

CC MASTER  
OPS.



10 DOWNING STREET

PRIME MINISTER'S  
PERSONAL MESSAGE  
SERIAL No. 7186/84

THE PRIME MINISTER

7 November 1984

*Dear Mr. President*

Thank you for your letter of 24 October.

I have taken note of your view of the legal arguments surrounding the situation in the Durban Consulate. We shall continue to differ on these. But we are, I think, agreed that it would be better to end the public dispute between our two Governments over these issues. It was, of course, the South African Government which chose to publish the messages exchanged in late September. I have always believed that such exchanges should be conducted in private. I hope we can now resume this process.

I welcome your recognition of the difficulties which the situation at the Consulate has created for the British Government. These were clearly expressed in the debate in the House of Commons on 23 October, the transcript of which I hope you will now have seen. Similarly, I have never underestimated your own problems which Ambassador Worrall has described very fully. I hope that the measures we have taken will reduce these difficulties. We can go no further: forcible eviction would be very widely condemned by public opinion in this country.

The failure of the four South Africans to appear before the Court in Coventry on 22 October as a consequence of your

Government's decision was a matter of serious concern to us. We decided all the same to avoid reacting in a way which would only have made matters more difficult between us. However, we had no doubt that it was right to make it plain in Parliament that we expected your Government not to impede the return of the four men to the UK, now that warrants have been issued for their arrest. In this context I note with regret the statement in your letter that your Government will not force them to return. This is bound to make our relations more difficult. And it is likely to provoke further questions in Parliament which we must answer. Against this background, it goes without saying that a resolution of the Durban problem, in which the Three were enabled to leave voluntarily and without detention, would be extremely helpful.

I was much interested in your remarks on Mozambique and the role South Africa is willing to play in the resolution of Southern African problems. I take your point that there are countries in the UN whose approach is, for various reasons, negative towards your own Government's actions. But rest assured that the United Kingdom is ready to welcome positive movement by South Africa and to encourage neighbouring countries to take a realistic view of the region's problems and possible solutions, always taking account, of course, of the requirements of human rights. We continue to support both you and President Machel in the search for peace in Mozambique. I saw President Machel in New Delhi, while attending Mrs. Gandhi's funeral, and found him in ebullient form.

We are also watching with close interest the efforts the Americans are making, in co-operation with the Angolan, your own and other governments to bring about a resoltuion of the Namibia problem. I hope we can continue to keep in touch on these problems.

Finally I want you to know that I shall be seeing  
today, just for a private courtesy call,  
Dr. van Zyl Slabbert, whom I last saw in 1980.

With best wishes,

Yours sincerely

Nazim Khan

The Honourable P.W. Botha, D.M.S., M.P.

S E C R E T



Foreign and Commonwealth Office

London SW1A 2AH

6 November 1984

Dear Charles,

Letter from President Botha: Durban/Coventry Four

President Botha wrote to the Prime Minister <sup>attached</sup> about Durban and the Coventry Four on 24 October. I now enclose a draft reply.

The main purpose of President Botha's letter was to present the South African view of the legal arguments on Durban and to justify their action in repudiating their commitment to the Coventry Court to ensure the return of the four South African defendants facing charges under Customs and Excise legislation. The letter accordingly enclosed a lengthy review of the legal case, and a summary of the submissions made by the South African Counsel for the four defendants, Mr Pelser and the South African Government at Coventry on 22 October. President Botha stated clearly that the Four would not be made to return to the UK; however, he seemed to accept that the situation in Durban could only be resolved by the voluntary departure of the Three. He also urged an end to the "acrimonious exchanges in public" and hoped we could work towards a mutual understanding of the problems we face.

This letter is the latest in a series of exchanges begun by the Prime Minister's message of 30 September (copies of subsequent letters from President Botha and the Prime Minister's letter of 10 October are enclosed for ease of reference). The South Africans clearly value this exchange with the Prime Minister. It appears to be a factor in the more conciliatory tone which they are now adopting and which is reflected in the latest letter. We also believe the South Africans are more relaxed about Durban, in the light of the action we took on 21 October to isolate the Three, and because they have achieved one of their major objectives in this affair by preventing the trial of the Coventry Four. There is some evidence that they were worried at the downward turn our relations have taken and are anxious to do something to repair the damage.

