

SUBJECT.



CC FCO

RM
Foreign Policy

10 DOWNING STREET

THE PRIME MINISTER

10 December 1982

PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. T 236/82.

Thomson

*cc. Master set
ops.*

Thank you for your letter about the Law of the Sea Convention.

As you will by now have heard, although we believe that the provisions of the Convention relating to navigation and the continental shelf are valuable, we find unacceptable the deep sea mining provisions and the unsatisfactory precedents which they would set, for example, as regards transfer of technology. The Convention will remain open for signature for two years and we, therefore, wish to explore the prospects for obtaining improvements to the deep sea mining regime before taking a final decision on signature.

A number of industrialised countries share these misgivings. I hope that your delegation can do everything possible to persuade other members of the Conference that there should be a revision of the deep sea mining regime. I know that New Zealand was very active in trying to encourage negotiations on this issue at the session of the Conference earlier this year. It would be helpful if you could explain to other delegations, including especially those from the Pacific region, the benefits to be gained by establishing a consensus on this as on other parts of the Convention.

Meanwhile, I am grateful to you for your help at the Commonwealth Heads of Government Regional Meeting in Suva in October.

/Ratu Mara

fu

Ratu Mara did indeed write to me separately about the Convention and about the Falklands. I have sent him a reply explaining how our own interests are affected by the Convention and assuring him that we will take into account the views of Commonwealth leaders in the Pacific region.

You may like to know that we have also made representations to the United States to ensure that they are aware of the concerns of the Pacific Islands states about fishing. We hope that the Americans will work towards agreement with countries like Fiji to establish fair and practical arrangements for tuna in the Pacific. If the deep sea mining industry were to develop, then the countries of the region could also look forward to benefits from this activity as well as fishing. This re-inforces the need to establish a generally agreed deep sea mining regime, which will promote and not deter this new industry.

Yours sincerely
R. Muldoon

The Rt. Hon. R.D. Muldoon, C.H., M.P.,

CONFIDENTIAL

FOREIGN POLICY



Foreign and Commonwealth Office

London SW1A 2AH

9 December, 1982

Dear John,

Type letter please.
AJL 9/12

Law of the Sea Convention

Thank you for your letter of 25 November, with which you enclosed a copy of a letter from Mr Muldoon to the Prime Minister on this subject.

I attach a draft reply from the Prime Minister to Mr Muldoon, which has been agreed with the Departments to whom you copied your letter and with MAFF.

Mr Muldoon's letter sets out very clearly the arguments in favour of the Convention, although in our case the benefits relating to the exclusive economic zone have already been largely attained through the declaration of the 200 mile fishing zone by the European Community in 1977. The continental shelf advantages of the Convention are also more complicated in our case than in New Zealand's because of Rockall. Moreover, it is much easier for New Zealand, without a major interest in deep sea mining either as a centre of mining companies or as a consumer, to accept the Convention as it stands. (Mr Muldoon's letter does not mention the deep sea mining regime at all). 25/11/82

On the other hand, the points made by Mr Muldoon on tuna fishing in the Pacific are reasonable. We have pointed out to the Americans the bitterness their present approach engenders. The approach taken in the Atlantic and reflected in the UNLOSC text, is fairer, and more practical.

The New Zealand Delegation have been generally helpful in the Conference in trying to encourage a compromise; and Mr Muldoon himself was particularly helpful at the Commonwealth Heads of Government Regional Meeting held in Fiji in October, where he dissuaded his fellow Commonwealth leaders from linking their support for our position on the Falklands in the UN General Assembly with our position on UNLOSC. (You will remember that the Prime Minister of Fiji sent separate messages to the Prime Minister on these subjects following the Suva meeting and the Prime Minister sent a reply to Ratu Mara explaining our position on the Law of the Sea Convention). This point is covered in the draft reply to Mr Muldoon, which takes account of the Parliamentary Statement made on 2 December. Our High Commission in Wellington have already passed on the text to the New Zealand Ministry of External Affairs.

