A WAIVER OF HIS DIPLOMATIC IMMUNITY WAS REQUESTED, TO ENABLE HIM TO APPEAR AS A WITNESS. THE SOUTH AFRICANS REFUSED THIS AND TOLD US THEY WERE WITHDRAWING HIM. WE THEREUPON GAVE KLUE SEVEN DAYS TO LEAVE, AND MADE CLEAR THAT IF THE SOUTH AFRICANS HAD NOT OFFERED TO WITHDRAW HIM, WE WOULD HAVE ASKED HIM TO LEAVE. HE LEFT THE UK ON 23 NOVEMBER. TECHNICALLY, HE WAS NOT EXPELLED BUT WITHDRAWN FOLLOWING OUR APPROACHES.
9. (MAY BE USED) IN A SEPARATE CASE THREE MEN WERE RECENTLY CONVICTED FOR OFFENCES IN VIOLATION OF THE ARMS EMBARGO ON

/SOUTH AFRICA.

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SOUTH AFRICA. ALLEGATIONS WERE MADE AT THE TIME THAT THE SOUTH AFRICAN EMBASSY WAS INVOLVED IN THIS CASE. MINISTERS ARE NOW STUDYING A REPORT PREPARED BY OFFICIALS.

PYM

BY TELEGRAPH

BONN	WASHINGTON
BRUSSELS	HAVANA
UKREP EC BRUSSELS	ALGIERS
UKDEL NATO BRUSSELS	CAIRO
COPENHAGEN	KHARTOUM
THE HAGUE	RABAT
LISBON	TRIPOLI
OSLO	TUNIS
PARIS	ABIDJAN
ROME	ADDIS ABABA
DUBLIN	DAKAR
HELSINKI	KINSHASA
STOCKHOLM	MOGADISHU
BELGRADE	YAOUNDE
BUCHAREST	CAPE TOWN
BUDAPEST	PRETORIA
MOSCOW	CG JOHANNESBURG
PRAGUE	MAPUTO
SOFIA	LUANDA
WARSAW	OTTAWA
EAST BERLIN	CANBERRA
UKMIS NEW YORK	WELLINGTON
BIS NEW YORK	HONG KONG

[ALL ROUTINE]

AND SAVING TO CERTAIN OTHER POSTS

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10 DOWNING STREET

From the Private Secretary

15 December 1982

Dear Roger,

South African Intelligence Activities in the  
UK : Klue

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As you know, your letter of 13 December was discussed when the Foreign and Commonwealth Secretary saw the Prime Minister this morning about another matter.

Among the points made by the Prime Minister was that we should check that the Answer which you propose that the Foreign and Commonwealth Secretary might give to a Parliamentary Question on this matter was not likely to be regarded as prejudicial to the court proceedings which I understand are likely to take place next week. You have since informed me on the telephone that there is some danger of the Answer being so regarded and it is therefore now not Mr. Pym's intention to give this information to the House.

Your own  
file copy.

Roger Bone, Esq.,  
Foreign and Commonwealth Office.

**CONFIDENTIAL**

de

South Africa,



Foreign and Commonwealth Office

London SW1A 2AH

15 December, 1982

N.O.P.R.

A.J.C. 15/12

Dear Sir,

South African Raid on Maseru

/ I enclose a letter from the office of the Commonwealth Secretary General containing a message for transmission to the Prime Minister.

Since this was a circular letter addressed to a number of Governments rather than a personal letter from Mr Ramphal to the Prime Minister, we thought it appropriate that / Mr Onslow should reply. I enclose a copy of his letter. No further action is necessary.

Yours sincerely

(R B Bone)  
Private Secretary

A J Coles Esq  
Private Secretary  
10 Downing Street



Foreign and Commonwealth Office

London SW1A 2AH

14 December 1982

*From The Minister of State*

*Dear Emeka,*

Thank you for your letter of 9 December, asking that a message from Mr Ramphal about the South African raid into Maseru be transmitted to the Prime Minister.

We were naturally shocked to hear of the South African raid and the resultant loss of innocent lives; and have made our views on the incident quite clear. You may have noted the public statement put out by the Foreign and Commonwealth Office on 9 December, describing the incursion as a flagrant violation of Lesotho's sovereignty and deploring the use of violence in the search for solutions to the problems of Southern Africa. You may also have heard that I summoned the South African Ambassador that same day to express the Government's strong disapproval of the South African action. I called on the South African Government to desist from such attacks, and urged restraint in the interests of peace in Southern Africa.

As you may know, there are now informal discussions in the Security Council about a resolution condemning the raid. We hope to support the resolution when it is put to the vote.

As you requested, I am conveying your message to the Prime Minister and informing her of the terms of this response to it.

*Yours sincerely,*  
*Cranley Onslow*

Cranley Onslow

Mr E C Anyaoku  
Deputy Secretary-General  
Office of the Commonwealth  
Secretary-General  
Marlborough House  
Pall Mall  
LONDON SW1Y 5HX

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Prime Minister

Foreign and Commonwealth Office

Agree that the Foreign Secretary should inform Parliament by written answer that this member of the South African Embassy will not be allowed to return to the U.K.?

London SW1A 2AH

13 December, 1982

John [unclear]

A.S.C. 14/12

No. We are on lucky ground. It was the S. Mitchell who told us they were to withdraw him. MS.

