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Foreign and Commonwealth Office

London SW1A 2AH

13 September, 1984

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O.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

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not at this stage intervene themselves.

Yours ever,

Colin Budd

(C R Budd)
Private Secretary

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