

PRIME MINISTER

SOUTH AFRICA

I attach the FCO's contingency plan, drawn up following your discussion with Robin Renwick, on how we should respond to Mandela's release. It covers:

- our response to various steps which the South Africans might take;
- a draft press statement from No. 10 (which you have already seen). The Foreign Secretary thinks that, in addition, a statement in the House might be appropriate;
- messages to President de Clerk and to Mr. Mandela

*No own responsibility -
Want for PNR*

The only difference which I detect from the conclusions of your meeting is that the FCO do not envisage relaxing any measures in return for release of Mandela on its own: only if there are accompanying steps towards meeting the EPG conditions. My impression was that you would favour saying - at the time of Mandela's release - that we see no reason for refraining from cultural, scientific or academic contacts, since his release plainly justifies a policy of contacts rather than of isolation. Agree?

✓

Yes

See miscellaneous comments

CDP

CHARLES POWELL
15 January 1990



Foreign and Commonwealth Office

London SW1A 2AH

12 January 1990

Sea Charts,

South Africa *— fear*

Thank you for your letter of 9 January. The Foreign Secretary has also discussed with Sir Robin Renwick the moves which we might make in response to moves by President de Klerk. I enclose a note setting out the conclusions.

The Foreign Secretary thinks that in addition to a statement from No 10, Mandela's release might well require a statement in the House.

Given the close cooperation we have so far sustained with the Americans and with the German Federal Chancellery, the Foreign Secretary recommends that we let them know our thinking early on. The Foreign Secretary can do this with Secretary Baker in Washington at the end of this month. He also plans to stress the importance of persuading the South Africans to accede to the Nuclear Non-Proliferation Treaty and, subject to confirmation by the Law Officers, put forward our view that Article IV would carry an obligation to facilitate peaceful nuclear cooperation with South Africa which would override other sanctions.

If President de Klerk looks like making real progress towards meeting the EPG conditions, we should step up the action we have already begun with the Twelve to point out that this undermines the basis for the Community's negative measures. Many member states will resist. But apart from the Arms Embargo the actual negative measures we impose are limited in number and significance.

The Foreign Secretary agrees that what is most needed is to make positive moves, such as invitations to President de Klerk and visits to South Africa, as inducements to further progress. Visits by British Ministers to South Africa would be a useful way of recognising progress in South Africa, though we should avoid sensitive areas such as defence and those directly involved in the application of apartheid.

I enclose draft texts of the statement and of the messages to President de Klerk and to Mr Mandela for use when Mandela is released.



I am sending a copy of this letter to Sonia Phippard
(Cabinet Office).

*Yours,
Stephen Wall*

(J S Wall)
Private Secretary

C D Powell Esq
10 Downing Street

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SOUTH AFRICA: POSSIBLE RESPONSE TO MOVES BY DE KLERK

1. De Klerk is aiming to release Mandela in February or March, though he has not yet decided the manner and timing. He is due to address the South African Parliament on 2 February.
2. Mandela could be released:
 - a) as an act on its own, or
 - b) with some steps towards lifting the state of emergency/offer of negotiations etc.

De Klerk is trying for b). Our response will depend on the context in which Mandela is released.

Possible Response

3. a) to release of Mandela:

Message to de Klerk and Mandela, plus a statement from No 10. The message to de Klerk should include confirmation of the invitation for talks at Chequers. The message to Mandela should say that the Prime Minister looks forward to a discussion with him in London. The statement should strongly welcome the release and express the hope that it will lead to negotiations in which all can participate on the basis of a suspension of violence and say that this is a vindication of a policy of contact rather than isolation. We should indicate that reconsideration of measures will be appropriate when the South Africans meet the EPG

and 1- meeting
Sanctions

conditions. At the same time we could announce the invitation to de Klerk to visit Chequers (see below). We should expect the message to Mandela to be made public.

If Ministers wish to go beyond that at this stage, and de Klerk is doing more than just releasing Mandela, we could announce that we do not see that cultural, scientific and academic contacts strengthen apartheid; on the contrary. Therefore we intend to leave it to the academics, scientists and others concerned to decide for themselves ^{where it is right to encourage} ~~whether to go to South Africa~~ ^{if they wish} or to join in meetings with South Africans.

NB: We should think in terms of a positive statement rather than announcing the "lifting" of measures. The actual measures ban agreements (EC) and events (Commonwealth). They have been pretty meaningless in practice, but were a negative signal to South Africa. A positive statement sends the right signal to South Africa without getting us into arguments about legal obligations, etc.

In addition to No 10's statement, there may be a need for a statement in the House of Commons.

The most important thing would be to lift the voluntary ban on investment.

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b) Offer by the South Africans to meet the EPG conditions (ie release Mandela unconditionally and offer to lift the state of emergency, unban the ANC and withdraw troops from townships if the ANC will join in negotiations and suspend violence):

At this point we should make a statement that we will interpret "voluntary" bans on new investment and tourism as genuinely voluntary, ie we will leave it to the banks and companies whether or not to invest and to the tourists to decide whether or not to go. We would also resume funding of trade missions.

c) Fulfilment of EPG conditions (which depends also on the ANC response):

This would be the moment to seek the rescinding of the formal Community measures, ie ban on iron and steel imports and the import of krugerrands (though it may well be difficult to get them rescinded.

d) Non-Proliferation Treaty:

There is now a possibility of getting the South Africans to accede to the NPT this year: that would be a major prize. The Article IV problem ie what would be the reciprocal obligations they could hope to get if they did so, will not go away. Subject to confirmation from Law Officers that Article IV imposes an overriding obligation, we should tell the Americans, Dutch and Germans privately that if the South Africans accede to the Treaty we would be obliged under Article IV to "facilitate" peaceful nuclear exchanges on a case-by-case basis, whatever sanctions are in place.

