



Foreign and Commonwealth Office

London SW1A 2AH

26 March 1984

Dear John,

Type letter pl.

A.F.C. 26/3.

Afghanistan: Resettlement of Soviet Prisoners

The Prime Minister sent an interim reply on 21 February to Lord Bethell's letter of 15 February enclosing applications for asylum in the UK from two Soviet soldiers held prisoner in Pakistan by the Afghan resistance. You will now have seen Nigel Pantling's letter of 13 March setting out the Home Secretary's views that a sympathetic approach would be right.

At the Political Committee Meeting in Paris on 21-22 February, we raised the question of Soviet prisoners. Although most of our partners indicated that, like us, they would be prepared to consider asylum applications on a case by case basis, there was no disposition to seek a coordinated approach among the Ten. It was agreed that partners should exchange information on any requests for asylum which they received, and we have therefore circulated copies of the two applications enclosed with Lord Bethell's letter of 15 February. I have suggested separately to Lord Bethell that he should encourage his MEP colleagues to interest their Governments in the problem.

We have also been keeping in close touch with the Americans. In general, the responses to their approach to a number of Western countries have been positive, with most willing to consider any asylum applications from Soviet soldiers. The State Department have also told us (in contrast to President Zia's claim to the Prime Minister in Moscow on 14 February that there are already 20-24 Soviet prisoners in the West) that they have no knowledge of any other soldiers in the pipeline or already in the West, apart from the two who were granted refugee status in the US last November and those interned in Switzerland. They said that they were not intending to move quickly and the US Administration had some way to go before reaching a final view on how to handle the issue, but they saw some merit in encouraging private organisations to play a role. Meanwhile, the US Ambassador in Islamabad is seeking clarification from the Pakistanis of the number of Soviet prisoners held by the Mujahideen and of Pakistan's attitude towards their exfiltration to the West through Pakistan. At present, therefore, it seems that the Americans will wish to keep a low profile and to be seen to be acting on humanitarian grounds so as to avoid complications in their relations with the Soviet Union and to minimise any embarrassment to Pakistan.

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On her visit to Pakistan earlier this month, Lady Young discussed the question with President Zia and, more fully with Yaqub Khan, the Pakistani Foreign Minister, in particular to clarify whether, if we were to allow the two Soviet soldiers to come to the UK, the attendant publicity would cause difficulties for the Pakistan Government. You will remember that, in Moscow, President Zia seemed relaxed on this point. Lady Young's discussions were inconclusive. Both Zia and Yaqub Khan appeared to be rather more non-committal. Nonetheless, provided that the soldiers were brought out without any fanfare in Pakistan itself and that there was no general Western campaign to encourage Soviet defections, we would not expect the Pakistanis to raise serious objections, although they might feel it necessary to go through the motions of doing so in order to placate the Soviet Ambassador.

At the present stage, there is clearly no enthusiasm on the part of our Western friends to launch a concerted effort to resettle Soviet soldiers. But there are reasonable prospects that other countries would adopt a sympathetic attitude if they too received specific applications. In these circumstances, Sir Geoffrey Howe believes it would be right to be prepared to accept the applications forwarded by Lord Bethell, subject to the conditions set out in Nigel Pantling's letter of 13 March. The two soldiers clearly do not warrant defector status. As regards the UNHCR, it does not appear that any applications have been made on their behalf and we cannot tell whether they would be accepted as refugees under the terms of the 1951 Refugee Convention. Lord Bethell has now written asking the UNHCR to explain its position and has put down a Question in the Lords.

We believe that we should put the onus on Lord Bethell to provide adequate sponsorship, given the soldiers' lack of any previous connection with the UK. This would help not only to ensure that the soldiers were properly looked after, but to guard against any demands that we should accept unlimited numbers of Soviet soldiers. In practice it should not be difficult for an official from our Embassy in Islamabad to make contact with the applicants who are apparently being held in Peshawar in order to conduct the interviews.

I enclose a draft letter to Lord Bethell accordingly. This has been cleared with Home Office officials.

I am copying this letter to Nigel Pantling (Home Office).

