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Prime Minister.

Foreign and Commonwealth Office

You should be aware of this. London SW1A 2AH
 if it leaked it would cause
 trouble.

9 March 1984

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Dear John,

Future of Hong Kong: Composition of British Delegation

You asked for a note on the difference which has arisen with the Chinese over the proposal to include Hong Kong's Attorney-General in the British team during one of the next rounds.

Shortly before the last round of negotiations, the Governor suggested to us that during March and April he might take to the talks in Peking either his Attorney General or his Secretary (General Duties) to provide specialist back-up to the delegation (both are British). The Ambassador was authorised to tell the Chinese informally of our intentions. This was done on 23 February.

Although the Chinese initial reaction appeared helpful, their formal response, conveyed at working level to our Embassy in Peking on 2 March, was that the Attorney General's presence at the talks would be superfluous because there was no need for discussion of legal matters. The Embassy pointed out that the composition of the British delegation was a matter for us. They made a subsequent, more formal demarche explaining that:

- (a) our intention was to facilitate detailed discussion;
- (b) the Chinese had themselves made at least one change in the composition of their delegation;
- (c) it was inappropriate for the Chinese to seek to control the composition of ours.

On this occasion the Chinese official concerned, although claiming to speak personally, was uncompromising. He maintained, as a "final position" that the Chinese attitude towards the participation by the Attorney General remained unchanged and he implied that members of both delegations should be acceptable to either side. He did however undertake to consult about the possible participation of the Secretary (General Duties).

/The Chinese



The Chinese attempt to exercise a veto over membership of our delegation raises a serious matter of principle. We clearly need to leave the Chinese in no doubt that this would be unacceptable. On the other hand, the Foreign Secretary's view, with which both the Governor and the Ambassador concur, is that when we are about to put to the Chinese a particularly important issue affecting the negotiations (ie the timetable for an eventual agreement) it would be wrong to jeopardise the atmosphere of the talks by bringing the question of membership of our delegation to a head.

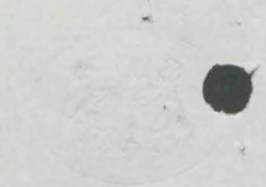
The Ambassador has accordingly been instructed, for his meeting with Assistant Foreign Minister Zhou Nan for dinner today, in the following terms. He is to repeat formally the principle that neither side should seek to influence the composition of the other's delegation. He has discretion to reiterate if necessary the reasoning behind our proposal and in particular to emphasise that, while the Chinese have their own experts immediately at hand in Peking, in the British case the expertise is largely in Hong Kong. He would thus leave the Chinese in no doubt about our views and would give nothing away. But he has also been instructed not to attempt to push the point to confrontation.

Yes evr,

Peter Ricketts

(P F Ricketts)
Private Secretary

A J Coles Esq
10 Downing Street



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10 DOWNING STREET

From the Private Secretary

13 March, 1984

FUTURE OF HONG KONG: COMPOSITION OF BRITISH
DELEGATION

The Prime Minister has noted the contents
of your letter of 9 March.

A. J. COLES

P. Ricketts, Esq.,
Foreign and Commonwealth Office

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