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Prime Minister

(1)

Agree that Home Sec. should  
continue to argue for composite  
citizenship for all the dependent  
territories?

Yes  
no

And

PRIME MINISTER

At the meeting of OD on 29 January (OD(81) 1st Meeting, Item 1) I was invited, in consultation with the Foreign and Commonwealth Secretary, to give further consideration to the case for creating a distinctive citizenship for a particular dependent territory, such as the Falkland Islands, and to report.

The whole question of separate citizenships for the dependent territories was clearly going to be a controversial issue during the passage of the British Nationality Bill through its Committee Stage in the Commons. I have therefore postponed my report until I could see what the Standing Committee decided.

There are some attractions in establishing separate citizenships for the dependencies. The problem is that a separate citizenship is not appropriate for every dependency. It was clear in Committee that some members on both sides who saw attractions in separate citizenships for some dependencies favoured different treatment, e.g. incorporation in British citizenship, for others. The dependencies were extremely sensitive about the effect of the Nationality Bill for them and the prospect of different treatment for different dependencies would have exacerbated the situation at this stage.

The Government line at the Committee Stage, which was, of course, agreed between the Foreign and Commonwealth Secretary and myself, was therefore that the Bill's proposals that there should be a composite citizenship to cover all the dependent territories should be adhered to. The reasons that Government spokesmen gave were that there was no expressed desire on the part of the dependent territories (apart from Gibraltar) for a separate citizenship; that there could be problems in some cases (some dependent territories are obviously too small and would have to be left with a residual composite citizenship or taken into British citizenship); and that Hong Kong in particular did not want a separate citizenship if, as seemed inevitable, this would seem to distance her still further from the United Kingdom.

During the Committee proceedings no amendments were tabled which specifically accorded a separate citizenship for the Falkland Islands. The Governor's view was that the Falkland Islands would not want a separate citizenship; and it was believed that the creation of one could cause practical problems with Argentina, who might e.g. refuse to accept passports which described a person as "citizen of the Falkland Islands". An amendment which would have paved the way for the creation of some separate citizenships was defeated by 13 votes to 11.

The Committee then turned its attention to whether the inhabitants of certain dependent territories should be British citizens. Government spokesmen argued that this was bound to be seen as discriminatory by the dependencies (particularly Hong Kong) whose

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inhabitants did not become British citizens. An amendment relating to the Falkland Islands was defeated by 15 votes to 3; one relating to Montserrat was defeated by 18 votes to 5; others relating to St Helena and dependencies and Pitcairn and dependencies were not moved.

In a separate debate on Gibraltar the Committee tied 12 all on an amendment which would have made Gibraltarians British citizens. The amendment was defeated by the Chairman's casting vote. All our supporters except one voted for us. In a further debate on Gibraltar at Commons Report stage a number of our supporters voted against us, but we held the line by a majority of 25.

Obviously I cannot predict what will happen during the Bill's remaining stages, but in the light of what has transpired so far I feel that we should continue to argue for the Bill's provision of a composite citizenship for all the dependent territories.

I am sending copies of this minute to the members of OD, and to Sir Robert Armstrong.

lw

4 June 1981

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