

RESTRICTED

2721 - 1

OO LAGOS  
OO ACCRA  
OO DAR ES SALAAM  
OO ADDIS ABABA  
OO NAIROBI  
OO GABORONE  
OO LUSAKA  
OO PRETORIA  
OO ROME  
OO ATHENS

GRS 400

RESTRICTED

FM FCO 131851Z SEP 84

TO IMMEDIATE LAGOS

TELEGRAM NUMBER 589 OF 13 SEPTEMBER

AND TO IMMEDIATE ACCRA, DAR ES SALAAM, ADDIS ABABA, NAIROBI,  
MAPUTO, LUANDA, GABORONE, MBABANE, MASERU, LUSAKA, UKMIS NEW YORK,  
WASHINGTON, EC POSTS, CANBERRA, OTTAWA, PRETORIA

INCIDENT AT DURBAN CONSULATE

1. SIX BLACK OPPOSITION LEADERS ENTERED THE CONSULATE IN DURBAN THIS MORNING SEEKING TEMPORARY SANCTUARY. THE MEN ARE THE SUBJECT OF DETENTION ORDERS, YET TO BE SERVED (SEE PARA 6 BELOW).
2. THE GROUP, THROUGH THEIR LAWYERS, HAVE PUT THREE DEMANDS TO US:
  - (I) WE SHOULD PROVIDE SANCTUARY AND PROTECTION FOR AS LONG AS THEY NEED IT:
  - (II) WE SHOULD FACILITATE THE CONDUCT OF NEGOTIATIONS WITH THE SOUTH AFRICAN GOVERNMENT
  - (III) WE SHOULD PROVIDE SUCH ASSISTANCE AS THE UK CAN.
3. WE UNDERSTAND THAT THE SIX HAVE PUT TO THE SOUTH AFRICAN GOVERNMENT, AGAIN THROUGH THEIR LAWYERS, DEMANDS CONCERNED WITH THE TERMS AND CONDITIONS OF THEIR FUTURE DETENTION.
4. WE ARE TAKING THE LINE THAT
  - (I) NO QUESTION OF OUR REQUIRING THE SIX TO LEAVE THE CONSULATE AGAINST THEIR WILL. (IF NECESSARY: CLEARLY THEY

RESTRICTED

2721 - 1

CANNOT STAY INDEFINITELY).

(II) NOT RIGHT FOR THE UK TO BECOME INVOLVED IN THE NEGOTIATIONS, (THEY HAVE LAWYERS WHO ARE ACTING IN THIS CAPACITY).

IF YOU ARE ASKED TO COMMENT YOU SHOULD SPEAK ACCORDINGLY.

5. STRICTLY FOR YOUR OWN INFORMATION (UNDERLINED) WE HAVE AUTHORISED THE EMBASSY TO SPEAK INFORMALLY TO THE SOUTH AFRICAN DFA TO THE EFFECT THAT WE UNDERSTAND THE SIX ARE CONCERNED AT THE POSSIBILITY OF REDETENTION WHEN THEY LEAVE THE CONSULATE AND TO ASK IF THE DFA COULD EXPLAIN TO THE GROUP'S LAWYER THE POSITION ON THIS:

6. BACKGROUND (UNDERLINED)

A NUMBER OF BLACK OPPOSITION LEADERS, OPPOSED TO THE NEW CONSTITUTIONAL ARRANGEMENTS IN SOUTH AFRICA (GUIDANCE TELNO 83 REFERS), WERE ARRESTED IN AUGUST, BEFORE THE ELECTIONS FOR THE NEW COLOURED CHAMBER OF PARLIAMENT. SEVEN OF THOSE WERE RELEASED ON 7 SEPTEMBER, BY ORDER OF THE SUPREME COURT ON THE GROUNDS, THAT THEIR DETENTION ORDERS WERE NOT VALID. THE MINISTER OF LAW AND ORDER ISSUED FRESH DETENTION ORDERS AT ONCE BUT THE SEVEN WENT TO GROUND, UNTILL THEIR RE-APPEARANCE TODAY.

7. ON 27 AUGUST, OUR EMBASSY, ON INSTRUCTIONS, MADE KNOWN TO THE SOUTH AFRICAN DFA OUR CONCERN AT THE ARRESTS AND DETENTIONS ON 11 SEPTEMBER EC MINISTERS ISSUED A STATEMENT OF CONCERN. THE AMERICAN AND FRENCH GOVERNMENTS HAVE TAKEN SIMILAR ACTION.

HOWE

[COPIES SENT TO NO 10 DOWNING STREET]

SOUTHERN AFRICA

STANDARD(PALACE)

S AF D

OADS

MCAD

UND

NAD

WED

ECDs

SOVIET D

EED

MR J R J JOHNSON

CABINET OFFICE

ADDITIONAL DISTRIBUTION

SOUTHERN AFRICA



10 DOWNING STREET

From the Private Secretary

Prime Minister

Incident in Durban

These telegrams summarize where matters stand. I am told that Mr Botha has said that the South African Government will not take any action to expel the six from the Consulate.

2. The lawyer acting for the six (Mr. Yacoob) has tried to telephone Sir G. Howe and you. He has been told that he must deal with our representatives in Durban & Pretoria.

C.D.P.