



Foreign and Commonwealth Office

London SW1A 2AH

(2)

6 September 1979

Prime Minister

Dear Michael,

Rmt - 6/9

## RHODESIA: CONSTITUTIONAL CONFERENCE

The Foreign and Commonwealth Secretary has seen the Prime Minister's comments, set out in your letter of 3 September, on his minute about the Conference.

Lord Carrington agrees that there can be no question of any authority other than the British Government supervising the election. I enclose an amended version of Annex D which makes this unequivocally clear.

You will see that this version still makes no reference to the possibility of a referendum as an alternative to an election. This is because the paper takes an all-party agreement on the independence constitution as a starting-point. In this context there is no need to canvass the idea of a referendum, since an election would be inevitable. The question of a referendum would, we think, only become actual in the event of the Patriotic Front withdrawing from the negotiation. In that case a properly supervised or observed referendum, rather than an election, might, as suggested in paragraph 14 of Lord Carrington's minute, be an alternative test of the acceptability of an agreement with Bishop Muzorewa.

Yours ever

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## ANNEX D

Statement for use as necessary during the Conference

## RHODESIA: ELECTIONS

1. In the event of all-party agreement on an independence constitution for Rhodesia, it will be necessary to consider how to proceed to independence.
2. It is presumed that the independence constitution will provide in the normal way for the legislature and (directly or indirectly) the executive to derive their authority and powers from an expression of the popular will through an election. If that is to be so, a legislature and executive constituted in terms of the independence constitution cannot take office on Independence Day unless there has been an election before independence. Consideration must therefore be given to designating an authority to conduct the elections and to agreeing the conditions in which the elections and the campaign leading up to them are to be held.
3. The British Government believes that the following elements will be essential to the conduct of a free and fair election, in which all parties would be able to participate:
  - a. the administration of the election should be scrupulously impartial as between one party and another;
  - b. peaceful political activity, including pre-election campaigning, would take place freely and without intimidation of any kind;
  - c. all parties should have free and uncensored access to all the public media (press, radio and television); and
  - d. the election should be properly supervised under British Government authority.
4. The British Government will, as the constitutionally responsible authority, see that these requirements are met if the parties agree on an independence constitution.

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In addition it is likely to be necessary for HMG to make a statement about the conditions in which a ceasefire would be maintained while elections were held. This could be made at the same time as, or separately from, the above statement about elections. ]

## CEASEFIRE

5. The conduct of the elections will require the agreement of the parties on a ceasefire and the separation of the forces. In the event of agreement on the independence constitution, and acceptance that elections should be held under the British Government's authority, the British Government will arrange negotiations between the military commanders on both sides to settle the conditions in which a ceasefire shall be established and maintained and to consider proposals for the policing of the ceasefire.

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Rhodesia



10 DOWNING STREET

From the Private Secretary

3 September, 1979.

Rhodesia: Constitutional Conference

The Prime Minister has seen the Foreign and Commonwealth Secretary's undated minute to her about the Constitutional Conference due to open next week. She is in general content with the line set out in Lord Carrington's minute.

The Prime Minister has, however, noted that Annex D, paragraph 3, provides for an election to take place "under impartial supervision" and only adds subsequently (paragraph 4) that HMG is "prepared to assume" its responsibility to see that this requirement, inter alia, is met. In the Prime Minister's view, HMG is charged with responsibility for the election, and the election should be held under British supervision.

The Prime Minister has also noted that Annex D makes no provision for a referendum, should that be thought preferable to an election.

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Foreign and Commonwealth Office.

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