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NOTE OF A MEETING AT 10 DOWNING STREET ON 29 MAY 1979 AT 1445,  
TO DISCUSS THE PROBLEM OF VIETNAMESE REFUGEES.

Present: Prime Minister  
Home Secretary  
Foreign and Commonwealth Secretary  
Lord Privy Seal  
Attorney General  
Sir John Hunt  
Mr. Hugh Cortazzi, FCO  
Mr. Henry James  
Mr. B.G. Cartledge

Referring to the new problem presented by the refugees on the Motor Vessel ROACH BANK, the Foreign and Commonwealth Secretary said that it was difficult to distinguish between that ship and the M.V. SIBONGA, whose refugees the UK had now decided to admit. The Prime Minister said that she could and did draw just such a distinction. The Home Secretary said that the Government's public position was at present very satisfactory. He hoped that the Hong Kong Government could be persuaded by the FCO to process the 900 refugees on the SIBONGA thoroughly, since he believed that many of them would not in the event wish to come to the UK but would prefer to go to, for example, the United States. 80% of the refugees on board the ROACH BANK were children. He had established that a camp in Hampshire could take between 500 and 600 refugees very quickly and that local authorities would be prepared to take at least 170 children. If it were possible to phase the arrival of the refugees, it should be possible to accommodate all those from the SIBONGA and the ROACH BANK: but it would not be possible to take them all in at once. Mr. Whitelaw said that his own view was that the UK would have to admit the refugees from the ROACH BANK, in view of the high proportion of children among them.

The Prime Minister said that there would be political trouble if the UK accepted the ROACH BANK refugees, immediately after accepting 982 from the SIBONGA, unless the Government was seen to have made a real effort to stand them off. It was

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essential that pressure should be put on Taiwan, and on the Australians. The Attorney General explained that, under a Convention of 1911, the master of a ship committed a criminal offence if he refused to take a refugee on board, landing them at his next port of call.

Lord Carrington expressed the view that the Government would get an even worse press if the ROACH BANK children were turned away. The present situation was no more than the smallest tip of a vast iceberg, The Vietnamese Foreign Minister had said in terms that the Vietnamese Government were determined to get rid of between 1 million and 1,200,000 ethnic Chinese. The Prime Minister said that unless the UK took a firm stand now it would be difficult to find an effective sticking point subsequently. She repeated that it was essential to put pressure on Taiwan, The fact that the UK had no formal representation there would not cut any ice with the British public. Lord Carrington said that he agreed that the UK should find a sticking point, but thought that this had to be after, rather than before, we had admitted the ROACH BANK refugees. The Attorney General explained that if the next port of call of a ship which had taken refugees on board was situated in a country which was party to the 1951 Convention on refugees, that country was bound to accept the refugees from the ship, once the ship had entered its territorial waters. Mr. Whitelaw agreed with Lord Carrington that the UK should take their stand after the ROACH BANK but then be extremely tough. The United States had already taken in a quarter of a million refugees and France 60,000. The main essential from his point of view/<sup>was</sup> that the the Hong Kong Government should be persuaded to process the refugees thoroughly and in slow time. In reply to a question from the Prime Minister, the Attorney General confirmed that the UK was under no legal obligation to accept the refugees from the ROACH BANK.

The Prime Minister said that it was clear to her that the UK should now pillory Taiwan. The ROACH BANK was standing off Taiwan, not Hong Kong, and the master had every right to land the refugees there. The Lord Privy Seal pointed out that if, as seemed certain, Taiwan refused to accept the refugees, the ROACH BANK would eventually end up at Hong Kong anyway: it

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might be best for the UK to accept these refugees gracefully now, rather than later under pressure. The Prime Minister said that if the UK were to make an exception for the ROACH BANK, all other vessels with refugees on board standing off non-UK territory would immediately proceed to Hong Kong. Lord Carrington pointed out that the main essential was to mount an international campaign to stop the refugees from leaving Vietnam in the first place.