CONFIDENTIAL

/I

CONFIDENTIAL



I am copying this letter to John Rhodes (Dept of Trade),
Johnathan Spencer (Dept of Industry), Richard Mottram (MOD),
David Harbourne (MAFF) and Richard Hatfield (Cabinet Office).

Yours ever
J E Holmes

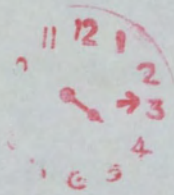
(J E Holmes)
Private Secretary

A J Coles Esq
Private Secretary
10 Downing Street

CONFIDENTIAL



9 DEC 1982



DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM: Prime Minister

Reference

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO: The Rt Hon R D Muldoon
Prime Minister of New Zealand

Your Reference

Top Secret

Secret

Confidential

Restricted

Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

CAVEAT.....

Thank you for your letter about the Law of the Sea Convention.

As you will by now have heard, although we believe that the ^{provisions of the} Convention ^{relating to} has merits as regards navigation and the continental shelf, ^{are valuable} we ^{find unacceptable} are concerned by the deep sea mining provisions and the unsatisfactory precedents which they would set, ^{for example} as regards transfer of technology. ~~These provisions are unacceptable to us.~~ The Convention will remain open for signature for two years and we therefore wish to explore the prospects for obtaining improvements to the deep sea mining regime before taking a final decision on signature.

A number of industrialised countries share these misgivings, ~~and~~ I hope that your delegation can do everything possible to persuade other members of the Conference that there should be a revision of the deep sea mining regime. [§] We know that New Zealand was very active in trying to encourage negotiations on this issue at the session of the Conference earlier this year. ~~and~~ ~~we believe~~ ^{it} it would be helpful if you could explain to

/other

Enclosures—flag(s).....

other delegations, including especially those from the Pacific region, the benefits to be gained by establishing a consensus on this as on other parts of the Convention.

Meanwhile I am grateful to you for your help at the Commonwealth Heads of Government Regional Meeting in Suva in October. Ratu Mara did indeed write to me separately about the Convention and about the Falklands. I have sent him a reply ~~on~~ ^{by the Convention} ~~the Convention~~ explaining how our own interests are affected and assuring him that we will take into account the views of Commonwealth leaders in the Pacific region.

You may like to know that we have also made representations to the United States to ensure that they are aware of the concerns of the Pacific Island states about fishing. We hope that the Americans will work towards agreement with countries like Fiji to establish fair and practical arrangements for tuna in the Pacific. If the deep sea mining industry were to develop, then the countries of the region could also look forward to benefits from this activity as well as fishing. This reinforces the need to establish a generally agreed deep sea mining regime, which will promote and not deter this new industry.



File
Foreign
Pd
089

10 DOWNING STREET

From the Private Secretary

25 November 1982

✓ MAFF

LAW OF THE SEA CONVENTION

I enclose a copy of a letter which the Prime Minister has received from the Prime Minister of New Zealand. I should be grateful for a draft reply in due course.

I am sending copies of this letter to John Rhodes (Department of Trade), Jonathan Spencer (Department of Industry), Richard Mottram (Ministry of Defence) and Richard Hatfield (Cabinet Office).

A. J. COLES

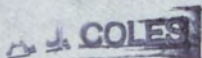
John Holmes, Esq.,
Foreign and Commonwealth Office.

File

289

25 November 1982

The Prime Minister has asked me to thank you for your letter of 25 November containing the text of a letter from the Prime Minister of New Zealand about the Law of the Sea Convention. A reply to Mr. Muldoon's letter will be sent in due course.

 COLES

His Excellency The Hon. W. L. Young.

010
PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. T 226/82



Advance text
rec'd earlier.

A.J.C. 29
H-a

Prime Minister
Wellington
New Zealand

25 November 1982

Dear Margaret,

As you may know, we have announced that New Zealand will sign the Law of the Sea Convention at the signature session in Jamaica next month.

