

MASTER
OPS

Pol: Law of the Sea: Pt 2.



RM

PRIME MINISTER'S

PERSONAL MESSAGE

SERIAL No. T.208A/84 10 DOWNING STREET

CC FCO.

THE PRIME MINISTER

10 December, 1984

US Declassified

Dear Ron.

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

As you know, we have always found the Convention's proposed mining regime unacceptable and have clearly indicated that, although some other parts might be of benefit to us, we would not be able to ratify or accede to the Convention unless the mining regime were changed.

We have recently reviewed our policy and have found no reason to change our decision of two years ago not to sign. We accordingly announced in Parliament on 6 December that the UK would not sign the Convention.

We also announced that we would not stand in the way of signature of the Convention by the European Community, whose competence as regards the Convention is very limited. (We have naturally insisted that the limits of this competence and therefore of the Community's acceptance of the Convention, should be carefully spelled out in declarations on signature). As you know, the Federal Republic of Germany took a similar decision.

We now have a situation in which three of the countries most likely to be involved in deep sea bed mining have decided not to sign the Convention. Other industrialised

ecu

countries have made their reservations clear. There should therefore be a strong incentive for the international community as a whole to accept the need for improvements of the sort both our countries have worked for in the past. I agree that we should continue to co-operate on this subject in the future.

Y
Lansing

Roosevelt
—

The President of the United States of America

T 208A/84

CONFIDENTIAL

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OO WASHINGTON
GRS 300
CONFIDENTIAL
FM FCO 121310Z DEC 84
TO IMMEDIATE WASHINGTON
TELEGRAM NUMBER 2126 OF 12 DECEMBER

UN LAW OF THE SEA CONVENTION : MESSAGE FROM THE PRIME MINISTER
TO PRESIDENT REAGAN

1. FOLLOWING IS TEXT OF MESSAGE OF 10 DECEMBER TO PRESIDENT
REAGAN IN REPLY TO HIS OF 14 NOVEMBER: BEGINS

DEAR RON,

THANK YOU FOR YOUR MESSAGE ABOUT THE UN LAW OF THE SEA CONVENTION.
AS YOU KNOW, WE HAVE ALWAYS FOUND THE CONVENTION'S PROPOSED
MINING REGIME UNACCEPTABLE AND HAVE CLEARLY INDICATED THAT,
ALTHOUGH SOME OTHER PARTS MIGHT BE OF BENEFIT TO US, WE WOULD NOT
BE ABLE TO RATIFY OR ACCEDE TO THE CONVENTION UNLESS THE
MINING REGIME WERE CHANGED.

WE HAVE RECENTLY REVIEWED OUR POLICY AND HAVE FOUND NO REASON
TO CHANGE OUR DECISION OF TWO YEARS AGO NOT TO SIGN. WE
ACCORDINGLY ANNOUNCED IN PARLIAMENT ON 6 DECEMBER THAT THE
UK WOULD NOT SIGN THE CONVENTION.

WE ALSO ANNOUNCED THAT WE WOULD NOT STAND IN THE WAY OF
SIGNATURE OF THE CONVENTION BY THE EUROPEAN COMMUNITY, WHOSE
COMPETENCE AS REGARDS THE CONVENTION IS VERY LIMITED. (WE HAVE
NATURALLY INSISTED THAT THE LIMITS OF THIS COMPETENCE AND
THEREFORE OF THE COMMUNITY'S ACCEPTANCE OF THE CONVENTION, SHOULD
BE CAREFULLY SPELLED OUT IN DECLARATIONS ON SIGNATURE). AS
YOU KNOW, THE FEDERAL REPUBLIC OF GERMANY TOOK A SIMILAR
DECISION.

WE NOW HAVE A SITUATION IN WHICH THREE OF THE COUNTRIES
MOST LIKELY TO BE INVOLVED IN DEEP SEABED MINING HAVE DECIDED
NOT TO SIGN THE CONVENTION. OTHER INDUSTRIALISED COUNTRIES HAVE
MADE THEIR RESERVATIONS CLEAR. THERE SHOULD THEREFORE BE A
STRONG INCENTIVE FOR THE INTERNATIONAL COMMUNITY AS A WHOLE
TO ACCEPT THE NEED FOR IMPROVEMENTS OF THE SORT BOTH OUR

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6036 - 1

COUNTRIES HAVE WORKED FOR IN THE PAST. I AGREE THAT WE SHOULD
CONTINUE TO COOPERATE ON THIS SUBJECT IN THE FUTURE.
YOURS EVER, MARGARET' ENDS.
2. GRATEFUL IF THIS COULD BE PASSED TO PRESIDENT REAGAN.
THE LETTER ITSELF FOLLOWS BY BAG.

HOWE

NNNN

DIST: LIMITED
MAED
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PS

PS/MR RIFKIND
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ADVISER
MR NUNN, DTI



Foreign and Commonwealth Office

London SW1A 2AH

7 December 1984

Dear Charles,

UNLOSC

/ Now that we have taken and announced a decision on signature, I enclose a draft reply from the Prime Minister to President Reagan's message (your letter of 14 November).

The Foreign Secretary has not yet seen this draft; I will be showing him a copy overnight.

*Yours ever,
Peter Ricketts*

(P F Ricketts)
Private Secretary

C D Powell Esq
10 Downing Street

DRAFT: minute/letter/teleletter/despatch/note

TYPE: Draft/Final 1+

FROM:

Reference

Prime Minister

DEPARTMENT:

TEL. NO:

SECURITY CLASSIFICATION

TO:

Your Reference

President Reagan

Top Secret

Secret

Confidential

Restricted

Unclassified

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SUBJECT:

.....In Confidence

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

CAVEAT.....

As you know, we have always found the Convention's proposed mining regime unacceptable and have clearly indicated that, although ^{some} other parts might be of benefit to us, we would not be able to ratify or accede to the Convention unless the mining regime were changed.

Please type to Mr. Hyde.

~~During the last few weeks~~ We have ^{recently} reviewed our policy and have found no reason to change our ~~earlier~~ ^(of two years ago) decision ~~not to sign two years ago~~. We accordingly announced in Parliament on 6 December that the UK would not sign the Convention.

~~At the same time,~~ We ^{also} announced that we would not stand in the way of signature of the Convention by the ^{European} Community, whose competence as regards the Convention is very limited. (We have naturally insisted that the limits of this competence and therefore of the Community's acceptance of the Convention, should be carefully spelled out in declarations on signature.) As you know, the Federal Republic of Germany took a similar decision.

Enclosures—flag(s).....

We now have a situation in which ~~the~~
Now that three of the countries most likely to be
involved in deep sea mining have decided not to sign ~~the~~ ^{Convention}
while other industrialised countries have made their
reservations clear. ^{There should therefore be a strong incentive for the} ~~we must hope that the~~ international
community as a whole ~~will come~~ to accept the need
for improvements of the sort both our countries
have ^{worked} pressed for in the past. ~~The UK's objective~~
remains the achievement of a universally accepted law
of ~~the sea regime.~~

~~I look forward to~~
~~continuing to work with you to achieve~~

I agree that
we should continue to cooperate on
this subject in the future.

We now have a situation in which three of the countries most likely to be involved in deep sea bed mining have decided not to sign the Convention. Other industrialised countries have made their reservations clear. There should therefore be a strong incentive for the international community as a whole to accept the need for improvements of the sort both our countries have worked for in the past. I agree that we should continue to cooperate on this subject in the future.

D.