The Home Secretary agreed with Sir Ian Gilmour that it would be better for the UK to accept the ROACH BANK refugees straight away, rather than later: the public relations aspect of the high proportion of children on board weighed very heavily with him. The Attorney General explained that Hong Kong had been bound, under the 1951 Convention, to accept the refugees from the SIBONGA: but if permission were denied to the ROACH BANK to land, the Convention would not apply. Lord Carrington read out a report of recent exchanges between the master of the ROACH BANK and the Taiwanese authorities. The Attorney General pointed out that the Hong Kong Government could be empowered by the British Government to refuse admission to refugees. The Home Secretary said that he wished to make it quite clear that there would be no practical possibility whatsoever of admitting any further refugees after those from the ROACH BANK.

The Prime Minister asked how the UK would be able to keep away the HERRING BANK if it could not turn down the ROACH BANK: she thought it of the greatest importance that the distinction between landing at a UK port of call and standing off a non-UK port should not be thrown away.

Lord Carrington said that, in Malaysia and Thailand, the authorities were providing the boat people with food and water and then turning them back out to sea. The UK was now nearing the position of having to do the same: public opinion would never approve of this. He proposed that the Prime Minister should write to the UN Secretary-General immediately in order to emphasise Dr. Waldheim's obligation to tackle the problem on an international scale - only 13 countries out of over 130 in

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the UN had so far accepted any refugees from Vietnam at all. Secondly, the United States should be asked to increase the number of refugees whom they were admitting monthly - the current level of 7,000 a month. Mr. Blaker was at present in Washington and could take this on. Thirdly, the Governor of Hong Kong should be recalled to London for consultations. The Prime Minister said that this was all very well but that both the HERRING BANK and the WHALEBONE would have landed by the time this action had been taken. She asked that the whereabouts of all UK ships in the region should be established, through Lloyd's Register, so that their masters could be told, if they had to pick up refugees, to steam directly to the nearest port and stay there. She was determined that the ROACH BANK should not become a magnet for the HERRING BANK and the WHALEBONE. The Prime Minister said that she did not wish any action to be taken which would go back on the second half of the statement which she had issued to the press on 28 May; or which would throw away the only remaining legal handle which would help the UK to hold the position. The Attorney General pointed out again that the Hong Kong Government had been legally bound to accept the refugees from the SIBONGA: but the 1951 Convention only applied when a ship had entered the territorial waters of the port for which it was heading. Sir Ian Gilmour commented that it would be difficult for the UK to take a high moral tone with Taiwan following his own statement in the House of Commons on 24 May.

Summarising the action to be taken, the Prime Minister said that she wished to have, by the following day, a cast iron position in legal and political terms which would enable the UK to hold out against admitting refugees from the HERRING BANK and the WHALEBONE, even if the UK had in the meantime been obliged to admit the ROACH BANK refugees. Secondly, pressure against Taiwan should be mounted immediately. Thirdly, consideration should be given to the UK's withdrawal from the 1951 Convention on refugees. Finally, arrangements should be considered for instructing the masters of UK-registered ships who were obliged to take refugees on board under the terms of the 1911 Convention to steam to their next port of call and stay there. The Attorney General pointed out that it might be

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necessary in this case to deprive UK ships of their right to enter Hong Kong. Mr. Whitelaw repeated his view that the ROACH BANK would be a bad case on which to make a stand. The Prime Minister pointed out that, unlike any other country, the UK already had 2 million immigrants. Before the ROACH BANK refugees were admitted, Taiwan should be pilloried for at least 24 hours and the legal obligation of the Taiwanese to accept the refugees made clear publicly. Lord Carrington pointed out that the UK might be subsequently in the same position as the Taiwanese: it was difficult to accuse a country of breaking the law and then to break it ourselves.

In response to Lord Carrington's question, the Prime Minister agreed that the FCO should go ahead with the action which he had proposed. Lord Carrington said that he wished to make it clear to the meeting that the phenomenon of the Vietnamese refugees was the most dreadful thing which had happened in the world since the extermination of the Jews and Stalin's purges. The Prime Minister said that, in the end, the UK would have to accept the ROACH BANK refugees, but she was determined to show other countries up in the process. She asked for full details of the UK's aid commitments to Vietnam, and directed that the three merchant ships of which Vietnam had not yet taken delivery should be withheld. Lord Carrington pointed out that this would cost the UK money.

The meeting ended at 1615.

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29 May 1979