We have always been a strong supporter of the Convention. We gain a great deal as does the United Kingdom from the provisions relating to the exclusive economic zone and the continental shelf. At the same time we recognise that the great achievement of the Convention has been to secure this expansion of coastal state jurisdiction over resources while at the same time preserving and in some cases improving the traditional freedoms of navigation and over-flight in respect of straits, territorial seas and exclusive economic zones. These safeguards are of major importance for New Zealand's trading and security interests and, we believe, for the security interests of the Western alliance. We are particularly concerned that if the Convention does not achieve widespread support what we may end up with is greatly expanded zones of coastal state jurisdiction with no adequate guarantees for navigation and over-flight through those zones. More generally, the advantages of agreed and stable rules bearing on such an important range of national interests should not, in our view, be underestimated.

Another major factor which my Government took into account in its decision to sign the Convention is the importance attached to it by the Pacific Island countries many of whom see the fish within their new exclusive economic zones as one of the few major resources to which they can look for their development. Accordingly, it is a matter of concern to us that the standing of the United States in the eyes of these countries has been seriously affected by its refusal to accept the Convention. Our concern would, of course, be increased if your Government were to decide against signing it and thus give rise to the feeling in the Pacific, however unjustified, that the United Kingdom was also unresponsive to the interests and needs of the Pacific countries.

/In this

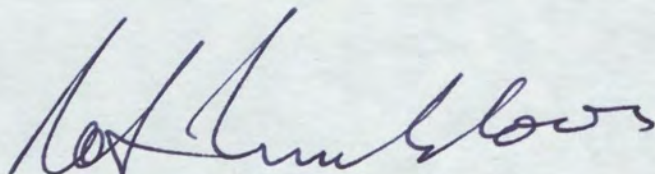
The Right Honourable
Margaret Thatcher,
Prime Minister,
No. 10 Downing Street,
LONDON.

In this regard I know that they are taking a very close interest in the position of the United Kingdom. In August this year the Thirteenth South Pacific Forum adopted a resolution reaffirming its concern over the United States' position on the Convention, noting with regret that the US Administration had decided not to sign or become party to it and expressing the hope that other developed states would not adopt a similar stance.

At the Commonwealth Heads of Government Regional Meeting in Suva in October this concern was even more directly expressed. In fact at one point some countries wanted Ratu Mara, as Chairman, to write to you linking their support for Britain's position in the Falklands with the fact that the UK had not yet announced that it would sign the Law of the Sea Convention. I argued that this was quite unacceptable since there was no history or indeed logic behind such a linkage. Ratu Mara agreed and decided to write separately to you on both points. Nonetheless, the mere fact that the suggestion was advanced was a clear indication of the strength of feeling on the Law of the Sea issue.

I know that your Government will be giving very careful consideration to signing the Convention at the signature session next month. I did, however, want to draw your attention to the importance which is attached in this region to signature of the Convention by the United Kingdom so that this factor might be given due weight in your decision.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'R.D. Muldoon', written in a cursive style.

R.D. Muldoon

SUBJECT

PRIME MINISTER'S

T 226/82

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PERSONAL MESSAGE

SERIAL No. T 226/82



Prime Minister

I shall let you have

a reply.

A.S.C. 25/11

cc Minister
Ops

NEW ZEALAND HIGH COMMISSION

NEW ZEALAND HOUSE · HAYMARKET · LONDON SW1Y 4TQ

Telephone: 01-930 8422 Telex: 24368

From the High Commissioner
H.E. The Hon W. L. Young

25 November 1982

My Dear Prime Minister

My Prime Minister has asked me to forward to you the following text of a letter, the original of which will follow shortly:

"Dear Margaret,

As you may know, we have announced that New Zealand will sign the Law of the Sea Convention at the signature session in Jamaica next month.