South African Intelligence Activities in the UK: Klue

There has been a long history of allegations of South African Embassy involvement in improper activities. The Ambassador was warned last year that any member of his staff shown to have behaved in a manner incompatible with his official status would be required to leave the country.

Earlier this year incontrovertible evidence was obtained that a member of the staff of the South African Embassy, Warrant Officer Klue, was involved in the organisation of burglaries and other offences against the ANC and SWAPO offices in London. Three men have subsequently been charged with these offences and committed for trial. Although we made it clear to the South African Ambassador that Klue's activities were unacceptable, we did not seek his immediate withdrawal because of the risk, confirmed by the Attorney General, that to do so could prejudice legal proceedings in this case, since Klue was a potential witness either for the prosecution or the defence. Instead our first step was to ask the South Africans to waive Klue's diplomatic immunity so that he could appear as a witness. The South Africans refused, and told us they were to withdraw him. We thereupon gave him seven days to leave the country and made clear that, had it not been for the legal constraint, we would have sought his earlier withdrawal. He will not be allowed to return. Klue left the UK on 23 November.

Although we were prepared to answer questions about Klue, whose name had been publicly linked with the SWAPO and ANC break-ins, we chose not to take the initiative in publicising our action against him. This was in order to minimise the risk of retaliation by the South African authorities against our own staff in Pretoria, and to reduce the overall impact of this case on our already tense relations with the South Africans. Surprisingly, neither the press nor MPs have asked any specific questions on this subject and we have made no statement to date. However, the Foreign and Commonwealth Secretary now considers that we should inform Parliament of what we have done. The Anti-Apartheid Movement, and in particular its Chairman, Mr Robert Hughes MP, shows persistent interest in South African intelligence activities in London, and it would strengthen our response to his questions if we could reveal to him that Klue has been withdrawn. (I understand that the Home Secretary is to write to Mr Hughes shortly). The Zotov case has focussed parliamentary and public interest on the timing of announcements

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/of

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of expulsions or withdrawals of foreign diplomats. It would also be better to release this information ourselves in a controlled and manageable fashion. Mr Pym therefore proposes to make an announcement through an inspired PQ in the near future.

I should be grateful if you could confirm the Prime Minister's agreement to this procedure. I attach a draft incorporating a suggested form of words.

I am copying this letter to the Private Secretary to the Home Secretary and to the Attorney General.

*Yours sincerely,*

A handwritten signature in cursive script, appearing to read 'R B Bone'.

(R B Bone)  
Private Secretary

A J Coles Esq  
Private Secretary  
10 Downing Street

WRITTEN PQ

## QUESTION:

To ask the Secretary of State for Foreign and Commonwealth Affairs how many diplomats, other than Mr Zotov, have been expelled in the last six months for activities incompatible with their official status?

## ANSWER:

A member of the staff of the South African Embassy was withdrawn in November following an approach by my Department to the South African Ambassador. We had good reason to believe that the officer concerned, Warrant Officer Klue, had been engaged in activities incompatible with his official status in this country. Warrant Officer Klue will not be allowed to return.



SOUTH AFRICA  
vb

B/F for T' message.

13 December 1982

BF  
A/12

South African Raid on Lesotho

Thank you for your letter of 10 December.

As the Resident Clerk was informed on 11 December, the Prime Minister approved the contents of the draft telegram enclosed with your letter.

AJC

Roger Bone, Esq.,  
Foreign and Commonwealth Office.

~~SECRET~~

PRIME MINISTER'S  
PERSONAL MESSAGE

TOP COPY

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SERIAL No. T236 A/82

CONFIDENTIAL

41782 - 1

OO UKMIS NEW YORK

OO WASHINGTON

GRS 360

CONFIDENTIAL

FM FCO 110931Z DEC 82

TO IMMEDIATE MASERU

TELEGRAM NUMBER 99 OF 11 DEC

INFO IMMEDIATE UKMIS NEW YORK, PRETORIA, WASHINGTON

YOUR TELEGRAM 158: SOUTH AFRICAN RAID ON LESOTHO

1. PLEASE PASS THE FOLLOWING MESSAGE FROM THE PRIME MINISTER TO DR JONATHAN AS SOON AS POSSIBLE.

BEGINS: I WAS GRATEFUL FOR YOUR MESSAGE INFORMING ME OF THE DEPARTURE OF YOUR FOREIGN MINISTER FOR THE UNITED NATIONS AND YOUR INTENTION TO SEEK A SECURITY COUNCIL RESOLUTION ON THE RAID BY SOUTH AFRICAN TROOPS ON MASERU.

I WAS DEEPLY SHOCKED TO HEAR OF THE SOUTH AFRICAN INCURSION, AND THE LOSS OF INNOCENT LIVES WHICH HAD RESULTED. WE HAVE MADE CLEAR IN PUBLIC THAT WE REGARD THIS INCURSION AS A FLAGRANT VIOLATION OF LESOTHO'S SOVEREIGNTY, AND THAT WE DEPLORE THE USE OF VIOLENCE IN THE SEARCH FOR SOLUTIONS TO THE PROBLEMS OF SOUTHERN AFRICA. WE HAVE APPEALED TO ALL COUNTRIES IN THE REGION TO SHOW RESTRAINT.

