

File

Graham

289

14 October 1980

HESS

The Prime Minister has seen your letter to me of 13 October and has agreed that we should proceed as you propose. I should be grateful if you would instruct Sir Oliver Wright accordingly.

M. O. D. B. ALEXANDER

Paul Lever, Esq.,
Foreign and Commonwealth Office.

TOR



Prime Minister

Foreign and Commonwealth Office

London SW1A 2AH

After that Sir O. Wright
Should reply to Herr Strauss on
your behalf & in the terms agreed tripartitely
in Bonn? The ~~attached~~ point is a

13 October 1980

Dear Mike, Walter detailed me & is certainly a tripartite one
so that this seems appropriate.

Hess

Paul 13/x

Yes m

Please refer to my letter of 1 October about the letter
from Herr Franz Josef Strauss to the Prime Minister about
Rudolf Hess.

This letter has now been considered tripartitely in Bonn.
Neither the French nor the US representative yet knows
whether his Head of Government has received a similar letter,
but in the interests of speed the three representatives
agreed to recommend that the attached draft should serve as the
basis for similarly-worded replies to all three letters if
necessary.

The French and US representatives both doubt whether their
Presidents - assuming that they received letters - would wish
to reply themselves. Taking account of the desirability of
maintaining allied unity in such matters, the three representatives
have accordingly recommended that the replies should issue from the
Ambassadors in Bonn.

Lord Carrington agrees with this proposed procedure. I
would be grateful to learn whether the Prime Minister is also
content.

Yours OBE

Paul

(P Lever)
Private Secretary

Mike Pattison Esq
10 Downing Street
LONDON

British draft - 2 October 1980

IS: REPLY TO FRANZ JOSEF STRAUSS

1. I have been asked to reply to your letter to the Prime Minister, Mrs Margaret Thatcher, about the case of Rudolf Hess.
2. As you say, Her Majesty's Government, like the governments of France and the United States, have for many years been of the opinion that Rudolf Hess should be released on humanitarian grounds, and have repeatedly tried to obtain the agreement of the Soviet Union to this.
3. You suggest that the three western allies should release Hess during those months when they are "powers of custody" so that he would only have to be in prison when the Soviet Union was power of custody". This is unfortunately not possible. Although the ceremonial guarding of the prison rotates between the four powers, under the quadripartitely agreed regulations of the prison, custody of Hess both ⁱⁿ law and in practice rests at all times with all four powers. Temporary release of the prisoner without the agreement of the Soviet authorities would in these circumstances be a breach of the prison regulations and thus a breach of a binding international agreement relating to the conduct of the Nürnberg tribunal and the implementation of its sentence.
4. This is not to say that Her Majesty's Government are resigned to the continuing imprisonment of Hess. They do not accept that the present negative Soviet attitude can be the last word of the Soviet authorities and intend to continue to seek Hess' release by the patient and persevering application of diplomatic pressure.

13 OCT 1980

1 2 3 4 5 6 7 8 9 10 11 12

2 October 1980

The Prime Minister has asked me to thank you for your letter to her of 12 September about Rudolf Hess. Your letter is receiving urgent attention and a reply will be sent as soon as possible.

M. D'D. B. ALEXANDER

Ministerpraesident Franz Josef Strauss



Foreign and Commonwealth Office

London SW1A 2AH

RF 10. 10. 80

1 October 1980

Dear Mike,

Thank you for your letter of 22 September with which you enclosed a letter from Herr Franz Josef Strauss to the Prime Minister about Rudolf Hess.

The UK shares responsibility for matters relating to Hess with the French and Americans, as well as the Russians. On the basis of experience, it is likely that Herr Strauss has written also to Presidents Carter and Giscard. It is normal practice for the three Western Allies to reply to important approaches on Hess in roughly identical terms and, if possible, at the same level. The case of Hess is a matter of great interest in the Federal Republic, as well as in this country, and it is desirable for the Allies to maintain solidarity in public.

