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Foreign and Commonwealth Office

London SW1A 2AH

30 June 1988

Dear Charles,

Sharpeville Six

Thank you for your letter of 24 June enclosing a copy of one from Ms Joyce Mokhesi to Andy Bearpark. I enclose a note giving the current background to the case.

The Foreign Secretary considers it quite wrong that those campaigning for clemency for the Sharpeville Six should use a ten year old child in this way. Nevertheless, many of the thousands of letters we have received on this subject ask the Prime Minister to intervene personally, because of her influence with President Botha. This is an argument deployed by Miss Mokhesi. There is also a widespread belief that we are dragging our feet on the Sharpeville Six and watering down appeals for clemency (an accusation also cited by Joyce Mokhesi). This is grossly unfair: what we have in fact done is resist language which pre-empts the legal process or implies that there would be specific consequences in terms of restrictive measures if the Sharpeville Six were executed. But that is the background against which a decision for or against Miss Mokhesi's request will be viewed.

The Prime Minister's response could well be thrown into even higher relief by the reception accorded to Mamolise Mokhesi elsewhere in Europe. On previous visits, Miss Mokhesi and Mrs Ramashamola have been received in Germany by Herr Genscher and in France by Mme Mitterand. We have no information about German intentions this time round. But a high level reception is again likely, given the strong line taken by the Germans at the Hanover Summit; and the French tell us that Mamolise is to be seen by Mme Mitterrand (so far there is no evidence to support Ms Mokhesi's assertion that President Mitterrand will also receive her).

The Foreign Secretary suggests, therefore, that the Prime Minister might consider a very short meeting, essentially a photo call, with members of the Mokhesi family, including Mamolise, to be followed by a longer meeting with a Private Secretary or a member of the political staff. This would be given headline treatment both here and overseas. We have done as much as anyone to help the Sharpeville Six, and there would be advantage to us in seeking credit for this where we can.

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The encounter would be a useful demonstration to domestic opinion that the issue is important to HMG. It would be of some benefit in nailing the lie that we are hand-in-glove with the South Africans. It would not amount to interference in the legal process or render our appeals for clemency less effective. It would also prevent the quite serious presentational disadvantages of turning the request down, as well as the risk that President Botha might take this as a signal that we were not serious in our appeal for clemency.

/ I attach a draft letter accordingly.

Yours ever,

L. Parker

(L Parker)
Private Secretary

C D Powell Esq
10 Downing Street

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SHARPEVILLE SIX

BACKGROUND

1. On 13 June, the Pretoria Supreme Court dismissed an application by the defence lawyers for the trial to be re-opened. However, the Judge ordered a stay of execution until 19 July to allow the defence to petition the Acting Chief Justice for leave to appeal against the Judge's decision. If this appeal is unsuccessful, the defence will still be able to petition President Botha either for the trial to be re-opened or in terms of his general prerogative of mercy.

2. Our position has been that it would not be helpful for us to make further formal representations until the legal process is exhausted. We have nevertheless gone along with statements issued by Foreign Ministers of the Twelve on 14 June and by the Toronto and Hanover Summits which expressed the hope that all legal options available in South Africa should be used to secure clemency for the Six. We also supported UN Security Council Resolution 615 of 17 June which called on the South African Government to commute the death sentence. Mr Renwick raised the Sharpeville Six bilaterally when he called on the Director General of the SA Department of Foreign Affairs on 22 June and the Director General of the SA Department of Justice on 28 June. We have drawn recent statements to the attention of the South African Ambassador here.

3. Ms Joyce Mokhesi, the sister of Mr Francis Mokhesi, one of the Sharpeville Six, has been one of the leading figures in the international campaign on behalf of the Six. She visited the FCO on 19 February, called on Mr Powell on

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15 March and Mrs Chalker on 28 April. She has now written asking the Prime Minister to see her niece, Mamolise Mokhesi, the ten year old daughter of Mr Francis Mokhesi. Ms Mokhesi says that Mamolise will be touring Europe and meeting President and Mme Mitterrand and subsequently going to the US.

4. Our Embassy in Paris understand from the Quai that Mamolise Mokhesi is due to meet Mme Mitterrand (to date, no meeting is planned with the French President). On a previous visit to Europe, Joyce Mokhesi and Mrs Ramashamola were also received by Mme Mitterrand.

5. The Guardian reported on 21 June that the Anti-Apartheid Movement (AAM) and South Africa the Imprisoned Society (SATIS) want at least 100,000 personal letters to the Prime Minister calling on her to intervene personally on behalf of the Sharpeville Six. The Times and Guardian on 22 June also carried reports which allege that all European Partners except Britain have agreed to implement three new measures against South Africa if the Six were executed; namely the recall of Ambassadors, the reduction in the size of South African diplomatic missions in Europe and the restriction of landing rights for South African Airways. In fact, however, our Partners have not agreed a common response to the hypothetical question of execution of some or all of the Six. The desirability of agreeing a common response was discussed briefly at the Political Committee meeting of 20-21 April and more fully at the Political Committee meeting on 21 June. But there was no common position at either meeting. The Germans confirmed that if the Six were executed they would withdraw their Ambassador in South Africa for consultations. Other Partners' views ranged from support for further sanctions (Denmark) to reluctance to impose further measures (Portugal). Most had no firm view.

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6. Reports that we are half-hearted and have sought to water down appeals for clemency are clearly based on leaks of discussions in European Political Cooperation. We have sought first to protect the position that we do not interfere directly in the judicial process and secondly to prevent the adoption of threatening language. Some of our Partners have, for example, sought to include the promise of "consequences" if the Sharpeville Six hang. Mr P W Botha reacts badly to foreign pressure of this kind and in any case we are not prepared to agree to further restrictive measures. Whether or not the Sharpeville Six hang remains a hypothetical question and it can only harm the prospects for clemency if we seem to disregard the judicial moves being made.

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DSR 11 (Revised Sept 85)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1 +

FROM:

Reference

PS/No 10
DEPARTMENT:

TEL. NO:

LW5ADQ

Your Reference

BUILDING:

ROOM NO:

SECURITY CLASSIFICATION

Top Secret

Secret

Confidential

Restricted

Unclassified

TO:

Copies to:

Ms Joyce Mokhesi
48 Shirlock Road
LONDON NW3 2HS

SUBJECT:

PRIVACY MARKING

..... In Confidence

CAVEAT

Thank you for your letter of 24 June. The Prime Minister has asked me to say that she would be glad to see you and Mamolise at No 10 Downing Street on She would like to explain to you the steps we have taken, both bilaterally and with our international partners, on behalf of the Sharpeville Six.

As you know, there have been apeals on behalf of the Sharpeville Six by the European Council, the Toronto Economic Summit, Foreign Ministers of the European Community, and the United Nations Security Council. We have been fully associated with all of these. It is not true that we have watered down the wording. Our concern has remained what it has always been: to ensure that any action we took or wording we used would promote the objective of clemency for the Six. In our judgement, some of the wording suggested to us would not in fact have helped, given that legal moves are still under way in South Africa.

Enclosures flag(s)

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PRIVACY MARKING

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As you know, on 15 March the Prime Minister asked our Ambassador in South Africa to convey to President Botha her hope that he would exercise the prerogative of mercy. If and when the legal process is exhausted, that appeal of course still stands, and we shall take steps to ensure that it is brought once again to President Botha's attention.

SOUTH AFRICA: Relations

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