YOUR HIGH COMMISSIONER CALLED ON THE MINISTER OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS EARLY IN THE MORNING OF 9 DECEMBER, AND MR ONSLOW WAS ABLE THEN TO EXPRESS MY SYMPATHY AND OUTRAGE. LATER THAT DAY MR ONSLOW SUMMONED THE SOUTH AFRICAN AMBASSADOR TO PROTEST AT THE SOUTH AFRICAN ACTION. THE SOUTH AFRICAN AMBASSADOR WAS LEFT IN NO DOUBT OF THE SERIOUSNESS WITH WHICH WE REGARD THIS INCIDENT.

WE SHALL OF COURSE DO WHATEVER WE CAN TO SUPPORT YOUR EFFORTS TO OBTAIN AN APPROPRIATE RESOLUTION IN THE SECURITY COUNCIL. YOU SAY IN YOUR MESSAGE THAT YOUR FOREIGN MINISTER

ISLOSO/1	
RECEIVED IN RECORDING NO. 30	
15 DEC 1982	
DEPT. OF STATE	AFRICANA

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See SS

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WILL WISH TO DISCUSS THE PROPOSED TEXT WITH OUR AMBASSADOR AND THOSE OF OTHER FRIENDLY COUNTRIES AT THE UN BEFORE IT IS TABLED. I WELCOME THIS OFFER OF CONSULTATION, AND I AM INSTRUCTING OUR AMBASSADOR TO KEEP IN CLOSE TOUCH WITH YOURS AND WITH YOUR FOREIGN MINISTER WHEN HE ARRIVES AND TO OFFER EVERY ASSISTANCE. THE MOST EFFECTIVE RESOLUTIONS ARE, OF COURSE, THOSE WHICH HAVE THE FULL SUPPORT OF ALL MEMBERS OF THE SECURITY COUNCIL. I HOPE THAT IN THIS CASE, WHERE WE VERY MUCH WISH TO SUPPORT YOU, WE CAN WORK TOGETHER TO PRESENT A TEXT WHICH WILL COMMAND UNIVERSAL SUPPORT. ENDS

PYM

[COPIES SENT TO NO 10 DOWNING STREET]

SOUTHERN AFRICA  
STANDARD  
S AF D  
OADS  
MCAD  
UNF  
NAD  
WED  
ECD  
ES & SD  
CABINET OFFICE

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cc FCO

BTC

10 DOWNING STREET

THE PRIME MINISTER

10 December 1982

*Robert H. Hughes.*

In your telegram of 9 December you referred to the attack by South African forces on Maseru, the capital of Lesotho. I have also seen the Questions which you put to the Lord President in the House yesterday.

The Minister of State in the Foreign and Commonwealth Office (Mr. Cranley Onslow) summoned the South African Ambassador yesterday to express Her Majesty's Government's strong views about this violation of the sovereignty of Lesotho. We condemn it and we deeply regret the tragic loss of life.

*Yours sincerely  
Robert Hughes*

Robert Hughes, Esq., M.P.

Ed

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Prime Minister,  
Do you agree the text of  
see message (flag A)  
Foreign and Commonwealth Office

London SW1A 2AH Can the message  
be sent on

10 December 1982 Saturday  
morning?

Jon Tan,

→ J.T. Willing  
(Duty clerk)  
10/12/82

South African Raid on Lesotho

As you know, the Prime Minister of Lesotho, Dr Jonathan, has sent an urgent message to the Prime Minister advising her that the Minister for Foreign Affairs is leaving today for the UN to seek an early meeting of the Security Council (text in Maseru telno 158, copied to you). Dr Jonathan seeks the support of the British Government in obtaining a Security Council Resolution, and promises that his Foreign Minister will consult our Ambassador in New York about this. I enclose a draft reply which, if the Prime Minister agrees, might be despatched tomorrow morning.

Events have moved rapidly since yesterday morning's raid by the South Africans on Maseru. The Lesotho High Commissioner called on Mr Onslow yesterday morning to give an account of the raid, and appealed to us to intervene on Lesotho's behalf. Later that morning, we issued a statement to the Press condemning the South African raid as a flagrant violation of Lesotho's sovereignty. In the afternoon Mr Onslow summoned the South African Ambassador and formally expressed to him the Government's condemnation of the South African action and left Mr Steyn in no doubt of the seriousness with which we viewed it. The Lesotho Prime Minister has already been made aware of these developments and has expressed his appreciation of, and satisfaction with, our response.

/No texts of

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No texts of draft resolutions have yet been circulated in New York, and Sir John Thomson reports that the Lesotho mission do not wish to begin drafting until the arrival (probably 11 December) of their Foreign Minister. We would naturally hope that the resolution will be cast in terms that we can accept. There is, however, a danger that the radical Africans in the UN, with Soviet support, will seek to take control of the drafting of any resolution away from Lesotho and insert into the text language which, by calling for example for mandatory economic sanctions, would make it unacceptable.

There are already signs that this may be the Africans' intention. Mr Pym believes that our efforts to counter this will be greatly re-enforced if the Prime Minister's response to Dr Jonathan makes clear the need for language which will attract the support of all members of the Security Council. The draft accordingly makes this point.