*They do
what now!
and so.*

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4. Action with

a) the Americans:

We should explain our thinking. However, the US Administration are not likely to seek repeal of the Comprehensive Anti-apartheid Act (CAAA) if that would trigger a clash with Congress. What we most need from the Americans would be:

- a) movement on the NPT (the CAAA itself is supposed to trigger action if South Africa accedes to the NPT); and
- b) indications that they would not oppose renewed access to IMF lending for South Africa.

The Americans will have difficulty in moving even on these points, but both would be worth discussing with Mr Baker.

b) the Germans:

Indicate privately to the Federal Chancellery our thinking on response to Mandela's release etc. Close contact with Chancellor Kohl was essential last year in holding the FRG back from more sanctions. Their support will be useful when it comes to encouraging a more favourable financial climate for South Africa.

c) the EC/Twelve,

We should inform the Presidency by COREU when our statement is issued on Mandela's release. The FAC meeting on 20 February offers an opportunity to argue that sanctions should be lifted as their original justification falls away.

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Meetings with de Klerk

5. De Klerk ^{can} might be told that if he is coming to Europe in early April, the Prime Minister would welcome a further meeting with him, possibly at Chequers. If he releases Mandela this would be announced. Otherwise it would have to be confirmed nearer the time in the light of developments - given that both sides would want the meeting to be a success.

6. The Foreign Secretary plans to visit Namibia and South Africa at the time of the Namibian independence celebrations.

7. A visit by the Prime Minister to South Africa should be timed to extract maximum advantage.

Meetings with the black opposition

8. The Prime Minister's message to Mandela on his release should include an invitation to talks in London. Meanwhile we should take advantage of Sisulu's trip to Europe to invite him for a talk with the Foreign Secretary.

9. We should step up our pressures in contacts with representatives of blacks, especially the ANC/PAC, to respond positively to any moves by de Klerk towards negotiation.

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**DRAFT MESSAGE FROM THE PRIME MINISTER
TO MR NELSON MANDELA**

I was delighted to hear the good news of your unconditional release. As you will know, this is a goal for which the British Government and I personally, as well as many others in Britain, have worked long and hard. It is of the greatest importance for South Africa that the opportunity created by your release should now be built on to initiate negotiations in which all parties can participate to work out a new, just and democratic constitution for South Africa. I have been impressed by what I have heard of your own commitment to a peaceful solution and clearly there could be no greater prize for all South Africans.

I shall look forward to an opportunity to discuss these and other issues with you and I would like to extend an invitation to you to visit Britain.

PS8AAY

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CDP (2)



10 DOWNING STREET

LONDON SW1A 2AA

From the Private Secretary

Prime Minister
You will want to
be aware of the
point at X below.

16 January 1990

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not
CDP
'6/1'

SOUTH AFRICA

Stephen Wall wrote to me on 12 January enclosing a paper setting out the steps which we might take in response to a decision by the South African Government to release Nelson Mandela. The Prime Minister is generally content with the paper subject to the following comments:

- she does not think it would be appropriate for the Government to volunteer a statement in the House on Mandela's release, although it could respond to a PNQ.
- she thinks that we should respond more forthcomingly than you proposed in the paper to Mandela's release, by saying straight away that we see no reason for refraining any longer from cultural, scientific or academic contacts with South Africa. The first substantive paragraph on page 2 of your paper should therefore be amended to read: "Therefore we believe it right to encourage academics, scientists and others concerned to go to South Africa or to join in meetings with South Africans if they wish".
- the draft press statement should be amended in two respects. First, the word "statesmanlike" should be omitted from the second paragraph (it is condescending in this context). Second, the first sentence of the fourth paragraph should be extended with the following words: "and of resisting further sanctions".
- the Prime Minister has some reservations still about whether her message to Mandela should include a specific invitation to talks in London.

X

Since dictating the above, I have had a call from Herr Teltschik in Bonn, relaying a suggestion which Chancellor Kohl wants the Prime Minister to consider. This is to the effect that immediately Mandela is released, both Kohl and the Prime Minister should issue a statement inviting him to London and Bonn for early talks. The purpose would be to advise him that the ANC should, for their part, take the steps necessary to make negotiations possible. I said that I would reflect on this, and come back to him. We would need to be careful not to put De Klerk's nose out of joint by giving all the attention to

Mandela. Equally I could see the arguments for what he has proposed.

I should be grateful for early advice on this, bearing in mind the point I have made above about the Prime Minister's instinctive reluctance to issue such an invitation.

I am sending a copy of this letter to Sonia Phippard (Cabinet Office).

C.D. POWELL

Richard Gozney, Esq.,
Foreign and Commonwealth Office.