We have always been a strong supporter of the Convention. We gain a great deal as does the United Kingdom from the provisions relating to the Exclusive Economic Zone and the continental shelf. At the same time we recognise that the great achievement of the Convention has been to secure this expansion of coastal state jurisdiction over resources while at the same time preserving and in some cases improving the traditional freedoms of navigation and over-flight in respect of straits, territorial seas and exclusive economic zones. These safeguards are of major importance for New Zealand's trading and security interests and, we believe, for the security interests of the Western alliance. We are particularly concerned that if the Convention does not achieve widespread support what we may end up with is greatly expanded zones of coastal state jurisdiction with no adequate guarantees for navigation and over-flight through those zones. More generally, the advantages of agreed and stable rules bearing on such an important range of national interests should not, in our view, be underestimated.

/Another

The Right Honourable Margaret Thatcher, MP
Prime Minister,
10 Downing Street,
LONDON.

Another major factor which my Government took into account in its decision to sign the Convention is the importance attached to it by the Pacific Island countries many of whom see the fish within their new Exclusive Economic Zones as one of the few major resources to which they can look for their development. Accordingly, it is a matter of concern to us that the standing of the United States in the eyes of these countries has been seriously affected by its refusal to accept the Convention. Our concern would, of course, be increased if your Government were to decide against signing it and thus give rise to the feeling in the Pacific, however unjustified, that the United Kingdom was also unresponsive to the interests and needs of the Pacific countries.

In this regard I know that they are taking a very close interest in the position of the United Kingdom. In August this year the thirteenth South Pacific Forum adopted a resolution reaffirming its concern over the United States' position on the Convention, noting with regret that the US Administration had decided not to sign or become party to it and expressing the hope that other developed states would not adopt a similar stance.

At the Commonwealth Heads of Government Regional Meeting in Suva in October this concern was even more directly expressed. In fact at one point some countries wanted Ratu Mara, as Chairman, to write to you linking their support for Britain's position in the Falklands with the fact that the UK had not yet announced that it would sign the Law of the Sea Convention. I argued that this was quite unacceptable since there was no history or indeed logic behind such a linkage. Ratu Mara agreed and decided to write separately to you on both points. Nonetheless, the mere fact that the suggestion was advanced was a clear indication of the strength of feeling on the Law of the Sea issue.

/I know

3.

I know that your Government will be giving very careful consideration to signing the Convention at the signature session next month. I did, however, want to draw your attention to the importance which is attached in this region to signature of the Convention by the United Kingdom so that this factor might be given due weight in your decision.

Yours sincerely,

R.D. Muldoon"

Yours sincerely,

William I. Young.

RESTRICTED

HL

*all put
to T.*

25 November 1982

Messages from the Prime Minister to the Prime
Minister of Fiji

Thank you for your letter of 24 November. The Prime Minister agrees that the proposed message from her to Mr. Ratu Mara should be despatched but wishes the phrase "and which should and could be amended" to be added to the end of the third paragraph.

Mrs. Thatcher also agrees that when our High Commissioner delivers this message he should informally thank Mr. Ratu Mara for his message about the Falkland Islands.

JOHN COLES

John Holmes, Esq.,
Foreign and Commonwealth Office.

RESTRICTED



Foreign and Commonwealth Office

London SW1A 2AH

24 November 1982

Prime Minister

Agree to send attached message
to Prime Minister of Fiji?

A.J.C. 24/11

Dear John,

Messages to Prime Minister from Prime Minister of Fiji

// I enclose two messages from the Prime Minister of Fiji, Ratu Sir Kamisese Mara, to the Prime Minister following last month's Commonwealth Heads of Government Regional Meeting (CHOGRM) in Suva. Although the messages are dated 20 October, they did not reach our High Commissioner in Fiji until 1 November. He had sent advance warning of the messages by telegram in late October, but unfortunately only sent the full texts by bag (the service from Fiji is very slow), which is why we have not written until now. / I attach the relevant extract from the CHOGRM communiqué referred to in Ratu Mara's second message.