We have therefore sent the text of Herr Strauss's letter to our Embassy in Bonn, instructing the British representative in the Bonn Group to consult his US and French colleagues, and asking for urgent advice about the terms and level of a reply. In the meantime you may wish to send a Private Secretary acknowledgement to Herr Strauss.

Yours as

Saml

(P Lever)
Private Secretary

M Pattison Esq
10 Downing Street

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LIBRARY



11 OCT 1980

B/E 30/9/80 Carl
German!

22 September 1980

I enclose a letter from Herr Franz Joseph Strauss about Rudolf Hess.

I have sent no acknowledgement at this stage, in view of past complications over correspondence with Herr Strauss. I should be grateful for advice both on the substance of Herr Strauss' request and on the handling of the correspondence.

M. A. PATTISON

Paul Lever, Esq.,
Foreign and Commonwealth Office.

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Der Bayerische Ministerpräsident

München,
Durchwahl-Nr. 379
(0 89) 21 65 -

Nr. A III 4 - 370000-1-26
(Im Antwortschreiben bitte angeben)

Dear Mrs. Prime Minister,

allow me, please, to speak to you on an urgent humanitarian problem.

On October 1st, 1946, Rudolf Hess was sentenced to lifelong imprisonment by the International Military Tribunal at Nuremburg on the evidence of having taken part in the planning and preparation of an aggressive war. At the same time he was acquitted of the charge of having committed war crimes and crimes against humanity. Since his conviction he has been imprisoned at Spandau Prison.

On April 26th of this year Rudolf Hess has reached the age of 86 years; 33 years have passed since his conviction. It is very unlikely that in the civilized world there should be any convict being forced to complete his punishment in full. Rudolf Hess's life is in danger unless he is not operated soon. It would be a special act in our time so poor in visible signs of humanity, if the three Western Allies made urgent and sincere efforts to obtain pardon for Rudolf Hess.

Her Excellency
The Prime Minister of
the United Kingdom of
Great Britain and Northern Ireland
Mrs. Margaret Thatcher
10 Downing Street
London

Together with the Governments of France and the United States, the successive British Governments have, for 14 years, been of the opinion that Mr. Hess should at once be released on humanitarian grounds. As you probably know, the Three Powers repeatedly tried to achieve this release, most recently at the beginning of this year when this demand was made to the Soviet Government on a high level. It is to be regretted that the Soviet Union has constantly opposed the release of Mr. Hess.

However, much the previous attempts of the Western Allies are to be appreciated, there is the regrettable fact that Rudolf Hess is still imprisoned at Spandau Prison. The only solution of this humanitarian problem I see is that the three Western Allies release Rudolf Hess for the time when they are Powers of Custody. Then he would only have to be in prison when the Soviet Union is Power of Custody.

I would be very grateful to you, dear Mrs. Thatcher, if your Government with the Governments of France and the United States took steps in this direction toward such a partial solution of this urgent humanitarian problem.

Sincerely yours

GOHRSMÜHLE

 R2219
Der Bayerische Ministerpräsident

München, 12. 9. 80
Durchwahl-Nr. 365
(0 89) 21 65 -

BI4 - 370000-1-26
Nr.

(Im Antwortschreiben bitte angeben)

Sehr verehrte Frau Premierminister!

Erlauben Sie, daß ich Sie auf ein dringendes humanitäres Problem anspreche.

Rudolf Hess wurde am 1. Oktober 1946 vom internationalen Militärtribunal in Nürnberg zu einer lebenslangen Freiheitsstrafe mit der Begründung verurteilt, an der Planung und Vorbereitung eines Angriffskrieges teilgenommen zu haben. Gleichzeitig wurde er von der Anklage freigesprochen, Kriegsverbrechen und Verbrechen gegen die Menschlichkeit begangen zu haben. Er ist seit seiner Verurteilung im Spandauer Gefängnis inhaftiert.

