



CONFIDENTIAL

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Secretary of State for Trade and Industry

26 July 1984

NBSM

AT 277

The Rt Hon Sir Michael Havers,
QC, MP
Attorney-General
Royal Courts of Justice
London WC2A 2LL

D. Michael,

EUROPEAN CONVENTION ON HUMAN RIGHTS: SHIPBUILDING AND AIRCRAFT
INDUSTRY CASES AND LEASEHOLD REFORM ACT CASE

Thank you for your letter of 20 July concerning the presentation of
the legal arguments in the UK Government's defence before the
European Court of Human Rights.

2 I agree with your suggestion that we should drop the argument
previously used before the European Commission of Human Rights that
the Convention itself did not impose any obligation to pay
compensation. This is a delicate and complex argument to present
and, bearing in mind that the proceedings before the Court will be
in public whilst those before the Commission were in private, they
could leave us open to misinterpretation of our motives. There
would be also political advantages in ceasing to use this line of
argument in the light of the recent criticism from some of our
supporters to which you have referred.

3 Having said this, we cannot expect such a change of tactics to
go unnoticed and it may itself give rise to some press comment at
the time of the hearing. I suggest that we should present it as a
decision to concentrate our case on those arguments which were
endorsed by the European Commission's Report.

4 I am copying my letter to the Prime Minister, Nigel Lawson,
Geoffrey Howe, Patrick Jenkin and to Sir Robert Armstrong.

NORMAN TEBBIT

JH2AUV

EURO PA : Human Rights

27 JUL 1984