✓ | The first message is a reply to the Prime Minister's pre-CHOGRM message of 11 October about the Falkland Islands. The Prime Minister has already thanked Ratu Mara for his response to that message (FCO telno 336 to Wellington of 25 October). There therefore seems no need for her to say anything further to Ratu Mara on this subject. Our High Commissioner might however be asked to pass an informal word of thanks from the Prime Minister when he delivers her reply to Ratu Mara's second message. In the event, the countries participating at the Suva meeting did well by us in the General Assembly vote. Only two (India and Malaysia) voted for the Latin American resolution; five (including Fiji) voted against; and six abstained.

The second message is largely devoted to the Law of the Sea Convention. Ratu Mara reports that this was of particular interest to all regional Heads of Government; and he records a general hope 'that the countries of Western Europe, such as the United Kingdom which has a long history of maritime tradition, will find it possible to support the Convention by signing it'.

/In this



In this second passage, Ratu Mara is reflecting the consensus among the Regional Heads of Government. Their communiqué 'deplored the declared decision by the United States not to become a party to the Convention' and 'urged all States to sign the Convention at Jamaica and to proceed to ratification without unnecessary delay'.

Our High Commissioner in Suva has pointed out the importance which Fiji and other South Pacific countries attach to the Convention and the adverse reaction in the region that our failure to sign would cause. We gather in fact that it was only after the intervention of Mr Muldoon that the Fijians dropped the idea of writing to the Prime Minister proposing overt linkage between the way Fiji would vote at the UN on the Falklands and our attitude to signing the UNLOS Convention.

In the circumstances, and given the helpful attitude of Fiji on the Falklands at the UN, a warm if frank message from the Prime Minister to Ratu Mara would seem appropriate. I enclose a draft which, if the Prime Minister agrees, we shall instruct our High Commissioner to deliver.

Yours ever

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street



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S I N B
C O B L
S I N B
C O B L

OUT TELEGRAM

Classification and Caveats
CONFIDENTIAL

Precedence/Deskby
PRIORITY

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ZCZC
GRS
CONFIDENTIAL
FM FCO
TO PRIORITY SUVA
TELEGRAM NUMBER

9 YOUR LETTER OF 4 NOVEMBER TO CARRUTHERS: RATU MARA'S LETTERS
10 OF 20 OCTOBER TO THE PRIME MINISTER

11 1. Following is text of Prime Minister's reply to letter on
12 Law of the Sea. BEGINS:

13 Thank you for your letter of 20 October about the
14 Commonwealth Heads of Government Regional Meeting. I am afraid
15 that I have only just received this and am sorry to have been so
16 late replying. The meeting was clearly very successful, and I
17 was glad to hear of yet another example of the value of the
18 Commonwealth association. Much of the credit belongs to you
19 and your government.

20 You mentioned in particular your discussion of the Law
21 of the Sea Convention. We are now considering the advantages
22 and disadvantages of the Convention in the light of our own
23 interests and the views of other countries. Given what you so
24 rightly described as the complexity and diversity of the
25 subject matter, this is no easy task. I am grateful to you

NNNN ends telegram	BLANK	Catchword for
File number	Dept	Distribution
Drafted by (Block capitals) PRIVATE SECRETARY		Limited CCD
Telephone number 233 4641		FID SPD
Authorised for despatch		MAED UND
Comcen reference	Time of despatch	cc: Mr Adams

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/

OUT TELEGRAM (CONT)

Classification and Caveats
CONFIDENTIAL

Page
2

1 <<<<

2 for setting out so clearly the views of Regional Heads of
3 Government.

4 It had, as you know, been our hope that the Law of the Sea
5 Conference could achieve a Convention which would be generally
6 accepted. This would have contributed greatly to the rule of
7 law on the seas, to which we attach importance. The absence of
8 such consensus makes our decision very difficult and although
9 there are advantages in the Convention, the seabed mining
10 provisions contain elements which are very difficult for us to
11 accept, *and which should and could be ~~substantially~~ amended*

12 It is helpful to know your views. We will of course
13 take them, and those of our other friends, fully into account
14 in reaching a decision. However, as I am sure you will
15 understand, there are also several important British interests
16 involved. ENDS

17 2. Please deliver this message as soon as possible. When you
18 do so, you should say that Mrs Thatcher has not replied to
19 Ratu Mara's separate letter of 20 October about the Falkland
20 Islands, as that letter crossed with Mrs Thatcher's message
21 to him of 25 October (FCO telno 336 to Wellington). But she
22 greatly appreciated Ratu Mara's message, and Fiji's decision
23 to vote with us in the General Assembly on 4 November.