Against this background, the Foreign Secretary believes that the Prime Minister's reply should, to the extent possible,

/avoid

S E C R E T



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avoid further acrimony over the legal position (which as you know from our letter of 25 September, we cannot in substance contest in respect of the Consulate; and even on the reprisals aspects, where some counter-arguments are available to us, we are on difficult ground). He also believes that we should try to use the Prime Minister's response to reinforce the message which we have conveyed to the South Africans on diplomatic channels in the last few days, namely that our reaction over the Coventry Four has been restrained, and that we have gone as far as we can on Durban. By inference we are looking for some positive action by the South African Government, which will ease the situation. Such action would have benefits for our broader bilateral relationship. President Botha's bald statement that the Four will not be returned (which amounts in effect to a response to Mr Rifkind's demand in Parliament that the South African Government should not impede their appearance in court) is, of course, unacceptable.

The Foreign Secretary therefore recommends that the Prime Minister's response should emphasise the adverse effect which public knowledge of the South African position will cause and the corresponding need for some conciliatory move on Durban. The form of wording used in the draft deliberately avoids propositions, since we do not wish to become an intermediary or involve ourselves in negotiations. But the Foreign Secretary believes we should face the South Africans with the facts. It does not, of course, follow that they will respond positively. But it is the best course of action open to us and the only one which offers any end to the impasse on Durban.

The Foreign Secretary does not think it worth taking up the argument in the first substantive paragraph in President Botha's letter of whether or not the South Africans had proposed a compounded settlement in the case of the Coventry Four. It is nonetheless, a matter of record that they have, since April this year, pressed the Foreign Office to suggest just such a settlement to the Customs and Excise; and it is hard to read President Botha's letter of 30 September as anything but a proposition for such a settlement.

at the very beginning of the Durban affair the South Africans seized on it as an opportunity to propose a deal (which they decided not to pursue) involving the Coventry Four.

Finally, the Foreign Secretary recommends that the Prime Minister's letter should conclude, as have other letters in the correspondence, with some helpful remarks on regional issues.

*Yours ever,  
Colin Budd*

(C R Budd)  
Private Secretary

C D Powell Esq  
10 Downing Street

S E C R E T

DSR 11 (Revised)

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM: The Prime Minister

Reference

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO: President P W Botha

Your Reference

Top Secret

Secret

Confidential

Restricted

Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Thank you for your letter of 24 October.

CAVEAT.....

*taken*  
I have *taken* noted your view of the legal arguments surrounding the situation in the Durban Consulate. We shall continue to differ on these. But we are, I think, agreed that it would be better to end the public dispute between our two Governments over these issues. It was, of course, the South African Government which chose to publish the messages exchanged in late September. ~~For my part,~~ I have always believed that such exchanges should be conducted in private. I hope we can now resume this process.

I welcome your recognition of the difficulties which the situation at the Consulate has created for the British Government. These were clearly expressed in the debate in the House of Commons on 23 October *(the transcript of)* which I hope you will now have seen. Similarly, I have never underestimated your own problems which Ambassador Worrall

Enclosures—flag(s).....

has described very fully. I hope that the measures we have taken will ~~significantly~~ reduce these difficulties. We can go no further: forcible eviction would be very widely condemned by public opinion in this country.

The failure of the four South Africans to appear before the Court in Coventry on 22 October as a consequence of your Government's decision was a matter of ~~most~~ serious concern to us. We decided ~~nevertheless not to react~~ <sup>all the same to avoid reacting</sup> in a way which would only have made matters more difficult between us. However, we had no doubt that it was right to make it plain in Parliament that we expected your Government not to impede the return of the four men to the UK, now that warrants have been issued for their arrest. In this context I note with ~~deep~~ regret the statement in your letter that your Government will not force them to return. This is bound to make ~~the~~ <sup>our</sup> resumption of a constructive bilateral relationship more difficult. And it is likely to provoke further questions in Parliament which we must answer. Against this background, it goes without saying that a resolution of the Durban problem, in which the Three were enabled to leave voluntarily and without detention, would be extremely helpful.

I was much interested in your remarks on Mozambique and the role South Africa is willing to play in the resolution of Southern African problems. I take your point that there are countries in the UN whose approach is, for various reasons, negative towards your own

Government's actions. But rest assured that the United Kingdom is ready to welcome positive movement by South Africa and to encourage neighbouring countries to take a realistic view of the region's problems and possible solutions, always taking account, of course, of the requirements of human rights. We continue to support both you and President Machel in the search for peace in Mozambique. We are also watching with close interest the efforts the Americans are making, in co-operation with the Angolan, your own and other governments to bring about a resolution of the Namibia problem. I hope we can continue to keep in touch on these problems.

I saw President Machel in New Delhi, India attending Mrs. Gandhi's funeral, and found him in ebullient form.

"Finally I want you to know that I shall be receiving seeing a courtesy call today from the leader of the Progressive Federal Party, whom I met saw in 1970. seeing today, just for a private courtesy call. Dr van Zyl Slabbert, whom I met saw in 1970. with best wishes.

CDr.