*Yours ever,*  
*R B Bone*

(R B Bone)  
Private Secretary

A J Coles Esq  
10 Downing Street

TELEGRAM

	Classification and Caveats <b>CONFIDENTIAL</b>	Precedence/Deskby <b>IMMEDIATE</b>
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GRS  
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PRE/ADD  
TEL NO

1	ZCZC
2	GRS
3	CONFIDENTIAL
4	
5	
6	FM FCO
7	TO IMMEDIATE MASERU
8	TELEGRAM NUMBER
9	INFO IMMEDIATE UKMIS NEW YORK, PRETORIA, WASHINGTON
10	YOUR TELEGRAM 158: SOUTH AFRICAN RAID ON LESOTHO
11	1. Please pass the following message from the Prime Minister
12	to Dr Jonathan as soon as possible.
13	BEGINS: I was grateful for your message informing me of the
14	departure of your Foreign Minister for the United Nations and
15	your intention to seek a Security Council Resolution on the
16	raid by South African troops on Maseru.
17	I was deeply shocked to hear of the South African
18	incursion, and the loss of innocent lives which had resulted.
19	We have made clear in public that we regard this incursion as
20	a flagrant violation of Lesotho's sovereignty, and that we
21	deplore the use of violence in the search for solutions to the
22	problems of Southern Africa. We have appealed to all countries
23	in the region to show restraint.
24	Your High Commissioner called on the Minister of State
25	for Foreign and Commonwealth Affairs early in the morning of

///  
//  
/

NNNN ends telegram	BLANK	Catchword 9 December,
File number	Dept	Distribution Southern Africa
Drafted by (Block capitals) PRIVATE SECRETARY		
Telephone number 233 4831		
Authorised for despatch		
Comcen reference	Time of despatch	

OUT TELEGRAM (CONT)

Classification and Caveats  
CONFIDENTIAL

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1 <<<<

2 9 December, and Mr Onslow was able then to express my sympathy  
3 and outrage. Later that day Mr Onslow summoned the South  
4 African Ambassador to protest at the South African action.  
5 The South African Ambassador was left in no doubt of the  
6 seriousness with which we regard this incident.

7 We shall of course do whatever we can to support your  
8 efforts to obtain an appropriate resolution in the Security  
9 Council. You say in your message that your Foreign Minister  
10 will wish to discuss the proposed text with our Ambassador and  
11 those of other friendly countries at the UN before it is  
12 tabled. I welcome this offer of consultation, and I am  
13 instructing our Ambassador to keep in close touch with yours  
14 and with your Foreign Minister when he arrives and to offer  
15 every assistance. The most effective resolutions are,  
16 of course, those which have the full support of all  
17 members of the Security Council. I hope that in this case,  
18 where we very much wish to support you, we can work together  
19 to present a text which will command universal support. ENDS

21 PYM

22 NNNN

*Amend*

23

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NNNN ends  
telegram

BLANK

Catchword



Circular Letter No. 92/82

9 December, 1982

I would be grateful if you could transmit the following message from the Secretary-General to your Head of Government by the speediest means possible:

Begins

I have today received from the Lesotho Government information on the invasion of its territory by South African forces. The casualties of this unprovoked act of aggression against refugees from apartheid South Africa have so far risen to 31, including women and children and proven citizens of Lesotho. The Lesotho Government is anxious that its Commonwealth partners, especially those maintaining diplomatic relations with South Africa, will, in addition to publicly condemning this unprovoked slaughter of innocent citizens, take whatever action they can to persuade South Africa to desist from any further violations of Lesotho's territorial integrity.

With deep respect,  
Shridath Ramphal

Ends

SAD.  
Action

Yours Sincerely,

*E.C. Anyaoku*

E.C. Anyaoku  
Deputy Secretary-General

5 DEC 1982



010

John Collier



N. B. J. R.

A. J. C. <sup>14.</sup>/<sub>12</sub>

*With the compliments of*

Roger Bone

FOREIGN AND COMMONWEALTH OFFICE

LONDON, SW1A 2AH

CONFIDENTIAL

CALL BY SOUTH AFRICAN AMBASSADOR, HE MR MARAIS STEYN,  
ON MR CRANLEY ONSLOW AT 5 PM, 9 DECEMBER 1982

PRESENT:

Mr Cranley Onslow MP

Mr Marais Steyn

Mr J R Varcoe

Mr L H Evans

Mr H Warren-Gash

1. Mr Onslow said he assumed that the Ambassador would understand the reason for the request that he should call. He said the Government had been dismayed by the reports of the early-morning raid by South African Defence Forces on a number of houses in Maseru leading to the death of between 30 and 40 people. The Prime Minister had taken a personal interest in this matter. The Lesotho High Commissioner had called on him this morning and had given an account of what had happened. The Ambassador probably knew that an official FCO statement had been issued at 12.30. This had condemned the South African attack and deplored the use of violence, from whatever quarter, to resolve the problems of Southern Africa. (Mr Onslow handed over a copy of the text.)
2. Mr Onslow went on to say that the raid represented an unacceptable escalation of South Africa's differences with Lesotho. He was particularly concerned at this sudden and blatant violation of the territorial sovereignty of a fellow-member of the Commonwealth, with which we enjoyed friendly relations and which had given us staunch support on a number of issues. The Government greatly regretted the loss of life which resulted from what he could only describe as an irresponsible action. Mr Onslow said he appreciated the South African Government's claim that the ANC were using Maseru to plan and mount terrorist operations in South Africa. These claims had predictably been denied by the other side, who said that they did not harbour guerrillas, only genuine refugees. Whatever the true facts, it was doubly regrettable that a number of innocent civilian lives had been lost in what appeared to have been a good deal of indiscriminate killing. Mr Steyn said he and his government shared Mr Onslow's regret at the loss of innocent lives. Mr Onslow explained that he was aware of the South African policy

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that they could not permit neighbouring countries to be used for activities inimical to South Africa's security. Nevertheless he was bound to point out that if the South African Government chose to use violence then it must expect strong criticism both in Britain, including in Parliament, and on the international plane.