24
25 PYM

26 NNNN

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NNNN ends
telegram

BLANK

Catchword

EXTRACT FROM FINAL COMMUNIQUE, COMMONWEALTH HEADS OF GOVERNMENT
REGIONAL MEETING, SUVA, FIJI, 14 - 18 OCTOBER 1982

16. Heads of Government welcomed the adopting in April 1982, of the new comprehensive Convention on the Law of the Sea, which had been the fruit of nine years of painstaking negotiations and which was of special significance to the countries of the region. At the same time they deeply deplored the declared decision by the United States not to become a party to the Convention. Observing that a number of other developed states had abstained in the vote on its adoption, they recognised that the lack of active support from these states could seriously undermine the effectiveness of an instrument that was designed to establish an international regime for the equitable and orderly management of the resources of the sea to the benefit of developed and developing countries alike. They therefore strongly urged all states to sign the Convention at the forthcoming signing conference in 1982 and to proceed to the ratification process without unnecessary delay.

SUBJECT

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PRIME MINISTER'S

PERSONAL MESSAGE

SERIAL No. T221/82

10 DOWNING STREET

for. Pol

THE PRIME MINISTER

17 November 1982

Dear Mr Anthony

Thank you for your message about the Law of the Sea Convention.

We much regret that the negotiations did not result in a Convention which could be accepted by all countries. We are now looking closely at the text in the light of all our national interests and the views of our allies. While some of the provisions are satisfactory, the deep sea mining provisions contain elements which are highly disadvantageous to the industrialised countries and this makes our decision a very difficult one. As you know, the Convention will remain open for signature for two years and we wish to look very carefully at the balance of advantages and disadvantages before reaching a decision.

You mentioned the communiques of the South Pacific Forum meeting and the recent CHOGRM. You may be assured that we will take your concerns, and those of our other friends in the Pacific, fully into account in considering the question of signature of the Convention.

Yours sincerely

Margaret Thatcher

The Rt. Hon. J. D. Anthony, C.H., M.P.

CONFIDENTIAL

Foreign Pol



Foreign and Commonwealth Office

London SW1A 2AH

12 November 1982

Re. type letter.

ADL 15/11.

Dear John,

Law of the Sea

Thank you for your letter of 8 November about the message from the acting Prime Minister of Australia to the Prime Minister.

I enclose a draft reply from the Prime Minister to Mr Anthony, which has been cleared with the DOI, MOD and DOT.

Mr Anthony's message refers to the recent Commonwealth Heads of Government Regional Meeting in Suva, which took up a strong position in favour of early signature of the Law of the Sea Convention. Ratu Sir Kamisese Mara, the Prime Minister of Fiji, has also sent a message to the Prime Minister including the communiqué of the meeting and drawing attention to the passage on Law of the Sea. We are writing separately with a draft reply to this message.

Yours ever

John Holmes

(J E Holmes)
Private Secretary

A J Coles Esq
10 Downing Street

CONFIDENTIAL

Law of the Sea: Foreign Policy



DRAFT UNCLASSIFIED LETTER

DRAFT: ~~minutes/letter/teletype/despatch/roty~~
~~XXXXXXXXXXXXXXXXXXXX~~

TYPE: Draft/Final 1+

FROM:
Prime Minister

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

TO:
The Rt. Hon. J D Anthony, CH MP
Acting Prime Minister of Australia

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Copies to:

PRIVACY MARKING

SUBJECT:

.....In Confidence

Thank you for your message about the Law of the Sea Convention.

CAVEAT.....

