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TELNO 222

OF 301730Z APRIL 86

INFO SAVING CANBERRA, MOSCOW, PEKING, WARSAW, WASHINGTON
INFO SAVING UKMIS NEW YORK

YOUR TELELETTER (GOODWORTH TO HEAP) OF 1 APRIL : ROK/ANTARCTICA

- 1. PROBLEM SURROUNDING ROK ACCESSION TO ANTARCTIC TREATY WAS RAISED BY HAJOST OF US STATE DEPARTMENT IN MARGINS OF ANTARCTIC MINERALS NEGOTIATIONS IN HOBART (14-25 APRIL). HAJOST SAID IT WAS IMPORTANT FOR THE US THAT THERE BE NO QUOTE LINKAGE UNQUOTE BETWEEN THE ACCESSION OF ROK AND THAT OF NORTH KOREA. HE NOTED THAT ROK HAD MADE ITS REQUEST FOR AN INVITATION TO ACCEDE SOME TIME AGO (NOVEMBER 1985), HAD ALREADY ACCEDED TO THE CONVENTION FOR THE CONSERVATION OF ANTARCTIC MARINE LIVING RESOURCES (19 NOVEMBER 1985) AND THAT A FEW OF ITS CITIZENS HAD ALREADY BEEN TO THE ANTARCTIC. NO SIMILAR POINTS COULD BE MADE IN FAVOUR OF NORTH KOREA. HEAP SAID THAT WE HAD NO OBJECTION TO THE US CONTINUING TO ELICIT THE VIEWS OF CONSULTATIVE PARTIES.
- 2. WHILE-OUR FORMAL POSITION REMAINS THAT WE HAVE DIFFICULTY IN AGREEING TO ACTION BEING TAKEN THAT ASSUMES NORTH KOREA IS A STATE, WE RECOGNISE THAT EVENTS OVER A LONG PERIOD MAY HAVE LED TO A NEED TO SOFTEN THIS LINE. WE HAVE IN MIND PARTICULARLY THAT NORTH KOREA ENJOYS MEMBERSHIP OF TEN UN ORGANISATIONS. WE ARE SEEKING TO CLARIFY WHETHER MEMBERSHIP OF THESE ORGANISATIONS

REQUIRED OUR CLEAR AGREEMENT OR ACQUIESCENCE OR WHETHER IT WAS A CONSEQUENCE OF OUR BEING OUT-VOTED. IN THE CASE OF THE ANTARCTIC TREATY, ACQUIESCENCE IS REQUIRED: WE CANNOT BE OUTVOTED. UNTIL THE BACKGROUND TO EXISTING NORTH KOREAN MEMBERSHIP OF INTERNATIONAL ORGANISATIONS HAS BEEN RESEARCHED IT WILL NOT BE POSSIBLE FOR US TO TAKE A DECISION ON MEMBERSHIP OF THE ANTARCTIC TREATY. WE REGRET THAT ROK ACCESSION IS BEING DELAYED BECAUSE OF THE NORTH KOREAN FACTOR.

3. WE HAVE NOT BEEN ASKED TO PROVIDE A BRIEF ON THIS SUBJECT FOR THE PRIME MINISTER'S VISIT. HOWEVER, IF YOU THINK IT LIKELY THAT ROK ACCESSION WILL BE RAISED, THE LINE-TO-TAKE IS:

WE CONTINUE TO SUPPORT ROK ACCESSION TO THE ANTARCTIC TREATY. THERE ARE, HOWEVER, CERTAIN OBSTACLES OF WHICH THE ROK IS AWARE. THE UNITED STATES AS DEPOSITARY GOVERNMENT IS ATTEMPTING TO RESOLVE THE OUTSTANDING ISSUES THROUGH CONSULTATIONS AMONG THE CONSULTATIVE PARTIES TO THE TREATY.

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COPIES TO:

MR WATTS, DEPUTY LEGAL ADVISER.