3. Speaking more generally, Mr Onslow said the British Government were seriously concerned that this incident could prejudice the delicate search for a settlement in Namibia. The raid would give rise to activity in the UN and further prejudice international confidence as to South Africa's good faith and intentions over Namibia. He therefore strongly urged the South African Government to show restraint and to desist from such attacks, which would only arouse greater hostility towards South Africa and thereby increase the risk of more Soviet and other communist support for African governments which felt under threat. It was insupportable that a state which claimed to observe civilised standards should resort to violence of this kind.

4. Mr Steyn undertook to convey Mr Onslow's representations to his government. However, if Mr Onslow wished to impress Pretoria he had not set about it in the right way. The British position showed a disregard of the facts: South Africa was not resorting to violence but only reacting to it. He had twice recently written to Sir John Leahy about his government's problems with Mozambique and Angola over ANC activities. The Ambassador described these exchanges in more detail and also alluded to the alleged SWAPO 'death list'. Despite propaganda to the contrary, the South African Government had the support not only of their own blacks but also of many people in neighbouring countries such as Lesotho. His government would publish documents and produce weapons to prove that the houses attacked in Maseru had been used by ANC terrorists. It was unfortunate, however, that women and children had been caught in the crossfire: the responsibility for this lay largely in Lesotho because the ANC supporters were deliberately mixed up with ordinary Basotho people.

5. Mr Steyn went on to suggest that if the British had information that action such as the bombing of the pub in Ballykelly or the Hyde Park outrages were being planned in some small neighbouring

/country

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country they would probably make a similar pre-emptive strike. South Africa's neighbours had been frequently warned not to harbour ANC. Despite this, there had been threats emanating from Lesotho to kill the black leaders of the independent homelands. Moreover, ANC tactics were to concentrate on the rural areas and to attack their own people, thereby making it very difficult for the security authorities to detect and arrest them. How, therefore, could any government be expected to let such events occur if there was a chance to prevent them by pre-emptive action. He repeated that the British condemnation was based on a wrong understanding. The South African Government were not destabilising their neighbours, they were already destabilised. Mr Steyn concluded by saying that South Africa was sick and tired of being the accused rather than the prosecutor. Mr Onslow replied that he understood that the Ambassador had to put a South African point of view. He appreciated the Ambassador's expression of sympathy over the death of civilians but he was bound to say that he disagreed with the assessment of British behaviour in such circumstances. The Ambassador would understand the international outrage if Britain sent helicopters into Dublin at night and shot up or bombed a number of houses. This was not a course the UK had adopted. We regard violence with repugnance. Recent Israeli action had made pre-emptive strikes doubly unattractive among the international community. Britain could never accept recourse to such action. Mr Onslow asked whether it was not possible to confine security activities to South Africa's own territory, and suggested that it should be possible to resolve such differences with neighbours by negotiation and other contact. Mr Steyn said that it was unrealistic to ignore a build-up of terrorists beyond South Africa's borders and that anyway not all the neighbouring states were prepared to discuss such issues. He conceded, however, that in the case of Lesotho there were channels of communication. He suggested that the Lesotho authorities themselves disapproved of the activities of the ANC, but were not always in a position adequately to control them. Mr Onslow said that notwithstanding what Mr Steyn had said, it was difficult to convince himself that a repetition of an incident of this sort would not place a serious strain on future relations between Britain and South Africa. His Government had strong feelings about such behaviour; these feelings would probably be expressed in Parliament

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/and

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and elsewhere. He could not believe that it was necessary to take such action to protect lives of people in South Africa.

6. It was agreed that the FCO would issue a short statement about the Ambassador's call. The latter said that he would decline to answer questions from the press about what Mr Onslow had said, though he was going to put on record the position of his government over the raid. At this stage the Ambassador requested that officials withdraw. He subsequently told Mr Onslow that the Lesotho Government had in reality acquiesced in the raid, since they were content that the South Africans should clean out the ANC from Maseru. As evidence for this he cited a recent meeting at which the Lesotho Foreign Minister had agreed to discreet South African measures to remove the ANC and the fact that although the South African forces had come into contact with the Lesotho Para Military Force, the latter had, on realising that their attackers were South African, broken off the engagement and withdrawn to barracks. The meeting ended at 5.45 pm.

DISTRIBUTION:

PS (+ copy for No 10 Downing Street)

PS/Mr Hurd

PS/Mr Onslow

PS/PUS

Sir J Leahy

Mr Squire

SAFD

CAFD

UND

CHANCERIES PRETORIA

MASERU

WASHINGTON

UKMIS NEW YORK

PARIS

BONN

OTTAWA

SOUTHERN AFRICAN DEPARTMENT

9 DECEMBER 1982

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South Africa

SOUTHERN AFRICA: ADVANCE COPIES 18

IMMEDIATE

PS  
PS/MR ONSLOW  
PS/PUS  
SIR J LEAHY  
~~SIR L ALLINSON~~ MR SQUIRE  
MR ADAMS  
MR GILLMORE  
HD/SAFD  
HD/CAFD  
HD/UND  
HD/DEF D  
HD/NEWS D  
MR FREELAND LAGAL ADV. <sup>Wt 216</sup> ~~Rm K200A~~

<sup>D.R. Forp</sup>  
MR COLLINS D O T

MR A J S GOODALL  
CABINET OFFICE

PS/No.10 DOWNING STREET

~~RESIDENT CLERK~~



CONFIDENTIAL

DESKBY 091600Z

FM MASERU 091258Z DEC 82  
TO IMMEDIATE FCO  
TELEGRAM NUMBER 159 OF 9 DECEMBER  
INFO PRIORITY PRETORIA, UKMIS NEW YORK, WASHINGTON,  
ROUTINE MBABANE, GABORONE, HARARE, LUANDA, MAPUTO

PRETORIA TELNO 1081 AND TELECON VARCOE/IVINS: SOUTH AFRICAN RAID ON LESOTHO.