Y. ever,
Peter Ricketts
(P F Ricketts)
Private Secretary

A J Coles Esq
10 Downing Street

Afghanistan situation P16





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ring Nicholas
Bennell when the
draft comes in

rather than
waiting for P.M.
to 8-02.

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10 DOWNING STREET

From the Private Secretary

21 March 1984

Soviet Prisoners Held by Afghan Resistance

You wrote to me on 20 February and the Prime Minister duly wrote to Lord Bethell saying that we were looking into the question which he had raised urgently.

Lord Bethell has spoken to me on the telephone several times and has today written to me (I enclose a copy of his letter).

I recognise that this is a very complicated matter but, since it is a month since Mrs. Thatcher wrote to Lord Bethell, I hope that she will be able to write substantively in the next few days. Could you kindly let me know the position soon.

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ALL COPIES

Peter Ricketts Esq
Foreign and Commonwealth Office.

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please reply to: Lord Bethell, MEP,
73 Sussex Square,
London W2 2SS.

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A.S.C. 24/3

John Coles Esq.,
10 Downing Street,
London S.W.1.

Political Affairs Committee
Working Group on Human Rights

The Chairman

20th March 1984

Dear John,

I enclose a letter that I have just sent to Mr Jack Landau, the representative in UK of the United Nations High Commissioner for Refugees.

It seems to me clear now that most of the former Soviet soldiers in Afghanistan and the border areas are the responsibility of UNHCR. Legally speaking they are refugees not prisoners of war. Only those who wish to return home, or say they wish to return home, are prisoners of war.

I have put down a parliamentary question for written answer on this point and I very much hope that the Government will spur UNHCR to more vigorous action.

X | Meanwhile I am very pleased to learn that you may soon be able to let me have an answer to my request on behalf of Igor Rykov and Oleg Khlan. It is now more than a month since I sent the material to you and I very much hope to have some more news in a day or two.

Yours Ever

Richard

Lord Bethell



please reply to: Lord Bethell, MEP,
73 Sussex Square,
London W2 2SS.

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Jack Landau Esq.,
United Nations High Commission for Refugees,
36 Westminster Palace Gardens,
Artillery Row,
London S.W.1.

Political Affairs Committee
Working Group on Human Rights

The Chairman

20th March 1984

Dear Mr Landau,

I enclose a document describing my meetings with former Soviet soldiers in Afghanistan and the border area last month. I would be grateful if you would communicate it to your head office.

Mr Alexander Hay of the Red Cross, with whom I have discussed this complicated and distressing matter, has made it clear that his organisation can only be concerned with three of the Russians: Valeri Kisyelev, Alesandr Zhurakovsky and Sergey Myashcheryakov. The ICRC, he says, can only become involved if a man wishes to return to the Soviet Union. They will not become a channel for defectors.

It seems clear to me now that the UNHCR is responsible for the safety and resettlement of the other Soviet soldiers held by the Afghan resistance. These are people who have said that they do not wish to return to the Soviet Union, that they wish to live instead in a western or Moslem country.

My feeling is that not enough has been done by UNHCR to help these people. Some of them, particularly those held in Afghanistan, are living in terrible conditions. They may well die soon of natural causes. Or they may be shot by the Afghan resistance.

I would be grateful if you or one of your colleagues in UNHCR could let me know as a matter of urgency what you propose doing in order to save the lives of these unhappy people.

Yours sincerely,

Lord Bethell

Afghanistan: Int Sit Pt 6



Please reply to Lord Hobbie, MEP,
75 Essex Square,
London W2 3BU.

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Jack Latham MP,
United Nations High Commission for Refugees,
38 Westminister Palace Gardens,
Westminster, W.1.
London S.W.1.

Working Group on Human Rights

30th March 1984

The Chairman

Dear Mr Latham,

I enclose a document describing my meeting with former Soviet soldiers in
Afghanistan and the border area. I would be grateful if you would
comment on it to your head office.

Handwritten red circled numbers 1-9.

