

CCF

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SECRETARY OF STATE FOR THE HOME DEPARTMENT

Russell Dixon
 AS
 19/7

Demonstrations Outside the South African Embassy

1. As you know, the long-standing demonstration mounted by the City of London Anti-Apartheid Group (CLAAG) outside the South African Embassy has been allowed to move from the steps of St Martin's in the Fields, where it had been contained following a paint-throwing incident on 6 May, to a position immediately outside the Embassy entrance. There has been a strong reaction from the South Africans. Pik Botha has written now on the subject (I attach a copy of his letter); and the Department of Foreign Affairs have raised the issue with our Embassy in Pretoria threatening unspecified consequences if no action is taken to move the demonstrators.

2. We had a brief word about this after Cabinet on Thursday and I think we both understand the South Africans' concern and irritation. You will recall that when we last discussed the subject I took the view that new legislation was required to enable us to fulfil the obligation laid on us by Article 22 of the Vienna Convention on Diplomatic Relations to prevent any disturbance of the peace of a Diplomatic Mission or impairment of its dignity. Michael Havers stressed at the time (his minute of 5 January to you) his belief that existing powers were

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sufficient to deal with the problems outside South Africa House. In the light of this advice I agreed when we met on 15 January not to take further for the time being the idea of new legislation. I did, however, reserve the right to return to the point.

3. It is now quite clear that existing powers are not adequate. Indeed we are at present in a worse position than we were at any time last year in that the demonstrators are now allowed to stand immediately outside the Embassy entrance even during working hours. The risk of intimidation, assault and disturbance to public order is obvious. Your officials have made it clear to me that in their view nothing can be done in terms of returning the demonstrators to the north of the Embassy.

4. I do not think that this is acceptable. As stressed above, we are in breach of our international obligations. Conditions inside the Embassy when the demonstrators use their loud hailer are clearly intolerable. The risk of altercations and violence outside the Embassy has undoubtedly increased. There is a further point. We cannot without inconsistency point the finger at the Iranians, for example, over their behaviour in disregarding the Vienna Convention in the Ghassemi/Chaplin affair if we cannot put our own house in order over the South African Embassy.

5. It seems to me that a two-stage approach is called for. First, I believe urgent action is required to move the CLAAG demonstration back to the steps of St Martin's in the Fields or at least well to the north of the entrance of the Embassy during working hours. In the longer term I see no way to overcome the difficulties other than through new legislation. I should be grateful for your urgent

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advice and that of Patrick Mayhew about the possibility of adding a clause to the Criminal Justice Bill. This might be on the lines of that earlier proposed in respect of the Diplomatic and Consular Premises Bill. It might give powers to the senior police officer present during a demonstration outside a diplomatic mission, if he believes that the peace and dignity of the mission are likely to be disturbed by the activities of the demonstrators. He would be empowered to give directions to the demonstrators in order to prevent the disturbance. It might be possible to add a prohibition on demonstrations taking place within a given distance of Embassy premises, eg 100 feet. What is clear is that the situation cannot be allowed to continue as it is at present.

6. I am sending a copy of this minute to Patrick Mayhew and to Nicholas Ridley, given his responsibilities in respect of Trafalgar Square. I am also sending a copy to Sir Robert Armstrong.

A handwritten signature in dark ink, appearing to be 'G. Howe', written in a cursive style.

(GEOFFREY HOWE)

Foreign and Commonwealth Office
14 July 1987