1. LOCAL ESTIMATE OF DEATH TOLL HAS NOW REACHED FORTY OF WHICH TEN (INCLUDING TWO CHILDREN) ARE BASOTHO CITIZENS OF NO KNOWN ANC AFFILIATION.
  2. THE REMAINING THIRTY WERE KNOWN TO BE ANC SYMPATHISERS THOUGH THE EXTENT TO WHICH THEY COULD BE SEEN AS POTENTIAL TERRORISTS MUST BE IN DOUBT. WE HAVE ONE EYE-WITNESS ACCOUNT OF A QUANTITY OF ARMS BEING REMOVED FROM ONE OF THE DAMAGED APPARTMENTS. EVEN SO, THE ATTACK INVOLVED MANY INSTANCES OF INDISCRIMINATE KILLING OF INNOCENT CIVILIANS.
  3. I AM CONSULTING THIS AFTERNOON WITH MY GERMAN AND OTHER EUROPEAN COLLEAGUES. WE HOPE TO PRODUCE A JOINT REPORT FOR CONSIDERATION BY THE TEN, WHICH WILL INCLUDE PRELIMINARY ASSESSMENT OF DANGER POSED TO SOUTH AFRICA BY THOSE KILLED.
  4. GOL BELIEVE THAT THE SOUTH AFRICAN FORCES WERE GUIDED BY A FEW MEMBERS OF THE LLA WHO ACTED AS THEIR SCOUTS IN PIN-POINTING TARGETS, OFTEN ERRONEOUSLY.
- FCO PLEASE PASS ALL

CLEMENS

PS

PS/MR ONSLOW

PS/PUS

SIR J LEAHY

~~SIR L ALLINSON~~ MR SQUIRE

MR ADAMS

MR GILLMORE

HD/SAFD

HD/CAFD

HD/UND

HD/DEF D

HD/NEWS D

MR FREELAND LEGAL ADV. <sup>NH. 216.</sup> ~~Rm. K200A~~

HD/PUSD(2)

*RESIDENT CLERK*

*D.R. Ford,*

MR COLLINS D O T

MR A J S GOODALL  
CABINET OFFICE

PS/No.10 DOWNING STREET

ADVANCE COPY

*DBY 091600Z*

IMMEDIATE

RESTRICTED

DESKBY 091600Z

FM MASERU 091255Z DEC 82

TO IMMEDIATE FCO

TELEGRAM NUMBER 158 OF 9 DECEMBER

INFO PRIORITY NEW YORK, PRETORIA, BONN, WASHINGTON

MY TELEGRAM NO 154: SOUTH AFRICAN RAID ON LESOTHO

1. TO SUPPLEMENT THE BRIEFING ALREADY GIVEN BY MINISTER FOR FOREIGN AFFAIRS THE SENIOR PERMANENT SECRETARY ON INSTRUCTIONS FROM THE PRIME MINISTER HAS CONVEYED TO ME ORALLY THE FOLLOWING MESSAGE FROM LATTER TO MRS THATCHER.

2. BEGINS.

THE MINISTER FOR FOREIGN AFFAIRS LEAVES TOMORROW 10 DECEMBER FOR NEW YORK TO SEEK AN EARLY MEETING OF THE SECURITY COUNCIL. DR JONATHAN REGARDS SOUTH AFRICAN ATTACK AS BEING NO LESS AN ACT OF AGGRESSION THAN ARGENTINE INVASION OF THE FALKLANDS. IN THE SAME SPIRIT AS LESOTHO SUPPORTED US OVER THAT ISSUE, HE LOOKS FOR BRITISH SUPPORT NOW IN THE SECURITY COUNCIL. HE HOPES THAT WE WILL ALSO ENCOURAGE OTHERS BOTH IN THE COMMONWEALTH AND THE SECURITY COUNCIL TO SUPPORT LESOTHO. THE TEXT OF THE PROPOSED RESOLUTION IS NOT YET AVAILABLE AND BEFORE IT IS TABLED THE MINISTER FOR FOREIGN AFFAIRS WILL WISH TO DISCUSS WITH BRITISH AND OTHER FRIENDLY REPRESENTATIVES IN NEW YORK.