Rudolf Hess wurde am 26. April dieses Jahres 86 Jahre alt, seit seiner Aburteilung sind über 33 Jahre vergangen. Es dürfte in der zivilisierten Welt keinen Gefangenen geben, der eine lebenslange Freiheitsstrafe voll verbüßen muß. Rudolf Hess schwebt in Lebensgefahr, wenn er nicht bald operiert wird. Es wäre ein besonderer Akt in unserer an sichtbaren Zeichen der Menschlichkeit armen Zeit, wenn sich die drei westlichen Alliierten nachdrücklich und aufrichtig um die Begnadigung von Rudolf Hess bemühen würden.

Ihrer Exzellenz
dem Premierminister des Ver-
einigten Königreiches von
Großbritannien und Nordirland

Frau Margaret Thatcher
10 Downing Street
London

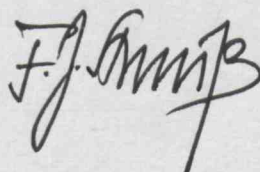
Seit 14 Jahren haben die aufeinanderfolgenden britischen Regierungen zusammen mit den Regierungen Frankreichs und der Vereinigten Staaten den Standpunkt vertreten, daß Herr Hess unverzüglich aus humanitären Gründen freigelassen werden soll. Wie Sie vielleicht wissen, haben die drei Mächte wiederholt versucht, diese Freilassung zustande zu bringen, jüngst Anfang dieses Jahres, als dieses Anliegen auf hoher Ebene an die sowjetische Regierung herangetragen wurde.

Bedauerlicherweise hat sich die Sowjetunion beharrlich der Freilassung von Herrn Hess widersetzt.

So sehr auch die bisherigen Bemühungen der westlichen Alliierten anzuerkennen sind, so bleibt doch das bedauerliche Ergebnis, daß Rudolf Hess nach wie vor im Spandauer Gefängnis inhaftiert ist. Eine Lösung dieses humanitären Problems sehe ich nur darin, daß die drei West-Alliierten in der Zeit, in der sie Gewahrsamsmacht sind, Rudolf Hess freilassen. Er bräuchte dann nur in Haft zu sein, wenn die Sowjetunion Gewahrsamsmacht ist.

Ich wäre Ihnen, sehr verehrte Frau Thatcher, sehr dankbar, wenn Ihre Regierung in dieser Richtung mit den Regierungen Frankreichs und der Vereinigten Staaten auf eine solche Teillösung dieses dringenden humanitären Problems hinwirken würde.

Mit freundlichen Grüßen

A handwritten signature in dark ink, appearing to read 'F. J. Müller'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

CONFIDENTIAL



Ronnie Minister

(2)

Foreign and Commonwealth Office

London SW1A 2AH

You will wish to be aware of
the Kindersley's letter, which I
have acknowledged, and the
attached notes on Hess' health

11 July 1980

Dear Michael,

Rudolf Hess

In your letter of 27 June enclosing a copy of a letter from the Hon Philip Kindersley about Rudolf Hess you asked for a background note on Hess' present state of health.

I attach a copy of the latest available medical report dated 21 May, and a copy of an assessment of Hess' mental state dated 28 February. These are both signed by the Officer Commanding the British Military Hospital in Berlin.

The press reports to which you refer may have included a reference to the need for Hess to undergo a prostate operation. This is not a new development. He has had a prostate condition for some years. A specialist who examined him in September 1979 as part of a routine check-up recommended an operation to relieve this condition which was not immediately serious but which could become so. When offered the operation Hess wrote a letter to the Prison Governors saying he would not undergo it until he was released. He claimed in his letter that he had been unjustly imprisoned. Because of this, the Russians refused to permit the text of the letter to be released, and Hess' family were told only that he had refused the operation. The family subsequently complained about the fact that Hess had not been allowed to explain the reasons for his decision; but, in view of the need for consensus between the Four Powers on all matters relating to Hess, the Western Powers have been unable to tell the family of the background to Hess' refusal.

