



*L.S. - Privy*

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*Rhodesia*

*Prime Minister*

*To note A overleaf.*

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*Privy - 1/4*

Prime Minister

PROCEEDINGS BY LONRHO AGAINST SHELL AND BP

I minuted to you on 18 February about the issue of public interest immunity for documents which came into existence because of the Bingham enquiry and of which Lonrho are now seeking production as part of their arbitration proceedings against the oil companies.

2. The High Court and Court of Appeal have upheld the Government's claim for immunity for these documents. Lonrho have appealed to the House of Lords, who are to hear the matter on 21 April.

3. The oil companies have consulted us on the possibility of a claim for public interest immunity in respect of several hundred other documents in their possession which could be regarded as relevant to the arbitration proceedings but which did not come into existence because of the Bingham enquiry. After further consideration the Legal Advisers to the companies have decided that many are not relevant. The remainder are mostly innocuous. But there are three documents among them which record discussions between the oil companies and the previous Administration on sanctions policy, and which, if made public, could be generally damaging to the credibility of the British Government in Africa at large, and therefore harmful to our diplomatic relations.

I consider on balance that they should be protected. A further certificate claiming public interest immunity will be required

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for this purpose. I enclose a copy of a letter from the Attorney General to me and a copy of the certificate. I have accepted the Attorney General's advice that I sign this.

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4. I am copying this minute to the Attorney General, the Leader of the House of Commons and the Secretary of State for Energy.

1.H.9.

31 March 1980

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