We are now looking closely at the ^{best} ~~Convention~~ in the light of all our national interests and the views of our allies. ~~As you will know, our objective during negotiations has been to try to obtain a generally agreed Convention which could be accepted by all countries. We much regret that this has not been possible.~~ ^{While some of} We recognise that the navigational provisions which you cite are satisfactory but the deep sea mining provisions contain elements which are highly disadvantageous to the industrialised countries and this makes our decision a very difficult one. As you know, the Convention will remain open for signature for two years and we wish to look very carefully at the balance of advantages and disadvantages before reaching a decision.

We must repeat that the negotiations did not result in a Convention which could be accepted by all countries.

Enclosures—flag(s).....

~~We also understand the concern over UNLOSC among the Pacific island states.~~ You mentioned the

/communiqués

communiqués of the South Pacific Forum meeting and the recent CHOGRM. You may be assured that we will take your concerns, and those of our other friends in the Pacific, fully into account in considering the question of signature of the Convention.

RR ¹⁵/₁₇.

Final
Foreign Policy

8 November 1982

The Prime Minister has asked me to thank you for your letter of 8 November containing a message from the Acting Prime Minister of Australia to Mrs. Thatcher. The contents of Mr. Anthony's message are being considered and a reply will be sent as soon as possible.

A. J. COLES

His Excellency The Hon. Sir Victor Garland, K.B.E.

8 November 1982

LAW OF THE SEA

I enclose a copy of a letter the Prime Minister has received from the Australian High Commissioner which conveys a message to Mrs. Thatcher from the Acting Prime Minister of Australia, about the Law of the Sea Convention. I should be grateful if you could let me have a draft reply as soon as possible for signature by the Prime Minister.

A. J. COLES

John Holmes, Esq.,
Foreign and Commonwealth Office.

SUBJECT
CC MASTER
OPS.

CONFIDENTIAL

2



AUSTRALIAN HIGH COMMISSION • LONDON

PRIME MINISTER'S

PERSONAL MESSAGE

SERIAL No. T212/82

8 November 1982

THE HIGH COMMISSIONER

The Hon. Sir Victor Garland, KBE

No
me
Prime Minister
We shall let you have
a reply. 9/11

John Louis Minister,

I have been asked by the Acting Prime Minister, Mr Anthony, to convey to you the following message:

Begins -

"Australia attaches great importance to a comprehensive and widely supported Convention on the Law of the Sea. I am concerned to hear, therefore, that the United States Government is seeking actively to dissuade other Governments from signing the Convention adopted in April of this year and recently sent Mr Rumsfeld to a number of European capitals including London for this purpose.

It might be helpful to your consideration of the question of signature of the Law of the Sea Convention if I were to let you have an indication of Australian thinking.

Our final decision will be taken soon now that we have completed our consultations with other Governments, the Australian States and interested organisations.

Our disposition is to sign when the Convention is opened for signature in Jamaica in early December. This disposition is based on our assessment that most of our specific objectives, particularly in freedom of navigation which is basic to strategic mobility and in access to living and non-living resources, are met in the Convention. We would have liked to see more practical and 'free enterprise' provisions covering deep seabed mining: but we believe that this Convention embodies the only package of measures likely to be available in the foreseeable future.

For these reasons we should be extremely concerned if countries, such as Great Britain, with substantial interests in the Law of the Sea, did not support the Convention. If they were to stand aside this would inevitably increase the risk of maritime disputes, including over transit rights and access to resources,