Yours etc

Paul

(P Lever)

Private Secretary

M O'D B Alexander Esq
Private Secretary
10 Downing Street
LONDON SW1

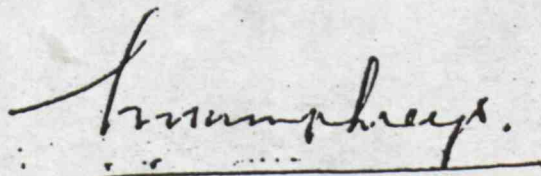
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21 May 1980

REPORT

on the state of health of Prisoner No 7 (HESS)
during the month of May 1980

1. Prisoner No 7 (HESS) has remained generally well during the month of May. His long standing complaints about his heart, and variable abdominal pains have not altered, and he has had no further urinary symptoms. He became mildly constipated and was relieved by Senokot tablets together with a small increase in Isogel and fluid intake.
2. Clinical examination shows no significant changes; his weight fluctuates around 71 kg, and blood pressure has not altered. Two mid stream specimens of urine showed no abnormality.
3. He continues to take Lanoxin, Persantin, Multivitamins and Isogel as before and in addition applies Undecensate Cream (Mycota) to his feet, and 1% Hydrocortisone Cream in 10% Urea (Alphaderm) to the patch of dermatitis on his left forearm, as necessary.



T V HUMPHREYS OBE, MB, B Ch, BAO.
Colonel L/RAMC
British Physician
Chairman.

ASSESSMENT ON PRISONER No 7 (HESS)
(ON REQUEST OF UK GOVERNOR, SPANDAU ALLIED PRISON)

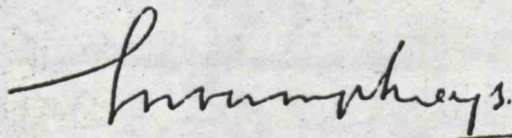
In assessing the present mental state of HESS it must be borne in mind that my contact with him is necessarily limited to the requirements of medical supervision during the months of UK responsibility for this, (January, May & September) and that I have been in post here only since Mid September 1979. He has not been an inpatient in BMH Berlin in my time here. Contact is devoid of any social element, other than the normal amount of very general conversation - state of the weather etc, that can be introduced legitimately in the context of general medical supervision. This paucity of conversation is of course necessary to protect the Prisoner from any loss of privileges that can be, and would be, enforced against him by the Soviet Governorate should these officials hear of any undue signs of friendliness being shown to him. His fear of such loss of privileges places a constraint on him. Any conversation of an historical nature for example, is thus ruled out, even if it concerned the pre 1933 period of the Prisoner's long life, such as his service in World War I.

It is therefore difficult to say more than that HESS is remarkably alert for his age. He shows no signs of a deterioration in mentality other than the occasional forgetfulness of recent trivial events normal in his age group. He is invariably most courteous and has the good manners one would expect in a German of his known pre 1933 social background - that is to say in keeping with the social standing of someone who is recorded, in the meagre published details of his life, as having been a World War I Officer in a Royal Bavarian Regiment of Infantry and in the Imperial German Fliegerkorps.

It is interesting that the Prisoner's command of both English and French remains considerable, and he is able to reply to questions in his own and these languages with ease.

One has the impression that the Prisoner has, by a sustained effort of his still formidable will, 'compartmentalised' his life for so long that he now genuinely lives from day to day, probably recollecting the past in a general way only.

The routine he has devised for every activity he is allowed, to which he generally adheres rigidly, has no doubt contributed largely towards maintaining his mentality in its present state of remarkable equilibrium.



T V HUMPHREYS OBE MB
ADMS Berlin Field Force
and Commanding Officer
British Military Hospital.

28 February 1980

MEDICAL IN CONFIDENCE