ENDS

FCO PLEASE PASS ALL

CLEMENS

NNNN

UNRECORDED COPY OF MESSAGE  
RECEIVED AT WASHINGTON  
ON 12/11/50 10:30 AM  
BY THE DEPARTMENT OF  
STATE

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TYPING

PS  
PS/MR ONSLOW  
PS/PUS  
SIR J LEAHY  
~~SIR L ABBINSON MR SQUIRE~~  
MR ADAMS  
MR GILLMORE  
HD/SAFD  
HD/CAFD  
HD/UND  
HD/DEF D  
HD/NEWS D  
MR FREELAND LAGAL ADV. <sup>WH 216</sup> ~~Rm K200A~~

D.R. Ford  
MR GOLLINS D O T

MR A J S GOODALL  
CABINET OFFICE

PS/No.10 DOWNING STREET

ADVANCE COPY

IMMEDIATE

GRS 300  
RESTRICTED  
FM PRETORIA 091330Z DEC 82  
TO IMMEDIATE FCO  
TELNO 1085 OF 9 DECEMBER 1982  
INFO IMMEDIATE MASERU UKMIS NEW YORK AND WASHINGTON  
ROUTINE MBABANE GABORONE HARARE LUANDA AND MAPUTO

MY TELNO 1081: SOUTH AFRICAN RAID ON MASERU

1. AT THE DFENCE BRIEFING TODAY THE SOUTH AFRICANS CLAIMED THAT THEY HAD RECEIVED EVIDENCE THAT ANC INFILTRATORS FROM MASERU WERE AIMING TO ATTACK ADMINISTRATION BOARD OFFICES IN THE EASTERN CAPE , BLACK LEADERS IN THE TRANSKEI AND CISKEI AND WHITE CIVIL SERVANTS. THEY HAD CAPTURED DURING THE RAID IN ADDITION USSR MANUFACTURED WEAPONS AND EXPLOSIVES, SUITCASES AND BOOT POLISH TINS WITH FALSE BOTTOMS.

2. THE LESOTHO GOVERNMENT HAD BEEN GIVEN SEVERAL WARNINGS BOTH IN PUBLIC AND PRIVATE BUT THE ANC BUILD UP HAD CONTINUED AND IT HAD BECOME ESSENTIAL TO TAKE PRE-EMPTIVE ACTION.

3. AS A RESULT OF INFORMATION OBTAINED FROM MEMBERS OF THE ANC CAPTURED IN SOUTH AFRICA, THE SOUTH AFRICANS HAD CONFIRMED THAT EARLIER TERRORIST ATTACKS ON THE LANGA COURT BUILDING AND PRESIDENT'S COUNCIL BUILDING IN CAPE TOWN, THE POLICE HEADQUARTERS IN PORT ELIZABETH AND ON A RAILWAY LINE IN THE CISKEI HAD ALL BE LAUNCHED FROM LESOTHO.

4. THE ATTACK ON MASERU HAD RESULTED IN THE DEATH OF 32 MEMBERS OF THE ANC, SIX WOMEN AND ONE CHILD. ONE ANC MEMBER, TWO WOMEN AND ONE CHILD WERE KNOWN TO HAVE BEEN WOUNDED. THERE HAD BEEN FEWER IN THE HOUSES THAN EXPECTED AND THE SOUTH AFRICANS THOUGHT THAT A NUMBER OF THE ANC MIGHT ALREADY HAVE LEFT TO CARRY OUT THEIR TASKS IN THE REPLUBLIC, THE TRANSKEI AND CISKEI.

5. THE LESOTHO ARMY AND POLICE HAD REACTED MORE QUICKLY TO THE ATTACK THAN HAD BEEN EXPECTED. ON BEING INFORMED BY THE SADF

5. THE LESOTHO ARMY AND POLICE HAD REACTED MORE QUICKLY TO THE  
ATTACK THAN HAD BEEN EXPECTED. ON BEING INFORMED BY THE SADF  
THAT IT WAS AN SADF ATTACK ON ANC TARGETS RATHER THAN AN LLA  
ATTACK BUT THE ARMY AND POLICE HAD WITHDRAWN WITHOT CASUALTIES.

6. FULL REPORT ON BRIEFING FOLLOWS BY NEXT BAG.

FERGUSSON

NNNN



Lesotho

SOUTH AFRICAN INCURSION INTO LESOTHO

LINE TO TAKE

1. We ~~naturally~~ regret the loss of life. We condemn this flagrant violation of Lesotho's sovereignty. We deplore all attempts to resolve the problems of Southern Africa by violent means; we therefore urge all concerned to show restraint.

We shall be making our strong views known to the South African Government today.

2. Are UK Citizens safe?

Although we still await a full account of this mornings events in Maseru, preliminary reports suggest that there have been no casualties or injuries amongst the British community in Lesotho

3. Were people killed ANC Guerrillas?

We are in no position to know this - there have been widely conflicting claims about this.

4. Does this raid not constitute a threat to the peace and should not sanctions be imposed against South Africa?

We wholly condemn acts of violence from whatever source they come.



## SOUTH AFRICAN INCURSION INTO LESOTHO

## ESSENTIAL FACTS

1. Using helicopter and spotter aircraft, the South Africa Defence Forces mounted a surprise attack on 12 alleged ANC guerrilla hideouts in Maseru in the early hours of this morning. South Africans have claimed to have killed 30 ANC guerrillas. The Lesotho Government maintain that they were genuine refugees. In addition, between 5 and 7 Basutho civilians were also killed. Our High Commission say that they have received no reports of any injuries to UK citizens. The South African forces have withdrawn and the recovery of bodies etc, is continuing.
2. [NOT FOR USE:] Our High Commission are not able to say authoritatively whether those killed were ANC guerrillas who had received military training or refugees but they report one eye witness as seeing the Lesotho authorities removing a large number of machine pistols from a house together with bodies.
3. This is the first such attack on Lesotho, although the South Africans have in the past threatened to take action if Lesotho is used as a base for guerrilla attacks against the Republic. We know that some ANC recruits have travelled through Lesotho to receive military training elsewhere. In turn some trained guerrillas have after flying from Maputo been infiltrated into South Africa through Lesotho. But the South Africans have put pressure on Lesotho through their support for the dissident Lesotho Liberation Army (LLA) to force the Lesotho Government to reduce their assistance to the ANC. The LLA have engaged in a number of violent incidents in Lesotho.
4. FCO News Department will be commenting today on this incident in terms similar to that proposed in the line to take. The Lesotho High Commissioner has asked to call on Mr Onslow this morning; thereafter we shall consider whether or not to protest to the South Africans about this incident.