Mr Alexander Day of the Red Cross, whom I have discussed this complicated
and distressing matter, has said it clear that his organization can only be
concerned with that of the Russian, Afghan, Pakistani, and other
and foreign mercenaries. The ICRC, he said, has only become involved if a
man wishes to return to the Soviet Union. I am sure that will become a general
detestation.

Handwritten red date: 21 MAR 1984

It seems clear to me now that the USSR is responsible for the safety and
resettlement of the other Soviet soldiers held by the Afghan resistance. These
are people who have said that they do not wish to return to the Soviet Union,
but they wish to live instead in a western or neutral country.

My feeling is that not enough has been done by USSR to help these people.
Some of them, particularly those held in Afghanistan, are living in terrible
conditions. They may wish the soon of natural causes. Or they may be used by
the Afghan resistance.

I would be grateful if you or one of your colleagues in USSR could let me know
as a matter of urgency what you propose doing in order to save the lives of
these unhappy people.

Yours sincerely,

William Webster

Lord Hobbie

cc: [handwritten initials]



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HOME OFFICE
QUEEN ANNE'S GATE
LONDON SW1H 9AT

Avail letter from F/C

13 March 1984

A.S.C. 14/3

Dear Peter

AFGHANISTAN: RESETTLEMENT OF SOVIET PRISONERS

Thank you for your letter of 20 February setting out Sir Geoffrey Howe's views on what our stance should be towards accepting Soviet soldiers for resettlement in the United Kingdom, in the light of Lord Bethell's letter to the Prime Minister. The Home Secretary agrees with Sir Geoffrey that the plight of these prisoners is such that a sympathetic approach is called for and that the initial propaganda impact of bringing some of them to the United Kingdom could be considerable.

The Home Secretary understands, from the report he has seen of the meeting of the Political Committee of the Ten in Paris on 21/22 February, that we are unlikely to persuade our European partners at present to accept prisoners as part of a general effort by Western countries. It looks, therefore, that although we might prefer for the United Kingdom not to be seen as taking the lead and encouraging the defection of Soviet soldiers, we shall have to decide the two applications for admission for asylum, and do so fairly soon if we are to avoid the risk of adverse publicity.

From the information Lord Bethell has provided on Mr Rykov and Mr Khlan they are unlikely to qualify for defector status. We shall, therefore, need to take into account whether they have applied of their own free will; whether they qualify as refugees under the terms of the 1951 Convention relating to the Status of Refugees; whether they are in need of resettlement; whether they have close ties with reputable organisations or people in the United Kingdom who would be prepared to sponsor them, and whether they are personally acceptable on security and criminal grounds.

Although Rykov and Khlan appear genuine in their desire to settle in the United Kingdom, the office of the United Nations High Commissioner for Refugees in Geneva has said that they would consider them to be prisoners of war and not refugees under the terms of the 1961 Convention. They are clearly in need of resettlement, but no mention is made in Lord Bethell's letters of sponsorship by private organisations or individuals. He does say that they may require medical

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treatment for drug addiction, although this in itself need not be a reason for refusing them entry to the United Kingdom.

The Home Secretary does not consider that it would be appropriate to give Lord Bethell reason to believe that the United Kingdom is prepared to adopt an "open door" policy towards Soviet soldiers given the many other deserving groups who unsuccessfully seek resettlement here. However, he would be content to suggest to the Prime Minister that she tells Lord Bethell that we are prepared to look sympathetically at the applications he has lodged on behalf of Rykov and Khlan, subject to evidence being produced of sponsorship by a private organisation or individual in this country and the satisfactory outcome of an interview by an official of our Embassy in Islamabad. He should also be asked to withhold publicity for his approach or our response until the results are known. The Home Secretary would be grateful to see the terms of the draft reply to Lord Bethell. The letter might make the point that it also serves as a reply to the separate letters which Lord Bethell has sent to the Home Secretary and to Sir Geoffrey Howe.

I am sending a copy of this letter to John Coles (No 10).

Yours ever,
Nigel

N A PANTLING

Peter Ricketts, Esq.

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Afghanistan A6

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13 FEB
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