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CONFIDENTIAL

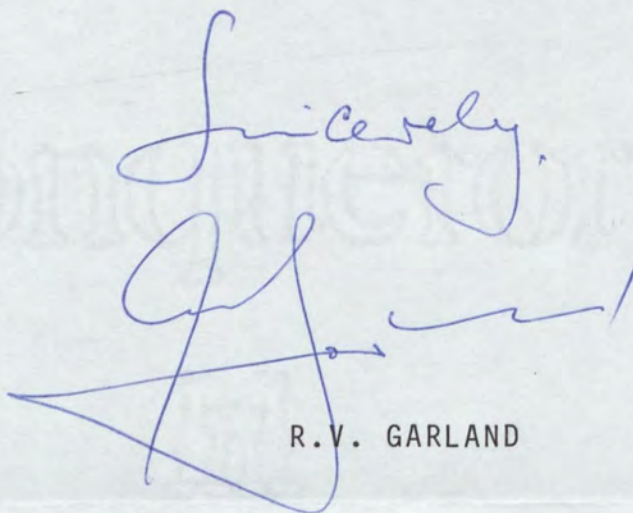
- 2 -

which would have the effect of weakening the strategic and trading interests of the West. We believe that it will only be by signing the Convention and participating fully in the work of the Preparatory Commission that our countries will be able to influence the development of the Law of the Sea in a manner favourable to our interests. Whether the Convention will merit ratification will obviously be affected by the work of this Commission and may be a decision some years off.

I should add that the communique of both the recent South Pacific Forum and CHOGRM meetings strongly urged early signature of the Convention. There is concern in the Pacific that the decision of the United States not to sign can only benefit the Soviet Union.

I should greatly appreciate your reassurance that your Government will take a long-sighted view of the development of the Law of the Sea and decide to sign the Convention in Jamaica in December."

Ends.

Sincerely,

R.V. GARLAND

The Rt Hon. Margaret Thatcher, MP,
Prime Minister,
No. 10 Downing Street,
LONDON SW1.

CONFIDENTIAL

cc Master
ops



PRIME MINISTER
SUVA, FIJI

SUBJECT

PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. T196c/82

ORIGINAL ATO

20th October, 1982

The Rt. Hon. Mrs Margaret Thatcher,
Prime Minister,
10 Downing Street,
London,
UNITED KINGDOM.

Dear Prime Minister,

The Third Commonwealth Heads of Government Regional Meeting for Asia and Pacific was held in Suva from 14th to 18th October. Fifteen of the seventeen Heads personally attended. We were able to discuss global political and economic trends and their impact on the Asia-Pacific region, as well as review regional functional co-operation among the Commonwealth States within the region. Many of the areas of functional co-operation that were identified at the previous two CHOGRM have reached the stage of practical implementation and the meeting was able to give new impetus to this.

Among the matters of particular interest to all participants was the forthcoming signing of the Law of the Sea Convention in December this year.

Given the complexity and the diversity of the subject matter it was the general view that the Convention is the best that could be achieved. It was recognised that the treaty is of great significance to the international community. It is of course, of particular importance for the small island developing countries which look to the resources of the sea for their future development. While welcoming the adoption of the Convention after nine years of negotiations the Heads of Government noted with regret that some of our friends in the West, notably the United States, have indicated that they will not sign it. It is everyone's hope however, that the countries

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of Western Europe, such as the United Kingdom which has a long history of maritime tradition, will find it possible to support the Convention by signing it. I therefore, convey this expectation of my colleagues at CHOGRM for your Government's consideration.

I take this opportunity of enclosing a copy of the CHOGRM Communique for your information.

With kind regards,

Yours sincerely,

K. K. T. Mara

K.K.T. Mara
Prime Minister



PRIME MINISTER
SUVA, FIJI

PRIME MINISTER'S
PERSONAL MESSAGE
SERIAL No. 11968/82

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SUBJECT
cc Minister
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20th October, 1982

The Rt. Hon. Mrs Margaret Thatcher,
Prime Minister,
10 Downing Street,
London,
UNITED KINGDOM.

Dear Prime Minister,

Thank you very much for your message to me explaining your Government's position regarding Falkland Islands. I had the message and the accompanying note circulated to all the Commonwealth Heads of Government who attended the Asia-Pacific Regional Meeting which ended in Suva last week.

I also took the opportunity to refer to the message during the Retreat. The Heads of Government noted the communication with interest and I believe that there is now a better appreciation of your Government's position on Falkland Islands.

As you have already noted my Government understands and is sympathetic to British position. We hope that given time and goodwill on all sides the Falkland Islands dispute will be resolved peacefully.

Yours sincerely,

K.K.T. Mara
Prime Minister