The Americans  
are considering  
a similar  
statement.

Zeddy  
...



*Sir J Leach*  
Mr Squire ✓

Parliamentary Unit

PRIME MINISTER'S QUESTIONS - 9 DECEMBER

1. The Parliamentary Unit have asked for a line to take and background note on today's South African attack on guerrilla bases in Lesotho by 11.45 this morning, for the Prime Minister to use if necessary during her question time this afternoon. I submit these.

*J R Varcoe*

J R Varcoe  
Southern African Department

9 December 1982

*D Zinky 9/12*





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TO PRIME MINISTER THATCHER

23391 MAGIC G

THE ANTIAPARTHEID MOVEMENT IS OUTRAGED BY TODAY'S SOUTH AFRICAN  
TERROR ATTACK AGAINST MASERU CAPITAL CITY OF KINGDOM OF LESOTHO.  
URGE HMG TAKE IMMEDIATE MEASURES TO GUARANTEE SOVEREIGNTY AND  
SECURITY OF LESOTHO AND ALL INDEPENDENT AFRICAN STATES IN THE  
SOUTHERN AFRICAN REGION. FURTHER URGE UK AMBASSADOR TO PRETORIA  
BE RECALLED IMMEDIATELY FOR CONSULTATIONS.

ROBERT HUGHES M.P.

CHAIRMAN - - ANTIAPARTHEID MOVEMENT

9 DECEMBER 1982

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PART 2 ends:-

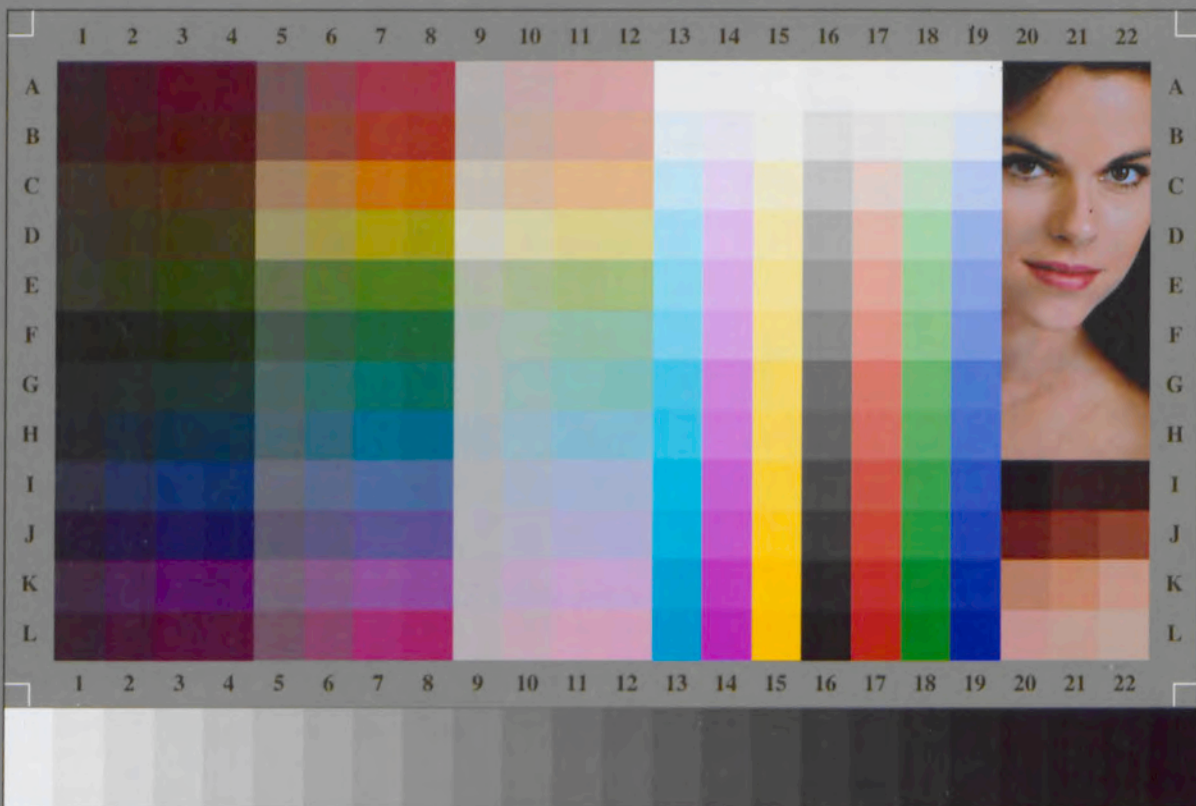
cc (82) 44<sup>th</sup> - Item 2 21/10

PART 3 begins:-

R. Hughes M.P. to PM 9/12

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